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BELFAST CITY COUNCIL

SUMMONS TO ATTEND THE MONTHLY MEETING OF THE COUNCIL

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

Notice is hereby given that the monthly meeting of the City Council will be held in the Council Chamber, City Hall, Belfast on Thursday, 1st May, 2014 at 6.00 pm, for the transaction of the following business:

1. Reading of Scriptures
2. Chief Executive to submit Summons convening the Meeting
3. Apologies
4. To take as read and confirm the minutes of the Monthly Meeting of the Council of 1st April (Pages 3 - 10)
5. To receive official announcements and memorials, if any.
6. To receive and adopt the minutes of the proceedings of the Committees as follows:
7. Strategic Policy and Resources Committee of 4th April (Pages 11 - 48)
8. Strategic Policy and Resources Committee of 25th April (Pages 49 - 138)
9. Parks and Leisure Committee of 10th April (Pages 139 - 174)
10. Development Committee of 15th April (Pages 175 - 204)
11. Health and Environmental Services Committee of 2nd April (Pages 205 - 228)
12. Licensing Committee of 16th April (Pages 229 - 254)
13. Town Planning Committee of 3rd April (Pages 255 - 260)
14. Town Planning Committee of 17th April (Pages 261 - 310)

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

PETER McNANEY

Chief Executive

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Council

MONTHLY MEETING OF BELFAST CITY COUNCIL

Held in the City Hall on Tuesday, 1st April, 2014
at the hour of 6.00 o'clock p.m., pursuant to Notice.

Members present: The Right Honourable the Lord Mayor
(Councillor Ó Muilleoir) (Chairman);
the Deputy Lord Mayor (Alderman Stalford);
the High Sheriff (Councillor L. Patterson);
Aldermen Browne, M. Campbell, Ekin, McCoubrey,
R. Patterson, Robinson, Rodgers and Stoker;
Councillors Attwood, Austin, Beattie,
M. E. Campbell, Carson, Clarke, Convery,
Corr, Cunningham, Curran, Garrett, Groves,
Haire, Hanna, Hargey, Hendron, Hussey,
Hutchinson, Jones, Keenan, Kelly, Kennedy,
Kingston, Kyle, Mac Giolla Mhín, Magee, Mallon,
McCabe, McCarthy, McKee, McNamee, McVeigh,
Mullan, A. Newton, Ó Donnghaile, L. Patterson,
Reynolds, Thompson, Verner and Webb.

Reading of Scriptures

In accordance with Standing Order 9, the Lord Mayor read a passage from the Scriptures.

Summons

The Chief Executive submitted the summons convening the meeting.

Minutes

Moved by Alderman Robinson,
Seconded by Councillor Hendron and

Resolved – That the minutes of the proceedings of the monthly meeting of the Council of 3rd March be taken as read and signed as correct.

Congratulations

The Lord Mayor, on behalf of the Council, extended congratulations to Mrs. S. Wylie, who had been appointed recently to the post of Chief Executive for the new Council.

Oscar Knox

Having been advised that Oscar Knox was continuing to experience ill health, the Council agreed that a letter be forwarded to his family offering its best wishes and ongoing support.

Meeting of Council,
Tuesday, 1st April, 2014

Request to Film Proceedings

The Chief Executive reported that requests had been received from the BBC and UTV to film the proceedings of the meeting.

It was

Moved by Alderman Browne,
Seconded by Alderman Stoker,

That the requests be declined.

On a vote by show of hands two Members voted for the proposal and thirty-eight against and it was accordingly declared lost.

The representatives of the broadcasting organisations were admitted to the meeting.

Request to Address the Council

The Chief Executive reported that a request had been received from Ms. D. Doyle seeking to address the Council on issues around the future provision of Integrated Services for Children and Young People in the West Belfast and Shankill areas.

The Council acceded to the request and Ms. D. Doyle, together with Ms. N. Collins and Ms. P. McCarthy, were admitted to the meeting.

Ms. Doyle informed the Members that Integrated Services for Children and Young People offered a valuable service in the West Belfast and Shankill areas of the City and provided details on how it had improved the lives of several members within her own family. She highlighted the fact that funding for the initiative had ended on 31st March and urged the Council to work with the agencies involved to ensure that every effort was made to retain the service.

The Lord Mayor, on behalf of the Council, thanked Ms. Doyle for her presentation and the deputation retired from the meeting.

The Council noted the information which had been provided and that it would be afforded an opportunity, later in the meeting, to raise any issues relating to the matter during consideration of the minutes of the meeting of the Strategic Policy and Resources Committee.

Strategic Policy and Resources Committee

Moved by Alderman Robinson,
Seconded by Councillor Carson,

That the minutes of the proceedings of the Strategic Policy and Resources Committee of 21st March be approved and adopted.

Meeting of Council,
Tuesday, 1st April, 2014

Amendment

Capital Programme – Update

Moved by Councillor Kennedy,
Seconded by Alderman R. Patterson,

That the decision under the heading "Capital Programme – Update" be amended to provide that the Council does not agree to progress the City Hall Works Project from Stage 2 – Uncommitted to Stage 3 – Committed in the Capital Programme until such time as the design, layout and content have been agreed.

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

Adoption of Minutes

The minutes of the meeting of the Strategic Policy and Resources Committee of 21st March were approved and adopted.

Amendment to Standing Orders

Moved by Alderman Robinson,
Seconded by Councillor Carson and

Resolved – That, in pursuance of Standing Order 71 and in accordance with the decision of the Council of 3rd March, the Council confirm the amendment to Standing Order 55, relating to the Employment of Relatives, to provide that the employment of an agency worker related to an officer or servant of the Council be reported to the Strategic Policy and Resources Committee.

Parks and Leisure Committee

Moved by Councillor McKee,
Seconded by Councillor Mac Giolla Mhín,

That the minutes of the proceedings of the Parks and Leisure Committee of 13th March be approved and adopted.

Request for Matter to be Taken Back to Committee

Northern Ireland Commonwealth Games Council

At the request of Councillor Kelly and with the permission of the Council, the Chairman (Councillor McKee) agreed that the minute under the heading "Northern Ireland Commonwealth Games Council" be taken back to the Committee for further consideration.

Meeting of Council,
Tuesday, 1st April, 2014

Adoption of Minutes

Subject to the foregoing omission, the minutes of the proceedings of the Parks and Leisure Committee of 13th March were approved and adopted.

Development Committee

Moved by Councillor Hargey,
Seconded by Councillor Ó Donnghaile,

That the minutes of the proceedings of the Development Committee of 18th March be approved and adopted.

Amendment

Giro d'Italia

Moved by Alderman Robinson,
Seconded by the Deputy Lord Mayor (Alderman Stalford) and

Resolved - That the decision under the heading "Giro d'Italia" be amended to provide that the Council agrees to write to the Environment Minister encouraging him to introduce statutory provision to ban the erection of election posters along the route of the Giro d'Italia race until the event was over.

Visit Belfast

At the request of Councillor Curran, the Lord Mayor agreed to hold an appropriate event to mark the retirement of Ms. Anne Collins, Director of Shopmobility Belfast.

Amendment

Eurocities Update – Annual Conference

Moved by Alderman Stoker,
Seconded by Councillor Kennedy and

Resolved - That the decision under the heading "Eurocities Update – Annual Conference**"** be amended to provide that, in addition to the Chairman and the Deputy Chairman, a representative of each of the other Political Parties be authorised to attend the Conference.

Adoption of Minutes

Subject to the foregoing amendments and addition, the minutes of the proceedings of the Development Committee of 18th March were approved and adopted.

Meeting of Council,
Tuesday, 1st April, 2014

Health and Environmental Services Committee

Moved by Councillor Corr,
Seconded by Councillor M.E. Campbell and

Resolved - That the minutes of the proceedings of the Health and Environmental Services Committee of 5th March be approved and adopted.

Amendment to Belfast City Council Traffic Regulation (Northern Ireland) Orders

Moved by Councillor Corr,
Seconded by Councillor M. E. Campbell and

Resolved - That the Council agrees to pass Resolutions amending the Belfast City Council Traffic Regulation Orders (Northern Ireland) 2013 for East and South Belfast, as set out on the summons and within the minutes of the meeting of the Health and Environmental Services Committee of 5th March, and to be effective from 1st April, 2014.

Licensing Committee

Moved by Alderman Ekin,
Seconded by Councillor Cunningham and

Resolved - That the minutes of the proceedings of the Licensing Committee of 19th March, omitting those matters in respect of which the Council had delegated its powers to the Committee, be approved and adopted.

Town Planning Committee

Moved by Alderman M. Campbell,
Seconded by Councillor Ó Donnghaile and

Resolved - That the minutes of the proceedings of the Town Planning Committee of 6th and 20th March, omitting those matters in respect of which the Council had delegated its powers to the Committee, be approved and adopted.

Notices of Motion

Pope Francis

In accordance with Notice on the Agenda, Councillor McCarthy proposed:

"This Council notes that the Irish Seanad, on 19th February, unanimously passed a Motion by Senator David Norris, inviting Pope Francis to visit Ireland.

Should the Holy Father accept that invitation, this Council invites him, as a man of faith, peace and reconciliation, to visit the City of Belfast and calls upon the Northern Ireland Assembly to extend a similar invitation."

The motion was seconded by Councillor Convery.

On a vote by show of hands thirty Members voted for the proposal and none against and it was accordingly declared carried.

James Ellis

In accordance with Notice on the Agenda, Councillor Hendron proposed:

"This Council recognises the contribution of James Ellis to the image and reputation of Belfast and regrets his passing.

To mark his role as an outstanding ambassador for the City, this Council pays tribute to his memory in a fitting manner and ensures that his career is given prominence in the proposed visitor attraction here in City Hall."

The motion was seconded by Councillor Kennedy.

After discussion, the Motion was put to the meeting and passed unanimously.

City Planning

In accordance with Notice on the Agenda, Alderman Ekin proposed:

"This Council recognises that the consistent message from all the studies carried out for City Council at home and abroad, of progressive regions and cities, is one of good City Planning. This planning considers living and health conditions, economic and transport requirements, education and recreation needs. It helps to create a city that is socially and economically sustainable, and underpins decisions which might be unpopular but are necessary.

With the transfer of planning functions to councils, it is vital that Belfast City Council creates a City Planning capability to develop the City Plan which will set the guidelines for future planning decisions.

We, therefore, request the Chairman of the Strategic Policy and Resources Committee to arrange for officers to urgently prepare proposals for consideration by the Strategic Policy and Resources Committee regarding the appointment of a Senior Planning Executive (or team) who will bring the experience of best practice from elsewhere and who will constructively guide the Council as it takes on responsibility for planning."

The motion was seconded by Councillor Attwood.

Meeting of Council,
Tuesday, 1st April, 2014

In accordance with Standing Order (11e), the Lord Mayor confirmed that the matter would be referred without discussion to the Strategic Policy and Resources Committee.

Irish Rugby Squad

In accordance with Notice on the Agenda, Councillor Ó Donnghaile proposed:

> "This Council congratulates the Ireland Rugby Squad on their recent Six Nations win and in particular commends and recognises the contribution of Brian O'Driscoll to the sporting life of Ireland over the last fifteen years.
>
> The Council requests the Strategic Policy and Resources Committee to engage with the IRFU to host, at the earliest convenience for both, a reception/event, led by the Lord Mayor, to recognise the team's historic win and afford the people of Belfast the opportunity to express their thanks, appreciation and support for our Ireland Rugby heroes."

The motion was seconded by Alderman Robinson.

After discussion, the Motion was put to the meeting and passed unanimously.

Lord Mayor
Chairman

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Strategic Policy and Resources Committee

Friday, 4th April, 2014

MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE

Members present: Alderman Robinson (Chairman);
Aldermen Browne, Campbell and Patterson;
Councillors Attwood, Carson, Clarke, Corr, Campbell, Haire, Hendron, Jones, Kennedy, McCarthy, Mac Giolla Mhín, McVeigh, Mullan, Newton and Reynolds.

In attendance: Mrs. S. Wylie, Chief Executive (Designate);
Mr. R. Cregan, Director of Finance and Resources;
Mr. G. Millar, Director of Property and Projects;
Mrs. J. Minne, Assistant Chief Executive/ Head of Human Resources;
Mr. S. McCrory, Democratic Services Manager; and
Mr. J. Hanna, Senior Democratic Services Officer.

Apologies

Apologies for inability to attend were reported from Councillors Hargey and Jones.

Minutes

The minutes of the meeting of 21st March were taken as read and signed correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st April.

Declarations of Interest

No declarations of interest were reported.

Date of Next Meeting

The Chairman reminded the Members that the next meeting of the Committee was scheduled to be held on 18th April which was Good Friday and requested the Committee to consider moving the meeting to the following week.

The Committee agreed that the next scheduled meeting of the Committee be rearranged and held at 10.00am on Friday, 25th April.

**Strategic Policy and Resources Committee,
Friday, 4th April, 2014**

Reform of Local Government

Future Governance Arrangements For the Shadow Council Period

The Committee considered the undernoted report:

"1.0 Background

1.1 At the Strategic Policy and Resources Committee on 13th December 2013, Members were updated on the three possible forms of governance available to new councils as provided for in Part 5 of the Local Government Bill: (a) executive arrangements (either cabinet or streamlined committee); (b) a traditional committee system; or (c) prescribed arrangements.

1.2 At the meeting, Members agreed on a process of engagement, to facilitate discussions on potential new political management arrangements for the operation of the new council during the Shadow period (May 2014 – March 2015).

1.3 Party Group briefings took place in January 2014, facilitated by Jonathan Huish from the Improvement and Efficiency Social Enterprise (IESE), at which Members explored the issues associated with each model. Jonathan Huish provided feedback to the Committee at its meeting on 7th February where it was agreed that officers should work with the Governance Steering Panel to develop options for possible committee structures for the Shadow period based on a more streamlined traditional committee system. These options would then be discussed with party groups before a final report was brought back to SP&R and STC in April.

1.4 This report therefore sets out recommendations on the proposed interim governance arrangements for the shadow period June 2014 – March 2015.

2.0 Existing Council

2.1 In considering arrangements for the Shadow Council, Members firstly discussed the governance structures for the existing council, as both structures will operate simultaneously from June 2014 to March 2015.

2.2 The Annual Meeting of the existing council has been scheduled for Monday 2nd June 2014, where the Council will appoint a Lord Mayor, Deputy Lord Mayor and committee membership for the period ending on 31st March 2015. The current council will have to oversee the work of the

departments as laid out in the departmental plans and revenue estimates and it is therefore recommended that the current committee structures remain in place during this period to fulfil this function. As the year progresses, depending on the volume of business, it may be possible to review the frequency of meetings of these committees to free up members time.

2.3 Members will be aware that the committees are supported by a large number of working groups (details of committee and working group meeting is attached at Appendix 1). Given the demands on Members' time in the shadow period it is recommended that a review of the working groups is undertaken with a view to reducing the number where possible.

3.0 <u>The Role of The Shadow Council</u>

3.1 While the current council will continue to oversee day to day delivery of service the Shadow council will work to prepare the organisation for the adoption of full functions, powers and responsibilities in April 2015. A consultation document on regulations for the shadow period has been released which sets out the requirements of the Shadow Council up to April 2015. A summary of key actions is set out below

Governance	• **Identify and design the preferred governance model - including the number, size and roles of committees for the adoption of full powers on 1st April 2015** • **Agree a method for filling positions of responsibility (by nomination or election) for the 4 year period between 2015 and 2019** • **Agree the allocation of Special Responsibility Allowance (SRA)** • **Agree the name of the new council** • **Develop Standing Orders for the new council post April 2015** • **Prepare a Scheme of Delegation for the new council post April 2015** • **Define and agree the constitution for the new council** • **Develop a Corporate and Business Plan for the new council**
People	• **Appoint staff – HR and Finance** • **Build capacity in preparation for new functions – particularly planning**
Financial	• **Striking the Rate for 2015 – 2016** • **Agree budget for new Council** • **Medium Term Financial Plan** • **Capital Programme**
Operational	• **Prepare service convergence plans to ensure continuity of service within new areas** • **Prepare for the transfer of functions from central to local government (planning, regeneration, community planning, local economic development, housing, off street parking)** • **Design and agree the organisational structure of the new council**
Transformational	• **Commence the development of the Community Plan and Local Development Plan** • **Develop the Councils approach to strategic regeneration** • **Develop the approach to area working** • **Agree outcomes framework**

4.0 Proposed Governance Structures for the Shadow Council

4.1 In order to fulfil theses functions, two options for possible committee structures were presented at the party group briefings. All parties agreed that an enhanced traditional committee system with the following four standing committees was the preferred option;

- **a *strategic committee* which would take decisions or make recommendations in relation to budgets, governance arrangements, organisational development and design, corporate planning and performance processes etc. This is similar to the type of work currently undertaken by the current SP&R Committee.**

- **The inclusion of a *transition committee* with responsibility for ensuring the smooth transfer of services from central government including planning, regeneration, housing, off street car parking and the extension of current council functions to the new ratepayers from Lisburn and Castlereagh. This will include overseeing the transfer of staff and assets transfer, service standards, accommodation etc.**

- **a *transformation committee* with responsibility to commence the development of the community plan, local development plan and prepare the organisation for its future role as a regeneration authority. This will include the development of a city vision and priorities, an outcomes framework, establishing an external partnership reference group and formulating the Councils approach to area working.**

- **a *regulatory committee* which, during the Shadow period, would prepare for its own future regulatory role in respect of planning through capacity building, awareness raising and case studies/visits.**

4.2 These standing committees could be supported by working groups where needed and this requirement would be fed into the review of working groups for the current council to make the best use of Members' time.

4.3 As with a traditional committee system, all committees will report into the full Council. A schematic of the preferred option has been circulated and details of the high level

decisions and activity required by each committee for the duration of the Shadow Council has been circulated.

4.4 If Members agree this option officers will work up the terms of reference for each committee to inform the Standing Orders for the shadow period.

5.0 <u>Process for the implementation of the Shadow Governance Arrangements</u>

5.1 Interim Governance arrangements will need to be in place to allow the Shadow Council to function and to carry out the actions outlined above. A number of key issues need to be addressed almost immediately after the May elections in order that later deadlines can be met.

5.2 The Annual Meeting of the Shadow Council must take place within 21 days of the Local Election – ie by 12th June 2013. Officers will work with party groups during this timeframe to ensure key decisions can be taken at this first meeting including;

- **Agree the preferred interim governance model for the shadow period – including the number, size and responsibilities of committees**
- **Agree the allocation of special responsibility allowance for the shadow period**
- **Agree Standing Orders for the shadow period**
- **Agree a full work plan (Corporate Plan) for the shadow period**

A draft Agenda for the first meeting of the Shadow Council has also been circulated.

5.3 There are a number of key considerations which must be taken into account regardless of the governance arrangements selected. The decision about the final structure and composition of the committees for the Shadow period will need to take account of the following:

- **Call – in - decisions will be subject to 'call-in' whereby 15% of Members (9 out of 60) may call for any committee decision to be reconsidered on the basis that (a) a decision was not arrived at after proper consideration of the relevant facts and issues (due process) or (b) that the decision would disproportionately affect adversely any section of the inhabitants of the district (adverse impact).**

- **Qualified Majority Voting (QMV) - all decisions are subject to 'simple majority' voting. However a number of decisions (to be specified by DOE and included in standing orders) will be subject to 'Qualified Majority Voting (QMV)' where the support of 80% of the Members of a council present and voting at a meeting will be required for a specified decision or resolution to be agreed.**

- **Number, size and composition of Committees - although no limit has been imposed on the size of Committees within the Traditional Committee system, any decision should be considered in the light of its impact on the degree of political representativeness, the speed of decision-making and how it might affect remuneration generally. The Council will need to determine how many Members should sit on each Committee and how often they should meet.**

- **Positions of Responsibility / Allocation of Special Responsibility Allowances (SRA) - The Chair and Deputy Chair of any committee are currently considered as positions of responsibility as are the positions of Party Leader and Deputy Party Leader and Party Secretary (depending upon party strength). As positions of responsibility will be entitled to Special Responsibility Allowance (SRA), the number of committees will also impact on the division of the SRA allocation amongst Members. Indications are that the SRA will be capped at £108,000 per annum for Belfast City Council.**

- **The role of working groups and panels - non-decision making bodies - this layer of governance may include a Governance working group, Audit and Budget Panels and Area Working Groups. These advisory groups will have no decision making powers but will provide advice and recommendations to the Committees into which they report and inform its decision-making process.**

- **Review of existing working groups – As outlined in 2.0 Members will also need to undertake a review of the number and constitution of existing working groups taking account of the dual governance arrangements which will exist during the shadow period, the revised geography of the council area**

and the additional pressure which will be placed upon Members' time as a result of the adoption of new powers, functions and responsibilities.

6.0 Recommendations

6.1 It is recommended that Members:

1. **Agree to continue with the current committee structures for the current council from June 2014 – March 2015.**
2. **Review the number and role of the existing working groups to take account of the dual governance systems which will exist during the shadow period.**
3. **Agree to the traditional committee system with four standing committees as set out in the report as the governance structures for the Shadow Council to operate from June 2014 – March 2015.**
4. **Agree that officers now work up terms of reference for each committee to inform the standing orders for the Shadow Council.**
5. **Agree the draft Agenda for the first meeting of the Shadow Council."**

The Committee adopted the recommendations.

Democratic Services and Governance

Election Update

The Democratic Services Manager submitted for the Committee's consideration the under noted report which provided an update in relation the arrangements for the Local Elections to the Shadow Belfast District Council:

"1 Relevant Background Information

Members will be aware that the Local Elections to the Shadow Belfast District Council will be held on 22nd May, 2014. The poll will be a joint one with the European Parliamentary Election.

2 Key Issues

The timetable for the Local Elections has been circulated and sets out the various dates and deadlines which will be of interest to candidates standing for election.

Members are asked to note that the election will be to the new Belfast District Council and this is the wording that will be

required to be used on ballot papers and on election banners etc around the City Hall on the days of the counts. This is because the names of the 11 new Councils were set out in the Local Government (Boundaries) Act (Northern Ireland) 2008 and in our case the name chosen was Belfast District Council. It will be a matter for the Shadow Council to determine if it wishes to change the name of the new Council back to a City.

Nomination Process

The Notice of Election will be placed in the Belfast Telegraph, Irish News and News Letter newspapers on Monday 14th April. The delivery of nomination papers must be made between the hours of 10.00am and 4.00pm on 15th, 16th, 17th, 22nd, 23rd, 24th, 25th, 28th April and between the hours of 10.00am and 1.00pm on 29th April. As in previous elections, we will be using the Lavery Room for the receipt of nomination papers.

Parties are requested to reserve a date and time for the lodging of their papers as the process can take quite some time to complete and this will assist in ensuring that the Deputy Returning Officer (Peter McNaney) or one of the Assistant Returning Officers (Stephen McCrory and Jim Hanna) are available to receive the papers. It would be of significant assistance if Parties were to submit the papers in draft initially so that the details can be checked and any required amendments made in advance of the formal submission.

Nomination papers, consent to nomination papers etc are contained within the Guide to Candidates document which may be obtained from the Electoral Office website at http://www.eoni.org.uk/getmedia/29aa50ee-c6fb-49e3-bb91-8161c1aebd3e/Local-Council-Election-22-May-2014-Guide-for-Candidates-(final). For convenience, copies of the forms are attached as Appendices to the report or may be obtained from the Democratic Services offices in the City Hall upon request.

Members are reminded that no cameras will be permitted within the Lavery Room during the nomination process.

Date of Poll

The poll will be taken between the hours of 7.00am and 10.00pm on Thursday, 22nd May, 2014. Members are reminded that this will be a joint poll with the election to the European Parliament.

Overnight Verification of Unused Ballot Papers

Following the close of poll on 22nd May, the ballot boxes for the 10 District Electoral Areas in the Belfast District, together with the European ballot boxes from the Polling Places within those 10 DEAs, will be delivered to the City Hall. The verification of unused ballot papers for both elections will take place within the 5 count venues in the City Hall.

This process does not involve the opening of any ballot boxes but merely records the number of unused papers returned in the election stationery against the figures recorded on the Ballot Paper Accounts. Candidates, Election Agents etc will be entitled to be present during this process if they so wish and details of how to register to attend will be circulated to those persons after the nomination period ends.

It is anticipated that this process should be concluded between 2.00am and 3.00am on Friday, 23rd May.

Verification of Used Ballot Papers

The verification of the used ballot papers for both elections will commence at 8.00am on Friday, 23rd May. This process involves the 2 ballot boxes from each polling station (1 Local Council box and 1 European box) being opened and the contents sorted and counted in view of the Candidates, Election Agents and Counting Agents. Members are asked to note that the Local Council papers will be sorted and counted face up whilst the European papers will be face down.

The purpose of the process is to verify the numbers of ballot papers found in each box and to check this against the Ballot Paper Account and the verification statement of unused ballot papers. The verification of the DEAs of Botanic, Ormiston, Oldpark, Collin and Titanic will take place first and when completed the verification for the DEAs of Balmoral, Black Mountain, Castle, Court and Lisnasharragh will follow immediately afterwards. It is anticipated that this process will be completed between 2.00pm and 3.00pm that day.

Once the verification process has been completed, we will commence the actual Local Council counts for the DEAs of Balmoral, Black Mountain, Castle, Court and Lisnasharragh as follows:

Banqueting Hall – Black Mountain – Count Controller Gareth Quinn
Reception Room – Balmoral – Count Controller Andrew Wilson

Great Hall (1) – Castle – Count Controller Ronan Cregan
Great Hall (2) – Court – Count Controller Mark McBride
Great hall (3) – Lisnasharragh – Count Controller Rose Crozier

The first stage of each count will be to carry out the initial sort of ballot papers according to first preference votes and to identify any invalid papers. This stage can take a couple of hours to complete and therefore we may not be in a position to announce the total valid vote and establish the electoral quota until near to tea time on Friday. Each count will continue stage by stage where either candidates' surpluses will be transferred or candidates will be excluded until the required number of Councillors have been elected. Local election rules indicate that a count should ideally not continue after 11.00pm. Should any count not be completed by then an assessment will be undertaken as to how long it might take to finish the process and, if that time is not excessive and if the candidates and agents agree, the count will continue until completion.

The counts for the 5 DEAs of Botanic, Ormiston, Oldpark, Collin and Titanic will commence at 9.00am on Saturday, 24th May as follows:

Banqueting Hall – Ormiston – Count Controller Gareth Quinn
Reception Room – Botanic – Count Controller Andrew Wilson
Great Hall (1) – Oldpark – Count Controller Ronan Cregan
Great Hall (2) – Collin – Count Controller Mark McBride
Great hall (3) – Titanic – Count Controller Rose Crozier

The same process as followed for the counts on Friday will be undertaken with the exception that there will not be a separate verification process as that will have been carried out on the Friday morning. Accordingly, it is anticipated that all counts should be completed by 5.00pm on the Saturday.

<u>Facilities during the Verification and Counts</u>

The City Hall will continue to operate a full working day for staff on Friday, 23rd May. However, access to the building by the public will be prohibited except for the Registration of Births, Deaths and Marriages service. All access to the City Hall will be by the rear entrance at Donegall Square South and all other doors will be locked.

Only persons who have been authorised will be permitted access to the relevant count area and candidates and agents will be asked to submit the names of those persons in due course.

There is extreme pressure on car parking in the City Hall but all existing Members of Council will be able to park in the City Hall courtyard on the days of the counts. No other requests for car parking spaces will be able to be granted.

The Bobbin Restaurant will be closed to the public but will remain open and serve a range of hot and cold food during the counts. There will also be a tea, coffee and sandwich facility in the East Entrance area.

Contacts for Election Information

The Principal Office for the purpose of the election is the Members' Support Office, Room G42. This office will be able to issue any papers that candidates might need.

If anyone has any questions about the election process they should contact:

- **Stephen McCrory, Senior Assistant Returning Officer, Room G37, City Hall. Telephone 02890 270382. Email mccrorys@belfastcity.gov.uk or**
- **Jim Hanna, Assistant Returning Officer, Room G39, City Hall. Telephone 02890 270549. Email hannajim@belfastcity.gov.uk.**

3 Resource Implications

The costs of running the Local Elections have been budgeted for over the last 4 years and costs will be met from within existing budgets.

4 Equality and Good Relations Implications

There are not any equality or good relations considerations connected to this report.

5 Recommendations

The Committee is requested to note the information."

The Committee noted the information which had been provided.

Finance/Value-For-Money

Authority to seek tenders and award contracts

The Director of Property and Projects sought the Committees authority to seek tenders and award contracts for the following:

Category of Spend	Indicative costs per annum
Annual property asset revaluations	£40,000
Financial appraisals	£50,000

The Committee granted approval to seek tenders for the above categories using pre-determined evaluation criteria which would include both quality and cost. The Committee noted that the Director of Property and Projects, in accordance with the authority delegated to him, would be awarding the contracts to the most advantageous tenders received.

Super-connected Belfast: Public Wi-Fi Hotspots

The Committee was reminded that the public building hotspots strand of the super-connected Belfast programme had been allocated £2.35million to fund the installation of wireless/Wi-Fi equipment into buildings regularly visited by members of the public. The funding covered broadband connections to the building, equipment, wiring and the cost of installation. The Director of Finance and Resources reported that, in order to facilitate an EU procurement for the hotspot strand, the results of the site surveys were required to form part of the Council's specification requirements which were due to be submitted to the Department for Culture, Media and Sport based on an agreed project plan for the week commencing 12th May, 2014. The site surveys would document physical building layouts, unique building features and electric and network cabling requirements. Market research based on feedback from several supplies had indicated that the value of the survey work would be less than the £30,000 tender threshold and a quotation exercise had been undertaken. However, only two of the six parties invited to quote had responded, with the cost of both submissions coming in over the threshold.

He explained that, following advice from the Council's procurement service, the Committee now had two options:

(i) As the value of the contract was over the tender threshold of £30,000, authority could be sought to undertake a new tender exercise (that would take a minimum of 4 weeks, which was the time currently allocated for the site surveys to be completed); or

(ii) The Committee could approve an exception to standing orders and choose a successful supplier from the original quotation.

The Committee agreed to adopt option 2 and authorised the completion of the original site survey procurement without the requirement to re-tender.

Human Resources

Arrangements for Chief Executive

(With the exception of the Assistant Chief Executive/Head of Human Resources and the Senior Democratic Services Officer, all other officers left the meeting whilst this item was under discussion.)

The Assistant Chief Executive/Head of Human Resources submitted for the Committees' consideration a report in relation to the appointment of the new Chief Executive for the new Council and the hand-over period and release date for the current Chief Executive. That portion of the report as far as it related to the early release date is set out hereunder:

> **"2.2 Hand-over Period and early release date for current Chief Executive**
>
> **2.2.1 The current Chief Executive has indicated that he is happy to be flexible on his early release date to suit the needs of the organisation.**
>
> **2.2.3 Members have already agreed at SP&R on 22 November 2013 that Belfast City Council is in a significantly different position to all the other councils who are merging with at least one other council while Belfast is merely extending its boundaries to take in parts of the current Lisburn and Castlereagh Council areas.**
>
> **2.2.4 Members agreed that the appointment of another Chief Executive, running alongside the existing Chief Executive up until March 2015, has real potential to cause confusion and disrupt the management of the organisation at a time of significant change and considered options on this matter at its meeting in September 2013.**
>
> **2.2.5 Given the 'one off' circumstances in Belfast City Council where we will have two Chief Executives in post in one organisation a flexible approach is required to reduce the overlap period of two Chief Executives being in post at the same time and thus alleviating confusion or organisational disruption in the run up to the new Council coming into place. It was therefore agreed by Committee in November 2013 that this should operate as follows:**
>
> - **Members agree with the current Chief Executive a release date before 31 March 2015 (the release date would be dependent on the start date of the newly appointed Chief Executive and an effective hand-over period) and make early payment of his pension**

along with redundancy entitlements as set out in The RPA Scheme, which has been recommended for adoption in councils by the LGRJF.

- **Given the Chief Executive has the right to stay in post until 31 March 2015 this date would be used for the calculation of payments under that scheme and remuneration purposes.**

- **The Council is essentially required to remunerate the existing Chief Executive to 31 March 2015 (and then make pension and redundancy entitlements payments as set out in The RPA Scheme)**

- **The Chief Executive should be compensated for the personal financial detriment that he would incur every month if he were to retire early in advance of his statutory right to remain until 31 March 2015 i.e. £5,370 gross per month (the difference between his current salary and his future pension; the early release arrangement for the current Chief Executive which would reduce the overlap period of two Chief Executives being in post at the same time would achieve savings for the Council of approximately £9,129 per month.**

2.2.6 **The current Chief Executive and the Chief Executive of the new Belfast District Council have formally discussed the priority factors around an effective hand-over period and following consideration of all relevant issues it is proposed that the current Chief Executive's last day in the role will be 30 June 2014, with his contractual end date being 1 September given his accrued annual leave entitlement.**

3.0 **<u>Resource Implications</u>**

3.1 **Human Resources**

The suggested flexible approach is required to reduce the overlap period of two Chief Executives being in post at the same time and thus alleviating confusion or organisational disruption in the run up to the new Council coming into place.

3.2 **Financial**

The financial implications in this report were previously agreed by the SP&R Committee on 22 November 2013 and are reiterated in the body of this report.

4.0 Equality and Good Relations Implications

4.1 None

5.0 Recommendations

Members are asked to:

5.1 Review the recruitment and selection process which appointed Suzanne Wylie to the post of Chief Executive of the new Belfast Council (and Ronan Cregan as a reserve candidate for one year) with effect from 1 April 2014; and

5.2 Agree the early release of the current Chief Executive, Peter McNaney, from the Council with effect from 1 September 2014 (given accrued annual leave entitlement) with his last working day in the role being 30 June 2014."

The Committee adopted the recommendations and agreed to the early release of the current Chief Executive to reduce the overlap period of two Chief Executives being in post at the same time and thus alleviating confusion or organisational disruption in the run up to the new Council coming into place. Members agreed the Chief Executive's contractual end date would be 1st September, 2014 (given his accrued annual leave entitlement) and that the Council would make up the difference between his current salary and his future pension from 1st September, 2014 to 31st March, 2015 (this being the date to which he has a statutory right to remain in post) which would achieve savings for the Council of just over £9,000 per month giving approximate total savings of £63,000.

Industrial Relations Review

The Committee considered the undernoted report:

"1 Relevant Background Information

1.1 Members will be aware that the council recognises four trade unions for negotiating and bargaining purposes - GMB, NIPSA, SIPTU and UNITE.

1.2 The council has an agreed industrial relations structure to enable trade unions and management to work together on a range of issues affecting employees through negotiations and consultations within recognised industrial relations forums.

1.3 Following recommendations as a result of an independent report in 2008, a review of the council's industrial relations framework was undertaken. This work was facilitated by the Labour Relations Agency (LRA). As an outcome of this

detailed review, in 2012, the existing JCC was replaced with the Joint Negotiating and Consultative Committee (JNCC). In addition, a full review of the council's Trade Union Facilities Agreement (TUFA) started in October 2012. The TUFA sets out how and when trade union representatives can request time off to undertake trade union activities and clarifies the nature of the trade union representative's role. Clarification on these issues is essential to ensure that industrial relations within the council are effective.

2 Key Issues

2.1 A revised TUFA has now been confirmed with three out of the four Trade Unions, (attached at Appendix One) NIPSA raised objections to two elements to the revised Agreement, addressing:

(a) the process to be followed when requesting paid time off for TU duties, and
(b) provisions outlining when and how it would be appropriate for a shop steward in one department to represent an employee working in a different department.

2.2 In reference to point 2.1a), management responded to NIPSA requesting clarification of why it would be unreasonable to ask trade union representatives to follow a defined process, including filling in a form, when requesting paid time off to complete TU duties. NIPSA did not provide this clarification, but continued to object to the requirement to follow a process. Management does not consider this objection to be reasonable. Management also notes that the process for requesting time off was contained within the existing TUFA which was agreed with the trade unions in 2006.

2.3 In reference to point 2.1b), management asked NIPSA to clarify the nature of the objections raised regarding provisions outlining when and how it would be appropriate for a shop steward in one department to represent an employee working in a different department (cross sectional representation). This was contained within the existing TUFA which was agreed with the trade unions in 2006. NIPSA objects to this provision on the basis that employees should have unfettered choice of representation, which management does not dispute.

2.4 Notwithstanding the right of employees within disciplinary and grievance hearings to choose a representative, the legislative framework requires employers to permit trade union representatives to be granted 'reasonable' time off for

the completion of trade union duties. Management has outlined to NIPSA that, in this context, the existing council provisions are reasonable. The TUFA stipulates that '*trade union representatives will normally only undertake representational duties within the service in which they are employed*' but allows that '*there may be occasions where it will become necessary to seek the services of a representative from outside the Service / Department owing to their experience, specialist knowledge or expertise of a particular subject or issue or where there is no experience representative in place*.' Management contends that these provisions are reasonable in assessing whether or not a request for time off for completion of TU duties should be granted. NIPSA, however, continues to reiterate objections, regardless of the responses provided by management.

2.5 Management has attempted to reach agreement with NIPSA through meetings and correspondence over a period of 13 months. Given that agreement has been reached with three out of the four trade unions within the trade union group and given that NIPSA has continued to reiterate objections without acknowledging the assurances given to them by management addressing these concerns, management notified trade unions that where agreement could not be reached on the proposed amendments, management would revert to the provisions as set out within the existing TUFA which had been agreed with the trade union group in 2006. Whereas these provisions have been in force previously, there has been an acknowledged inconsistency of approach across the council. Following implementation of the revised TUFA, these provisions would, however, be rigorously applied and regularly audited to ensure consistency across the council, in accordance with the proposed implementation plan, (attached at Appendix Two.)

2.6 Corporate HR now seeks member approval for the implementation of this revised agreement. A full communication exercise and a detailed training programme will be required for implementation of the amendments. Training would be run jointly with management and trade unions. It is intended that this training will assist managers and trade union representatives by equipping them with a detailed knowledge of the mechanisms available to them to facilitate industrial relations.

3 Resource Implications

3.1 Financial

3.2 Any costs associated with the provision of training would be covered by the corporate OD budget and normal procurement processes for commissioning external expertise would apply.

Human Resources

All actions will be undertaken in accordance with agreed HR policies and procedures and normal procurement processes will apply.

4 Equality Implications

4.1 There are no equality issues.

5 Recommendations

5.1 Members are asked to:

(i) Consider the contents of this report, including the appendices attached.

(ii) Approve the revised Trade Union Facilities Agreement.

Appendix One

TRADE UNION FACILITIES AGREEMENT AND GUIDELINES ON TIME OFF FOR TRADE UNION DUTIES AND ACTIVITIES

1. Introduction:

1.1. The Council and trade unions have a joint responsibility to ensure that agreed arrangements work to mutual advantage by specifying how reasonable time off for union duties and activities and for training will work. This can be particularly important in the case of union learning representatives where the lack of such an understanding may result in duplication of functions concerning employees' training needs.

2. General purpose of these guidelines

2.1. The general purpose of the statutory provisions, the LRA Code of Practice and these guidelines is to aid and improve

the effectiveness of relationships between employers and trade unions.

3. Background

3.1. This agreement and guidelines are based on the Labour Relations Agency's Code of Practice on Time Off for Trade Union Duties and Activities, as amended.

4. Relevant Legislation

4.1. Trade union officials have a statutory right to reasonable paid time off from employment to carry out trade union duties and to undertake trade union training. Union officials and members also have a statutory right to reasonable unpaid time off when taking part in trade union activities.

4.2. Trade union members have a statutory right to reasonable unpaid time off for the purpose of having access to the services of a Union Learning Representative.

4.3. The relevant law relating to this agreement is set out in:

- **The Employment Rights (Northern Ireland) Order 1996**
- **The Collective Redundancies and Transfer of Undertakings (Protection of Employment) Amendment Regulations (Northern Ireland) 1999**
- **The Employment (Northern Ireland) Order 2003**
- **The Industrial Relations (Northern Ireland) Order 1992**
- **The Trade Union and Labour Relations (Northern Ireland) Order 1995**

5. The Right:

5.1. To operate effectively and democratically, trade unions need the active participation of members. The council recognises that it is in the organisation's interests that such participation is assured. An employee who is a member of a trade union recognised by the council in respect of that description of employee is permitted reasonable time off during working hours to take part in any trade union activity.

5.2. An employee who is a member of recognised trade union is also permitted to take reasonable time off during working hours for the purposes of accessing the services of a Union Learning Representative.

6. Reasons for requesting Time Off:

6.1. Examples of Trade Union Activities for which time off can be requested will include:

- **Attending workplace meetings, e.g. JNCC / Departmental TU forums, to discuss and vote on the outcome of negotiations with the council.**
- **Meeting full-time officials to discuss issues relevant to the workplace.**
- **Voting in union elections.**

6.2. In addition, where the member is acting as a representative of a recognised union, activities can be, for example, taking part in:

- **Preparatory time for organising members' meetings and the dissemination of information to members.**
- **Co-ordination of and attendance at workplace meetings with members.**
- **Branch, area or regional meetings of the union where the business of the union is under discussion.**
- **Meetings of official policy-making bodies such as the executive committee or annual conference.**
- **Meetings with full-time officials to discuss issues relevant to the workplace.**

6.3. Details relating to Trade Union Representatives rights to attend training and learning activities are set out in section 2.

7. Union Learning Representatives

7.1. Employees who are members of trade union recognised by the council can take reasonable time off to undertake the duties of a Union Learning Representative, provided that the union has given the council notice in writing that the employee is a learning representative of the trade union and the training condition is met. (See paragraph 2 for further information on the training condition.)

7.2. The functions for which time off as a Union Learning Representative is allowed are:

- **analysing learning or training needs**
- **providing information and advice about learning or training matters**
- **arranging learning or training**

- promoting the value of learning or training
- consulting the council about carrying on any such activities
- preparation to carry out any of the above activities
- undergoing relevant training

7.3. Belfast City Council has in place well-established training and development programmes for its employees. Union Learning Representatives should liaise with the council to ensure that their respective training activities complement one another and that the scope for duplication is minimised.

8. Confidentiality

8.1. The Council respects the confidential and sensitive nature of communications between trade union representatives and their members and trade union. The Council will not carry out regular or random monitoring which is specifically targeted at union emails. Any monitoring which may be necessary will be carried out in line with agreed Council policies and procedures.

9. Payment

9.1. Trade union / learning representatives will be paid either the amount that they would have earned had they worked during the time taken off, or where earnings vary with the work done, an amount calculated by reference to the average hourly earnings for the work they are employed to do.

9.2. There is no statutory requirement to pay for time off where the duty is carried out at a time when the representative would not otherwise have been at work, but employees who work part time will be paid if employees who work full time would be entitled to be paid. In all cases the amount of time off must be reasonable.

10. Non Standard Working:

10.1. The council will, have in mind the difficulties for trade unions and members in ensuring effective representation and communications with, for example:

- shift workers
- part-time workers
- home workers
- those employed at dispersed locations
- workers with particular domestic commitments.

10.2. Belfast City Council recognises that representatives who work non standard working patterns may be at a disadvantage in relation to other trade union representatives attending meetings during normal office hours. Accordingly, Belfast City Council will grant time off in lieu to representatives who are required to attend on their days off at Service Consultative meetings; Departmental consultative forum meetings; Joint Consultative Committee and Trade Union Facilities Group meetings.

10.3. In circumstances where ad hoc meetings are called at management request and cannot be arranged at a time to suit all participants then time off in lieu will be granted to representatives who attend on their day off.

10.4. Employees will not be required to attend work prior to or following the conclusion of a TU activity in the event that the hours worked on that day would then be excessive. (Normally, an employee would not be expected to work more than 7.4 hours per day, unless their contractual working hours are longer than this.)

11. General Considerations

11.1. The amount and frequency of time off should be reasonable in all the circumstances. Trade unions should be aware of the wide variety of difficulties and operational requirements to be taken into account when seeking or agreeing arrangements for time off, for example:

- **the size of the department/section/location and the number of workers.**
- **the need to maintain a service to the public.**
- **the need for safety and security at all times.**

11.2. For time off arrangements to work satisfactorily, trade unions should:

- **ensure that reps are aware of their role, responsibilities and functions**
- **inform management, in writing, as soon as possible of appointments or resignations of officials**
- **ensure that reps receive any appropriate written credentials promptly**
- **ensure that the council receives details of the functions of union reps where they carry out special duties or functions.**

11.3. Managers and unions should however seek to agree a mutually convenient time which minimises the effect on service provision. For example, where trade union meetings are requested trade union representatives should consider holding them:

- **towards the end of a shift**
- **before or after a meal break.**

11.4. All council employees are bound to meet the standards of conduct set out for them within the relevant policies and procedures. Council employees acting as Trade Union representatives, while engaged on trade union activities, remain bound to meet these standards and failure to do so could result in appropriate action being taken. (This could include action through the industrial relations mechanisms or through disciplinary action.)

12. Cross Sectional Representation

12.1. Trade Union representatives will normally only undertake representational duties within the service in which they are employed.

12.2. There may be occasions where it will become necessary to seek the services of a representative from outside the Service / Department owing to their experience, specialist knowledge or expertise of a particular subject or issue or where there is no experience representative in place.

12.3. In the event of the above circumstances arising, the representative will clearly state the reason for cross Service / Department representation on the application for time off form and management may liaise with human resources if necessary to confirm the substance of the request.

13. Trade Union Access to Facilities:

13.1. The council will make available to representatives the facilities necessary for them to perform their duties efficiently and communicate effectively with their members, colleagues and full-time officers. Where resources permit, the facilities will include:

- **accommodation for meetings, which could include provision for Union Learning Representatives and a union member(s) to meet to discuss relevant training matters**

- **access to a p.c., telephone and other office equipment**
- **the use of notice boards, which could include other forms of electronic communications such as e-mail and intranet/internet**
- **the use of dedicated office space for the two trade union co-ordinators.**
- **Trade unions will jointly clarify the facilities they require for trade union recruitment activities in relation to new employees and will formally request these from the council.**

13.2. It would not, usually, be considered reasonable for TU representatives to meet with members in their own home, or outside the boundary of Belfast city.

13.3. Consideration may also be given to allowing Union Learning Representatives access to a room in which they can discuss training in a confidential manner with an employee.

14. Procedure for Requesting Time Off

14.1. Trade union reps and members requesting time off to pursue their duties or activities or to access the services of a Union Learning Representative must provide management with as much notice as possible (usually not less than five working days) and give details of:

- **the purpose of such time off**
- **the intended location**
- **the timing and duration of time off required.**

14.2. The pro-forma attached as appendix 1 must be used to request and grant time off for trade union duties/activities.

14.3. The pro-forma must be completed by all trade union representatives / members and given to the Head of Service or nominee.

14.4. The use of the pro-forma will ensure that:

- **trade union representatives make any application in writing**
- **trade union representatives provide details of reasons for time off**
- **details of training courses/conferences/seminars are provided by trade union representatives and assessed by Corporate HR.**

- **a database of requests for time off is maintained departmentally and centrally (in particular to ensure consistency).**

14.5. After having received the completed application form and documentation, the Head of Service or nominee should ensure all details have been completed and that he/she is in possession of all information. The Head of Service or his / her Service / Departmental nominee should then assess whether or not time off should be granted in accordance with the provisions of section 12 below.

14.6. Once the pro-forma has been completed it should be forwarded to the Departmental Business Manager for filing purposes and to the Head of Human Resources for central record keeping and monitoring purposes.

14.7. In the event of an emergency situation arising release may be granted by the manager verbally and the form filled in subsequently as a matter of record.

14.8. Where permission to attend trade union training/conferences/seminars is being requested, the trade union representative should follow the procedure set out in section 2.

15. Granting / Declining Requests for time off:

15.1. The council will consider each application for time off on its merits and will consider the reasonableness of the request in relation to agreed time off already taken or in prospect. However, union representatives should not be unreasonably impeded in performing and carrying out legitimate trade union duties / activities including the representation of their members.

15.2. When deciding whether requests for paid time off should be granted, consideration will be given to their reasonableness. When deciding whether or not a request is reasonable management will consider issues such as the need for adequate cover for safety, operational and business requirements and financial impact.

15.3. Management will monitor the number of requests for time off made and will scrutinise the reasons for these requests. Where it is considered that excessive time off has been requested, or the reasons for requesting time off are inappropriate, this will be raised with the Trade Union

Representative and may lead to the request, and subsequent requests, being declined.

15.4. Each application will be considered on its merits and consideration will be given to:

- **adequate cover for safety or operational requirements**
- **financial impact**
- **agreed time off already taken or in prospect**
- **consistency in relation to time off given**
- **the relevance of the meeting/training course etc.**

15.5. Other than in the most exceptional circumstances time off will be given for attendance at JNCC meetings, Health and Safety Committees and planned joint management / trade union departmental meetings, disciplinary / grievance hearings and meetings under the Council's Attendance Policy.

15.6. Where the representative is a member of a committee/regular management/trade union meeting which have a pre-planned schedule of dates of attendance a list of these dates should be provided by trade union representatives to management as soon as this is available.

15.7. Should the Head of Service or nominee refuse time off for trade union duties/activities details of the reasons for refusal should be detailed on the pro-forma. To ensure consistency of approach, a copy of this form, detailing the reasons for rejection, will be forwarded to Corporate HR.

16. Unauthorised Absence

16.1. For the avoidance of doubt, the process for applying for time off for TU activities must be adhered to for all absences. Failure to comply with the process without a reasonable reason will result in the absence being considered to be unauthorised and may result in action being taken under the council's disciplinary procedure.

17. Industrial Action

17.1. Employers and unions have a responsibility to use agreed procedures to settle problems and avoid industrial action. Time off may therefore be permitted for this purpose, particularly where there is a dispute. There is no right to time off for trade union activities which themselves consist of industrial action. However, normal time off arrangements

apply for TU activities relating to potential industrial action, such as conducting ballots or meeting with management regarding the exemptions list etc.

18. Resolving Disputes

18.1. The council will seek to make every effort to resolve any dispute or grievance in relation to time off work for union duties or activities. In an effort to resolve an issue related to trade union duties or activities the council will afford a formal right of appeal to an independent director supported by the head of human resources who should consult with the TU Co-ordinator to ensure Trade Union input before the matter is considered at the appeal. Should any grievance in this regard remain unresolved, trade union reps, Union Learning Representatives or members have a right to complain to an industrial tribunal.

19. Review of Agreement

19.1. The agreement will be subject to review by the Belfast City Council Trade Union Facilities Group after two years of operation.

<u>Section 2: Attendance and travel provisions for Trade Union Representatives attending learning and development activities</u>

1. Introduction

1.1 Trade Union (TU) Representatives will be required to attend reasonable trade union learning and development activities to develop knowledge, skills and expertise to assist in their representation of staff and this may incur travel and other costs. Activities may include training courses, conferences, seminars, study visits amongst others. These activities will be funded by the Representatives respective Trade Union. Internal training activities such as Effective Employee Relations Course, Job Evaluation and Categorisation training will be funded by Belfast City Council.

1.2 In determining whether to grant time off to attend a trade union learning and development activity, management will give consideration to the learning objectives of the activity and the impact the absence will have on the Section. In addition, the number of trade union training activities already completed in the previous 12 months will be taken into account.

1.3 The Council recognises that TU reps are more likely to carry out their duties effectively if they possess the skills and knowledge relevant to their duties. In particular, the Council will seek to accommodate requests to release TU Reps for initial training i.e. basic representational skills as soon as possible after their election or appointment. Reasonable time off will also be considered, for example:

- **For further training, particularly where the rep has special responsibilities, e.g. Health and Safety, Environmental, Equality, Learning and Pensions.**
- **For training courses to develop the rep's skills in representation and negotiation**
- **Where legislative change may affect the conduct of employee relations, employment law and policy at the place of work and may require the reconsideration of existing agreements.**
- **Consideration will be given to increased facility time for Branch Officials, in recognition of their additional responsibilities, in representational areas including collective bargaining, Terms and Conditions of Employment and Consultation and Negotiation Machinery.**

2. Process:

2.1 Representatives who request paid time off to undergo relevant TU training should provide management with as much notice as possible. Where TU Representatives wish to attend a TU training event, they are required to make a written application for facility time to attend such events, completing the pro forma as contained within the TU Facilities Agreement. This application should normally be made at least five working days' in advance and be directed to the TU representative's Head of Service / Head of Section. The pro forma should include:

- **The purpose of such time off**
- **The intended location**
- **The timing and duration of time off required**
- **Where possible, prior to the course, the syllabus or prospectus indicating the contents of the training course.**

2.2 Failure to provide adequate notice of attendance at a TU training event, as referred to in 2.1 above, will usually result in facility time being refused.

2.3 When deciding whether requests for paid time off for TU training should be granted, consideration will be given to their reasonableness, for example to ensure adequate cover for safety or to safeguard the provision of services.

2.4 In considering such requests, the council will endeavour to minimise the disruption to service delivery in all instances and therefore will look at a range of options including shift swaps, adjustment to working hours and time off in lieu to facilitate attendance. Any mechanisms proposed to minimise service disruption will recognise the employee's work-life balance.

2.5 Management will respond to all requests for facility time and, where applicable, will provide the TU Representative with reasons why facility time has been refused. Where sufficient notice of an application has been provided, responses to such requests will be given not more than five days from receipt of the application for the request.

3. Time allowance for attending learning and development activities for TU Duties

3.1 TU Representatives may be required to attend a TU learning and development activity prior to or immediately following a period of work. There is no statutory requirement to pay for time off where TU training is undertaken at a time when the rep would not otherwise have been at work, but employees who work part time, shifts or other non-standard hours will be entitled to be paid if employees who work full time would be entitled to be paid.

3.2 The duration of the TU learning and development activity may at times be less than the TU Representative's daily contracted hours. A TU Representative who is undertaking a TU learning and development activity will be required to attend work prior to or return to work subsequent to the training course to make up their daily contracted hours unless otherwise agreed with their line manager e.g. circumstances where it is not feasible to return to work due to location of where the learning and development activity is being held or where the TU Representative has requested to use leave or time off in lieu. The time spent travelling back to the workplace hours will be included as part of the TU Representative's daily contracted hours for that day.

3.3 Employees will not be required to attend work prior to or following the conclusion of a TU training course in the event that the hours worked on that day would then be excessive.

(Normally, an employee would not be expected to work more than 7.4 hours per day, unless their contractual working hours are longer than this.)

3.4 In all cases, the amount of time off granted for TU learning activities must be reasonable. Overtime must not routinely be granted for attendance at a TU learning and development activity and will only be granted in exceptional circumstances where time off in lieu or credit of flexi cannot be facilitated.

3.5 When the duration of the learning and development activity is held during normal working hours, but the hours of the activity are more than or held outside of the Trade Union Representative's daily contracted hours the TU Representative will receive adequate rest breaks to comply with the requirements of the Working Time Regulations (Northern Ireland) 1998, as amended. In such cases, an appropriate adjustment to the TU Representative's working hours to facilitate this may be made.

4. Unauthorised Attendance at TU Learning and Development Activities

For the avoidance of doubt, the process for applying for TU learning and development activities must be adhered to for all TU learning and development activities. Failure to comply with the process will result in the absence being considered to be unauthorised.

5. Additional Training

5.1. For the avoidance of doubt, the provisions in this paper relate solely to TU training activities. Any additional training activities would be considered in respect of the Council's Attendance and travel provisions for employees attending learning & development activities.

6. Training for Union Learning Representatives

6.1. Employees who are members of a trade union recognised by the council are entitled to reasonable paid time off to undertake the functions of a Union Learning Representative. To qualify for paid time off the member must be sufficiently trained to carry out duties as a learning representative:

- **either at the time when their trade union gives notice to the council in writing that they are a learning representative of the trade union**

- **or within six months of that date.**

6.2. Where training is required within six months of becoming a learning representative, the trade union is required to give the council notice in writing that the employee will be undergoing such training. Once the employee has completed the training, the trade union is required to give the council notice of that fact. It should be confirmed by the union in a letter that the training undertaken is sufficient to allow the Union Learning Representative to undertake their role and the union should give details of the training which has been completed and any previous training that has been taken into account.

6.3. In the interests of good practice, the six month qualifying period during which an untrained Union Learning Representative must receive sufficient training to continue operating as a learning representative may be extended, with agreement between management and unions.

6.4. To satisfy the training requirement an employee will need to be able to demonstrate to their trade union that they have received sufficient training to enable them to operate competently in one or more of the following areas of activity relevant to their duties as a Union Learning Representative:

- ***analysing learning or training needs*** **this could for example include understanding the different methods for identifying learning interests or needs, being able to identify effectively and record individual learning needs or being able to draw up a plan to meet identified learning requirements.**

- ***providing information and advice about learning or training matters*** **including, for example, the development of communication and interviewing skills, knowledge of available opportunities, in order to be able to provide accurate information to members about learning opportunities within and outside the workplace and the ability to "signpost" members to other sources of advice and guidance where additional support is needed – for example, basic skills tutors or fuller in-depth professional career guidance.**

- ***arranging and supporting learning and training. F*****or example, obtaining and providing information on learning opportunities, supporting and encouraging**

members to access learning opportunities and helping to develop and improve local learning opportunities.

- ***promoting the value of learning and training. S*ome examples of this activity could be: understanding current initiatives for the development of learning and skills in the workplace, promoting the value of learning to members and within trade union networks and structures, and working with employers to meet the learning and skill needs of both individuals and the organisation.**

6.5. An employee could demonstrate to their trade union that they have received sufficient training to enable them to operate competently in one or more of these areas of activity by:

- **completing a training course approved by the Northern Ireland Committee of the Irish Congress of Trade Unions or by the independent trade union of which the employee is a Union Learning Representative, or**

- **showing that they have previously gained the relevant expertise and experience to operate effectively as a Union Learning Representative. In the latter case, previous experience and expertise gained in areas such as teaching, training, counselling, providing careers advice and guidance or human resource development may well be relevant, as may periods of extensive on-the-job training and experience gained in shadowing an experienced Union Learning Representative.**

6.6. Reasonable time off will also be considered for further training to help Union Learning Representatives develop their skills and competencies. Although not required by law it is recognised by the council that there would be clear advantages both to the individual and the organisation if training undertaken leads to a recognised qualification standard.

7. Payment for learning representatives:

7.1. There is no statutory requirement that union members or representatives be paid for time off taken on trade union activities or that union members be paid for time off taken for accessing the services of learning representatives.

7.2. Nevertheless, the council may consider payment in certain circumstances – for example to ensure that workplace meetings are fully representative or to ensure that employees can make use of the services of a Union Learning Representative."

The Committee approved the revised Trade Union Facilities agreement.

Public Health Agency 'Breastfeeding Welcome Here' Scheme

The Committee considered the undernoted report:

"1 Relevant Background Information

1.1 The '*Breastfeeding welcome here*' scheme aims to make it easier for breastfeeding mothers to recognise places where they can breastfeed their baby when they are out and about. Creating supportive environments for breastfeeding is one of 4 key strategic outcomes of 'Breastfeeding – A Great Start' a Strategy for Northern Ireland (DHSSPS 2013). The scheme is supported and facilitated by the Public Health Agency (PHA).

1.2 Businesses which are open to the general public, for example coffee shops, restaurants, shops, supermarkets, leisure centres and hairdressers, are eligible to join the scheme, provided the business meets the following membership criteria:

- **Breastfeeding is acceptable in all areas of the business premises that are open to the general public.**
- **A mother who is breastfeeding in an area of the business premises open to the general public will not be asked to move to another area or stop breastfeeding.**
- **All staff members are made aware that the business is a member of the scheme and are therefore supportive of the needs of breastfeeding mothers.**
- **The public are made aware that the business is a member of the scheme and supports breastfeeding through the display of the scheme's window sticker and certificate on the business premises.**

1.3 All businesses that are part of the scheme are given recognition through ongoing promotion and awareness-raising. Businesses in the scheme are listed on www.breastfedbabies.org.

1.4 **An Act of the Scottish Parliament was made in 2003 which protects breastfeeding in public. Similar legislation is likely to be proposed in Northern Ireland by 2016.**

2 **Key Issues**

2.1 **The Council's Women's Steering Group has proposed that the Council considers membership of the '*Breastfeeding welcome here*' scheme.**

2.2 **Joining the scheme would contribute to the council's strategic theme of providing leadership of the City and, specifically to the corporate objective of tackling health inequality.**

2.3 **In order to join the scheme, the following process must be followed:**

- **A senior member of the Council would be asked to sign a written agreement which states that the Council will adhere to the membership criteria.**
- **The signed agreement is then returned to the Public Health Agency (PHA).**
- **The PHA will issue the 'Breastfeeding welcome here' certificate and window sticker once the signed agreement is received.**
- **After an initial monitoring assessment, post three to four weeks of signing up to the scheme, the Council buildings would be added to a list of businesses participating in the scheme and published online on the www.breastfedbabies.org website**
- **Ongoing monitoring will then be undertaken by the PHA and mothers from local breastfeeding support groups to ensure that businesses which have signed up to the scheme are adhering to the criteria.**

2.4 **The Women's Steering Group proposes that membership to the scheme could be introduced on a phased basis, initially at City Hall, The Waterfront and Ulster Halls, leisure centres, community centres and the zoo. The introduction of this scheme would be with a view to reviewing the initial implementation of the policy and phasing in the introduction of the scheme to other council locations to which the general public has access. The PHA is supportive of this approach.**

2.5 **The way forward will be for the Health Equity Project Manager to:**

- **Work with PHA to implement and monitor the scheme.**

- **Liaise with Democratic Services to identify the senior member of Council to sign the agreement.**

- **Liaise with Corporate Communications to ensure that all staff members are made aware that the council is a member of the scheme and are therefore supportive of the needs of breastfeeding mums.**

- **Prepare more specific presentations for the staff of the council premises listed above to engender positive participation in the scheme.**

- **It is envisaged that the scheme will be implemented in the first phase council premises by September 2014.**

- **Roll out the scheme to other council locations as appropriate, and look for opportunities to promote the scheme for example when carrying out advice to small businesses, and when the food safety team are engaged with the businesses in the city.**

3 Resource Implications

3.1 Financial
None.

3.2 Human Resource
The Health Equity Project Manager will coordinate the council involvement with the PHA scheme.

Staff will need to be informed of appropriate responses to challenges made to breast feeding mothers. A full communication plan will be developed and implemented to ensure staff are fully informed about the initiative.

4 Equality Implications
4.1 There are no equality issues.

5 Recommendations

5.1 Strategic Policy and Resources Committee are asked to approve the council's membership of the PHA 'Breastfeeding welcome here' Scheme."

The Committee adopted the recommendations.

Asset Management

Disposal of former Maysfield Leisure Centre

The Committee was reminded that, as part of the Council's Corporate Land Bank, the former Maysfield Leisure Centre had previously been identified as a potential disposal within the context of the City Investment Framework. The Members had stressed the need for the use of Development Briefs to control the delivery of a development which would be acceptable to both Members and local residents in any such surplus asset disposals. At its meeting on 23rd August, 2013 the Committee had approved the preparation and marketing on the open market of a Development Brief for a portion of the Maysfield site. Use of a Development Brief as opposed to a conventional sale would enable the Council to retain control over the nature, use, timing and other factors considered relevant in any given disposal. In terms of the Maysfield site, the Committee had been advised of an interest in returning the site to immediate economic use with the creation of a significant number of jobs in the IT sector which resonated with the Council's Investment Programme.

The Direction of Property and Projects reported that a Development Brief had been issued in December, 2013 by agents appointed by the Council, which offered the site as a mixed use development/refurbishment opportunity seeking submissions on that basis with an option to either purchase or lease. The submissions were, along with other relevant information, required to include details of the development proposals, programme of delivery, financial offer, outline of the economic benefits secured by the proposal and an estimate of the number and type of jobs promoted. Following selection of a preferred proposal, an Agreement for Lease would detail the contractual agreement with the Council whilst an interim Building Licence would enable a scheme to proceed until satisfactory completion of the development, when title to the property would transfer.

He reported that, by the closing date for the receipt of submissions, a total of 6 had been received. Evaluation of the submissions had been undertaken by a panel from the Council's Estate Management Unit/Legal Services and had included the appointed disposal agent from GVA. The submissions had been equally split between 3 redevelopment and 3 refurbishment proposals and had varied from speculative office to owner occupation office; social/affordable housing, private housing; mixed use – residential/offices/retail; film/TV studios and had reflected both capital and rental financial bids. The prime objective in providing the development opportunity had been to secure a quality urban regeneration project which returned the vacant premises to a viable and sustainable economic use with an appropriate redevelopment scheme that supported job creation within a satisfactory timescale. In order that the Council's requirements and objectives in offering that development opportunity were understood, the selection criteria had been detailed in the Development Brief.

The Director indicated that the Council was obligated to achieve the Best Price in any property asset disposal under Section 96(5) of the Local Government Act 1972 – and that all but except one of the submissions financial bids had passed that criteria. Of the remaining submissions, those that had envisaged owner occupation of either redeveloped or refurbished premises had scored the highest, with one company having the highest overall total mark.

The Director reviewed the details of the highest scoring bid, including the financial and overall benefits that would be achieved.

Accordingly, he recommended that the Committee grant approval for negotiations to be entered into with the company receiving the highest overall mark to complete an Agreement for Lease for the disposal of the identified site of the former Maysfield Leisure Centre, on the basis of their submission and subject to detailed terms to be agreed by the Estates Manager and Legal Services.

The Committee adopted the recommendation.

Corporate Accommodation Strategy

The Committee noted the contents of a report which provided an update in relation the Council's Corporate Accommodation Strategy and, in light of the failure to secure the preferred site for a new build, agreed that a further city centre site search be now implemented to review all alternative options available and that the existing Economic Appraisal be updated accordingly, with a further report to be submitted to the Committee to advise of any revised options.

Chairman

Strategic Policy and Resources Committee

Friday, 25th April, 2014

MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE

Members present: Alderman Robinson (Chairman);
Aldermen Campbell and Patterson;
Councillors Attwood, Carson, Clarke, Corr, M.E. Campbell, Haire, Hargey, Hendron, Jones, Kennedy, McCarthy, Mac Giolla Mhín, McVeigh, Newton and Reynolds.

In attendance: Mr P. McNaney, Chief Executive;
Mrs S. Wylie, Chief Executive (Designate);
Mr. R. Cregan, Director of Finance and Resources;
Mr. A. Hassard, Director of Parks and Leisure;
Mr. J. McGrillen, Director of Development;
Mr. G. Millar, Director of Property and Projects;
Mrs. J. Minne, Assistant Chief Executive/ Head of Human Resources;
Mr. S. McCrory, Democratic Services Manager; and
Mr. J. Hanna, Senior Democratic Services Officer.

Apology

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

Declarations of Interest

The Chairman (Alderman Robinson) declared an interest in Item 9(a) insofar as he was Special Advisor to the First Minister; and Councillor McVeigh declared an interest in Item 10(d) Leisure Transformation Programme, in that he was employed by SIPTU.

Democratic Services and Governance

Requests for the use of the City Hall and the provision of Hospitality

The Committee considered the undernoted request for the use of the City Hall and the provision of hospitality:

**Strategic Policy and Resources Committee,
Friday, 25th April**

Appendix 1

Organisation/ Body	Event/Date - Number of Delegates/Guests	Request	Comments	Recommendation
Queen's University Belfast	Higher Education for Democratic Innovation International Consortium Conference Reception 26th June, 2014 Approximately 150 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, Together'.	The use of the City Hall and the provision of hospitality in the form of wine and soft drinks Approximate cost £500
Queen's University Belfast	Radiocarbon in the Environment Conference Reception 18th August, 2014 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 Theme of 'City Leadership – Strong, Fair, Together'.	The use of the City Hall and the provision of hospitality in the form of wine and soft drinks Approximate cost £500
Queen's University Belfast	European Conference on Domestic Violence Conference Dinner 8th September, 2015 Approximately 450 attending	The use of the City Hall and the provision of hospitality in the form of a pre-dinner 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, Together'.	The use of the City Hall and the provision of hospitality in the form of wine and soft drinks Approximate cost £500
European Society for Mental Health and Deafness	Opening Ceremony of World Congress – 'Pathways to Rights' 16th September, 2014 Approximately 400 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, Together' and 'Better support for people and communities'.	The use of the City Hall and the provision of hospitality in the form of wine and soft drinks Approximate cost £500

**Strategic Policy and Resources Committee,
Friday, 25th April**

British Institute of Cleaning Science	**Northern Ireland Cleaner of the Year 2013** **20th September, 2013** **Approximately 50 attending**	**The use of the City Hall and the provision of hospitality in the form of tea, coffee and biscuits**	**This event seeks to acknowledge the vital role of cleaners across various industries in Northern Ireland.** **The event will also aim to recognise those individuals who have been nominated within their respective industries for undertaking their duties to a high standard.** **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 £125**
Common Purpose	**Meridian Course Final Day and Award Ceremony** **7th August, 2014** **Approximately 50 attending**	**The use of the City Hall and the provision of hospitality in the form of tea/coffee and biscuits.**	**'Meridian' is a leadership programme that brings together a diverse group of leaders from the private, public, voluntary and community sectors. The participants learn how to improve their capacity to lead, effect change and expand their networks through the investigation of real-life challenges.** **This event will recognise the achievements of those individuals which have successfully completed the Meridian Programme.** **This event would contribute to the Council's Key Themes of 'City Leadership - strong, fair, together' and 'Better opportunities for success across the city'.**	**The use of the City Hall and the provision of hospitality in the form of tea/coffee and biscuits.** **Approximate Cost £125**
Ulster Journals Limited	**Ulster Tatler People of the Year Awards 2014** **18th September, 2014** **Approximately 360 attending**	**The use of the City Hall**	**This event aims to highlight and recognise those individuals who have excelled in their chosen field.** **The awards ceremony will acknowledge those individuals who have demonstrated significant**	**The use of the City Hall**

			achievement in categories such as Business Man/Woman of the Year, Arts Personality of the Year and Hotelier/Publican of the Year. **The event will also pay tribute to an individual by way of the 'Lifetime Achievement Award' that has previously been presented to Dame Mary Peters, Sir James Galway, Brian Friel, Phil Coulter, Darren Clarke, James Nesbitt and Gloria Hunniford.** **This event would contribute to the Council's Key Themes of 'City Leadership – Strong, Fair, Together' and 'Better opportunities for success across the city'.**	
NOW	**Graduation Ceremony** **13th November, 2014** **Approximately 250 attending**	**The use of the City Hall**	**This event will highlight the work of NOW an organisation which provides training and employment services for people with learning difficulties. It will aim to demonstrate that Belfast is a city that supports people with all levels of learning difficulties and will provide the much needed support for integration into all areas of public life.** **This event would contribute to the Council's Key Theme of 'City Leadership – Strong, Fair, Together', 'Better support for people and communities' and 'Better opportunities for success across the city'.**	**The use of the City Hall**
The Royal Irish Academy	**Launch of Volume Five of Art and Architecture of Ireland** **17th November,**	**The use of the City Hall and the provision of hospitality in the form of a drinks**	**This event will seek to be a celebration of all aspects of Irish art from Georgian houses to illuminated manuscripts, and will provide new insight into every facet of**	**The use of the City Hall and the provision of hospitality in the form of a drinks reception** **Approximate cost**

	2014 **Approximately 400 attending**	**reception**	**the strength, depth and variety of both artistic and architectural heritage.** **This event would contribute to the Council's Key Theme of 'City Leadership – Strong, Fair, Together'.**	**£500**

European Society for Mental Health and Deafness

The Committee agreed that the hospitality for the Opening Ceremony of the World Congress – 'Pathways to Rights' being organised by the European Society for Mental Health and Deafness be upgraded to a finger buffet.

The Committee adopted the remaining recommendations as set out.

Notice of Motion – Irish Rugby Squad

The Committee was reminded that at the Council meeting on 1st April the undernoted Notice of Motion had been proposed by Councillor Ó Donnghaile and seconded by Alderman Robinson:

> "This Council congratulates the Ireland Rugby Squad on their recent Six Nations win and in particular commends and recognises the contribution of Brian O'Driscoll to the sporting life of Ireland over the last fifteen years.
>
> The Council requests the Strategic Policy and Resources Committee to engage with the IRFU to host, at the earliest convenience for both, a reception/event, led by the Lord Mayor, to recognise the team's historic win and afford the people of Belfast the opportunity to express their thanks, appreciation and support for our Ireland Rugby heroes."

The Motion had been passed unanimously by the Council.

The Committee agreed that a suitable civic reception be held to mark the occasion.

Notice of Motion – Display of election posters during the Giro d'Italia

The Committee was reminded that the Council, at its meeting on 1st April, in considering a minute of the Development Committee in respect of the preparations for the Giro d'Italia, had agreed that the Lord Mayor write to the Environment Minister, Mr. M. Durkan, MLA, encouraging him to introduce legislation to prohibit the erection of election posters along the route of the race until the event was over.

The Democratic Services Manager reported that a response had been received from the Minister. In his letter, the Minister had indicated that, whilst the political parties

at the Northern Ireland Assembly had expressed their support for a voluntary ban on a display of elections posters, officials within his department had been working to introduce draft legislation to bring the display of election posters under planning control. In essence, such legislation, as and when it was introduced, would prohibit the display of election posters along the route of the Giro d'Italia until after the race had left Northern Ireland. Therefore, the display of election posters along the route would be prohibited until Wednesday, 12th May.

The Minister had pointed out, however, that the effectiveness of such a measure would depend upon the prior cooperation of all of the political parties to agree to abide by the regulations and not to erect posters. He added that officials from his department would be consulting with key stakeholders, including the Council, to ascertain how each body could contribute towards ensuring that the ban on election posters would be adhered to for the duration of the race.

The Committee noted the information which had been provided and noted also that the ban was now in place and would be effective from 9th till 11th May.

Request to film a Council Meeting

The Committee was advised that a request had been received from Pi Communications, which was the Northern Ireland Assembly Broadcasting Unit, seeking authority to access the Council Chamber floor to film a portion (15 minutes) of footage of the Council meeting on 1st May, 2014. The purpose of the film was to gather high definition footage of a Council meeting in session which might be used in an educational video that Pi Communications was making which was entitled 'The Importance of Voting'. It was intended that the footage would be available in time for the Council and European Elections in May.

The Committee agreed to the filming of a portion (15 minutes) at the beginning of the Council meeting on 1st May, subject to the approval of the Council on that evening.

European Local Democracy Week 2014

The Committee was advised that European Local Democracy Week (ELDW) was an annual event held each October, the overarching purpose of which was to promote a better involvement of citizens in public life, enhance transparency of local government mechanisms and improved social cohesion, in particular among young people and disadvantaged groups. The ELDW built on Local Democracy Week in which the Council had been involved in previous years by organising and hosting events involving young people from across the city. In 2012 and 2013, the Council had organised and delivered EurVoice events which allowed pupils from Secondary Schools, Members of the Council's Youth Forum, representatives of the European Youth Parliament and participants from Community Groups in the City to interact with their local Councillors who undertook the role of Youth Champion within their party. The events have proven to be very successful and feedback from the Schools, Community Groups and from the Councillors after the events was very positive. Participants had felt that last year's event had been an enjoyable and a diverse way for them all to meet

on a one-to-one basis and get a sense of and discuss through many mutually important and relevant issues.

The Committee was informed that EurVoice was a unique community outreach programme designed to engage and empower young people, including those from disadvantaged social and economic backgrounds. The purpose of EurVoice was to provide a platform and framework to allow young people to take ownership of their own opinions, a place in society, to express their views to people in authority and to discover their own importance in shaping the future. The nature of the event served to influence the role young people could potentially have in local democracy decision-making. EurVoice was a sister programme to the European Youth Parliament debating event which brought young people together on a national and international level.

The Democratic Services Manager pointed out that a project steering group had been set-up to organise the event and comprised officers from Community Services, Democratic Services, Corporate Communications and the European Unit as well as external organisations which included the European Commission Office of Northern Ireland and the European Youth Parliament. Following the success of EurVoice 2012 and 2013, it was felt that it would be worth organising an even more engaging event where both young people and Councillors could meet to discuss the relevant issues which faced young citizens of Belfast and to build on the themes which had been discussed at the previous event. In addition to the participants who had attended in 2013, invitations would also be extended to young people in the wider community.

The EurVoice event would take place in the Great Hall on Tuesday, 14th October, 2014 from 12.00 noon until 4.00 p.m. and would target Belfast schools and youth organisations. A series of activities were planned, including:

- Participating in a mock voting exercise;
- Use of technology to conduct an opinion poll on a range of issues affecting young people, enabling instant feedback;
- Facilitated workshops; and
- A panel question and answer session with Members of the Council.

The participation of elected Members would be crucial to the success of the event. Along with the Lord Mayor, the involvement of the Party nominated Youth Champions would assist in achieving the outlined aims as well as breaking down barriers between young citizens, the Council and its Members. It was expected that the event would cost approximately £3,300 which would include hospitality, IT provision and Master of Ceremony costs.

The Committee approved the hosting of the EurVoice event as outlined.

Meetings and Other Commitments for Members in June

The Committee considered the undernoted report:

"1 Relevant Background Information

1.1 Members will be aware that the Committee, at its meeting on 4th June, agreed that the existing 6 Standing Committees should be reappointed at the Annual Council meeting on 2nd June for the remainder of the term of office of the Council, which will end on 31st March, 2015.

1.2 Members will also be aware that the Statutory Transition Committee has recommended to the incoming Shadow Council that it appoint 4 Committees in the first instance to take forward the work of planning to take over the administration of the City, with significant additional responsibilities, from 1st April 2015.

1.3 There will also be an urgent need to undertake induction training for incoming Members of the Shadow Council and to undertake training for all Members of both the existing Belfast City Council and the Shadow Council on the new Code of Conduct for Members, as this will apply to Members of both Councils from 25th May, 2014.

1.4 This workload will have significant implications for Members' time in June, and particularly for those Members who hold a position on both Councils.

2 Key Issues

2.1 A schedule of Committee and other meetings of the existing Council for the period from 25th May till 4th July, has been circulated.

Members are asked to give consideration to the following issues:

2.2 Induction Training Requirements

Incoming Members of the Shadow Council will require to undergo initial induction training and will be required to have a number of logistical matters attended to (bank details, security passes, car park passes etc) in the days immediately following their election. All Members of the Shadow Council officially take up office on Sunday, 25th May. Monday 26th May is a Bank Holiday so this initial engagement will need to take place on Tuesday 27th and Wednesday 28th May.

2.3 Code of Conduct Training

The new Code of Conduct for Members (which is still being consulted upon) will apply to Members of both the existing Belfast City Council and the Shadow Council and therefore it is essential that early awareness training is undertaken so that Members do not

inadvertently fall foul of the Code. The Local Government Training Group will be advertising in the week beginning 28th April for training providers to deliver this training across the 11 new Councils. It is envisaged that the training provider selected will deliver the training in partnership with the Ombudsman's Office, which will be responsible for the investigation of any alleged breaches of the Code. No doubt all of the 11 new Councils will be seeking to identify early training dates for this training and our Human Resources Section have already stressed the need for the training to be delivered in Belfast before the first meeting of the Shadow Council on 11th June.

2.4 Engagement with Party Leaders

It will be important that the political parties in the Shadow Council appoint party leaders as soon as possible after the elections and no later than 29th May. A number of meetings of the party leaders will be required to identify if there is common agreement as to the method of proportionality to be applied to the appointment of positions of responsibility and to actually run the agreed process so that a report can be prepared for agreement by the Shadow Council on 11th June. Officers can provide the party leaders with options for consideration for the method of proportionality and the outcome of those methods to a variety of Committee sizes. However, this work cannot be undertaken until after the election results are known. Therefore, the meetings of party leaders will need to take place between 29th May and 3rd June so that the appropriate papers can be circulated at least 5 days prior to the meeting date of 11th June – as required under the provisions of the Local Government Bill.

In addition to this, it will be necessary to seek a meeting of the party leaders of the parties in the existing Council to run the D'hondt exercise for the appointment of Members to Committees for the remainder of the Council Term. This needs to be agreed in advance of the Annual Council meeting on 2nd June and would, ideally take place prior to the local elections on 22nd May. Members will recall that in February 2013 it was agreed that, as there had been a change in the party strengths on the Council with Alderman McCoubrey joining the Democratic Unionist Party in November 2012, that the remaining 2 years of the Term would be considered as two 1-year terms with Sinn Fein having 38 Members across the Committees for the 2013/14 year and the DUP 37 seats with that position being reversed for the 2014/15 year.

2.5 Meetings of Committees and Working Groups

Members will recall that the Committee agreed on 4th April that the existing 6 Standing Committees would be reappointed at the Annual

Council Meeting on 2nd June and that a review of the existing Working Groups should be carried out to assess which should be reappointed for the remainder of the Council Term.

The attached schedule shows the Standing Committees meeting on their existing scheduled days. It also shows indicative meeting dates of the 5 Area-Based Working Groups and of the Good Relations Partnership and the Audit Panel. The meeting of the Audit Panel will be required in order to consider the draft Annual Financial Report including the Annual Governance Statement for recommendation for approval by the Strategic Policy and Resources Committee on 20th June. The Good Relations Partnership. Which includes outside Members, will be required to meet to consider issues in relation to Peace 3 funding and potentially matters concerning the Bonfire Programme over the Summer.

Members are asked to give consideration as to whether it is essential that the Area-Based Working Groups meet during June or whether it would be appropriate for any decisions required to be taken directly to the Strategic Policy and Resources Committee that month. In that way, some dates would be kept free to allow the other matters requiring urgent attention to be dealt with.

2.6 Meetings of Committees of the Shadow Council

Members will be aware that the Statutory Transition Committee has recommended to the incoming Shadow Council that it appoint 4 Committees in the first instance to take forward the work of planning to take over the administration of the City, with significant additional responsibilities, from 1st April 2015. These Committees will need to meet during the month of June and, in order to allow the minutes to be circulated 5 days in advance of the next meeting of the Shadow Council in early July, the meetings will need to be held between 16th and 24th June approximately.

2.7 Party Group Briefings

The attached schedule shows the agreed dates for Party Group Briefings during June. Again, given the number of meetings and other important issues to be addressed by Members during that month, it is suggested that the briefings are cancelled for that month.

3 Resource Implications

3.1 None.

4 Equality and Good Relations Implications

4.1 None.

5 Recommendations

5.1 The Committee is recommended to:

1. **Note the contents of the report;**
2. **Note that induction training for new Members will take place as early as possible after the elections and indicatively on 28th and 29th May;**
3. **Note that Human Resources will liaise with the Local Government Training Group to attempt to establish early dates for training on the new Code of Conduct and ideally before 11th June;**
4. **Agree that a meeting of the Party Leaders in the existing Council will take place prior to the local elections on 22nd May to run the D'hondt process for the appointment of Committees for the 2014/15 year;**
5. **Agree that a meeting or series of meetings will be held with the Party Leaders of the Parties in the Shadow Council between 29th May and 3rd June to consider the allocation of Committee places and positions of responsibility in the Shadow Council;**
6. **Agree to reappoint the membership of the Audit Panel and the Good Relations Partnership in order that they might hold essential meetings in June with the reappointment of all other Working Groups to be considered as part of an overall report to Committee in August;"**
7. **Note that the first meetings of the 4 Committees to be appointed by the Shadow Council on 11th June will need to take place between 16th and 24th June approximately.**
8. **Agree that the existing Area-Based Working Group meetings be postponed for June and any decisions required being reported directly to the Strategic Policy and Resources Committee; and**
9. **Agree to cancel the Party Group Briefings scheduled for June.**

The Committee adopted the recommendations.

Request for the use of the City Hall – Friends of the Irish Guards

The Committee was advised that a request had been received from the Friends of the Irish Guards organisation seeking the use of the City Hall on 31st October, 2014. The organising committee requesting use of the City Hall wished to use the opportunity to promote the 1st Battalion Irish Guards within the local community. The Friends of the Irish Guards, which had been formed in April, 1900, wanted to host a gala ball to commemorate the role of the Irish Guards from World War I to the present day. It planned to invite dignitaries from central and local government as well as senior ranking army officers from London. The organisers wished to celebrate the achievements of the

many people in the Regiment that hailed from Belfast and to mark the charitable work it had been involved with in schools, hospitals and nursing homes. The Council had hosted a similar type Gala Ball in 2012 to bid farewell to the Irish Guards who had been deployed to Afghanistan.

The Democratic Services Manager reported that, normally, any request for an event which referenced a major centenary such as the commencement of World War I would be referred in the first instance for consideration by the Joint Group of the Party Leaders' Forum and the Historic Centenaries Working Group. However, it was unlikely that a meeting of that Working Group would take place prior to August and the proposed event would require a significant lead-in time for organising. Accordingly, the Committee was being requested to consider the application.

The Committee granted the use of the City Hall on 31st October for the Gala Ball for the Friends of the Irish Guards organisation.

Request by the Ulster Covenant and Historical Society – Cross exhibition at the Cenotaph or East Entrance area

The Committee was informed that a request had been received from the Ulster Covenant and Historical Society to have a cross exhibition at the East Entrance area of the City Hall followed by a short act of remembrance at the Cenotaph to mark the centenary of the start of the First World War. The Society was a non-profit making organisation and encouraged membership from across both communities. Although focussing on the 36th Ulster Division, it sought to encourage debate and advance knowledge of the religious and cross-community composition of the 36th and the parallels between it and the 16th Irish Division. In addition to researching and promoting the history of Ireland at the turn of the 20th Century, it was also involved in keeping alive the memory of those who had fought in World War One. It also had a special affiliation with the Battle of the Somme.

The Democratic Services Manager reported that, to mark the centenary of the start of the First World War, the Society was putting together an exhibition of crosses. On each cross would be listed the names of soldiers from the island of Ireland who had died during the First World War and who were commemorated in both the City and Milltown Cemeteries. In total there were 403 names, 298 of who were commemorated at the City and 105 at the Milltown Cemetery. Each cross would have 10 names with an abbreviation of the regiment in which the person served. No ranks were shown and apart from shamrocks and poppies there were no other symbols on the crosses. For display purposes the crosses would be mounted on 3 boards which were 1 metre square.

The organisers of the exhibition would like to display the crosses in the East Entrance of the City Hall for one day and then, the following day, move them to the Cenotaph area where there would be a short act of remembrance. The exact dates of the exhibition were not known at this stage but could be during the month of June. The exhibition would be promoted through the Society's own website. It also expected a lot of media interest because of the significance of the event and because there were many interesting stories about some of the names listed. A separate request might be made

for the Lord Mayor to launch the exhibition and provide a small reception in the Parlour. In addition, the organisers had also approached the Parks and Leisure Department about having the crosses displayed at both the City and Milltown cemeteries.

The Democratic Services Manager pointed out that, again, such requests would normally be referred to the Joint Group of the Party Leaders' Forum and Historic Centenaries Working Group but due to the fact that that group would not meet prior to the event it was necessary for the matter to be placed before the Committee for decision.

The Committee approved the request for the use of the East Entrance of the City Hall and the Cenotaph as outlined.

Local Government Reform

Consultation on the Local Government Code of Conduct for Councillors

The Committee considered the undernoted report:

"1.0 RELEVANT BACKGROUND INFORMATION

1.1 Consultation

The Department of the Environment is seeking views from consultees on its proposals in relation to the new Local Government Code of Conduct for Councillor. This is a mandatory code of conduct which outlines the principles which will govern the conduct of councillors.

The Code will be applicable to all Councillors (both existing and new members) following the election on 22 May 2014 and it will outline the principles and rules of general conduct, disclosure and registration of interests, lobbying and access to councillors, decision making and application of the code with regard to planning matters. Part 9 of the Code (in relation to planning matters) will not however come into force until 1 April 2015 when planning powers are formally adopted by the new council. A copy of the consultation document (including the draft Code of Conduct) has been circulated.

In order to meet the 30th April deadline for responses, it is proposed that the draft BCC response be presented to the Belfast STC on the 9th April 2014 and then to SP&R on the 25th April 2014.

The STC approved the attached response at Appendix 2 at its meeting on the 9th April.

1.2 Code of Conduct

The Local Government Bill provides for the introduction of a new ethical framework for local government in Northern Ireland, a key element of which is the introduction of a mandatory code of conduct for councillors. Previously, councillors were guided by a non-mandatory Northern Ireland Code of Local Government Conduct which issued in 2003.

Once it receives Royal Assent the Local Government Act 2014 will:

- **provide for the introduction of a mandatory Northern Ireland Local Government Code of Conduct for Councillors ("the Code")**
- **impose a requirement for councillors to observe the Code; and**
- **establish mechanisms for the investigation and adjudication of written complaints by the Commissioner of Complaints (NI Ombudsman)**

The mandatory code of conduct will be consistent with the seven Nolan principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership, as well as the four additional principles of equality, promoting good relations, respect and good working relationships that are already adopted by the Northern Ireland Assembly code.

The code will detail the standards of conduct that are expected when acting as a councillor and conducting council business, including, very importantly, the discharge of the council's new planning functions.

A draft of the code must be laid before and approved by resolution of the Assembly before it can come into force.

It is intended that the ethical standards framework should be reviewed after three to four years to assess how it is working and to consider whether any modifications are needed, such as the setting up of standards committees in councils.

1.4 Role of the Commissioner (investigation and adjudication processes)

The Bill makes provision for the investigation and adjudication processes that should be undertaken by the commissioner, and it applies relevant provisions of the Commissioner for Complaints (Northern Ireland) Order 1996 to the ethical framework. The Commissioner may investigate any written complaints from any person that a councillor (or

former councillor) has failed, or may have failed, to comply with the Code.

Where, following an investigation, it is found that a person has failed to comply with the Code of Conduct; the Commissioner may decide to:

- **censure the person found to have failed to comply with the Code;**
- **suspend or partially suspend the person from being a councillor for up to one year**
- **disqualify the person from being, or becoming, a councillor for a period of up to five years**
-

In addition, the Commissioner may make recommendations to a council about any matter relating to the exercise of a council's functions.

The Code states that it is the responsibility of each councillor to ensure that they are familiar with the provisions of the Code and that they comply with those provisions accordingly. It is therefore essential that all Councillors to be fully cognisant of both the contents of the Code in relation to the standards of conduct required and the role of the Commissioner in relation to investigations, adjudication and the imposition of any sanctions as a result of a breach of the Code.

It is envisaged that all Councillors will receive dedicated training in relation to the Code of Conduct and that the Department, in conjunction with the Commissioner for Complaints, will issue detailed guidance in support of the Code.

1.5 **<u>Appeals Mechanism included in Local Government Bill</u>**
The Local Government Bill has been amended to include the provision of an appeal to the High Court as part of the ethical standards framework.

The DOE Minister has indicated that he intends to bring forward a further Bill which will establish an independent body with responsibility for adjudication within the ethical standards framework, which will be outside the remit of the Commissioner for Complaints. The Commissioner will still retain responsibility for receiving all complaints and undertaking all investigations.

1.6 **Given the mandatory nature of the Code and the need to revert to the NI Assembly to make any changes, it is important to ensure that local government is satisfied with**

the structure and the content of the Code prior to its introduction in the Assembly.

2.0 KEY ISSUES
Summary of draft response to the Department of the Environment

2.1 Officers have carried out a review of the draft Code of Conduct and a detailed response is attached at Appendix 2 for the Committees' consideration and comment.

2.2 An initial summary of the priority issues for the Council as identified by officers is set out below for information. Officers are aware that the Code of Conduct for Councillors will be subject to political consideration and individual Party Groups may wish to express their own views.

It is recognised that there are a number of queries around processes and definitions and that it is likely that these will be addressed in the supporting guidance.

2.3 General points

- **On a general point, the Council would note that the guidance in relation to the Code of Conduct has not yet been issued. It is therefore difficult to give proper consideration to the Code in the absence of the supporting guidance.**
- **The Council welcome the amendment to the Local Government Bill which provides a right of appeal to councillors who are deemed to be in breach of the Code. However, the draft Code contains many high level principles against which members might have a difficulty in discerning if a particular course of conduct is, or could, amount to a breach. There are accessible English standards cases that could have provided a reference point to give greater clarity.**
- **The Council would be concerned that paragraph 15 of the introductory text refers to "a body of precedent". This in effect means that there is acceptance that the Commissioner will establish the benchmark for conduct as opposed to the Code. A principle of law is that law should have some degree of certainty thus an individual may judge with some certainty what type of conduct falls short or transgresses the required standard.**
- **The Council note that grafted into the code are certain legal duties which exist independent of the Code. The Council would seek clarification as to whether the Code therefore provides for individual sanction to be imposed**

in relation to those legal duties that exist independently from the Code.

<u>Comments on the draft Code</u>

- **Requirement to comply with the Code (p.14) – the Council welcome the provision in Part 2 to apply the Code to all councillors, including councillors of existing councils until those councils are dissolved in April 2015.**

- **Enforcement of the Code (p.16) – the Council are supportive of the role of the Commissioner but would recommend that the supporting guidance provides clarity around the enforcement process, including: the making of a complaint; target timescales for resolving complaints; the investigation process; dealing with malicious complaints and whether or not fees will be chargeable if a complaint is found to be vexatious.**

- **Rules of General Conduct (p.20) – under 4.14 - duty to have regard to advice – the Council feel that the Code should also reference the power of surcharge which has been retained.**

  Under paragraph 4.16 disclosure of information - the code duplicates a legal duty under Data Protection Act (DPA) which also has a sanction/penalty for disclosure. Perhaps rather than creating a freestanding further obligation, the code should reference the existing legal duty.

  Under paragraph 4.18 (p.23) "Dealings with your council" – it is unclear as to what "substantial land, property or other interests" means in practice. How would a Member decide if any such interest is substantial? In addition, what does "friend or associate" mean in relation to planning applications? As it currently stands, this could result in a high degree of uncertainty. Will this section apply only if it is the Councillor themselves who make the application on behalf of such a person and does it not apply of the person themselves make the application?

- **Registration of Interests (p.24) – paragraph 5.2 (vii) identifies a personal interest in respect of "*any land where the landlord is your council and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified under sub-paragraph (iv) above*" - would this also apply to outside bodies to which Members are appointed by the Council? An example may be a waste management group appearing before a committee.**

In respect of paragraph 5.2 (ix) – this would impact when Trade Unions address Council or Committee if any Members are also in the Union. The Council would recommend that the Department further examine the potential impact of that instance.

The section on sensitive information (5.6 to 5.8) places a responsibility on CEOs that might in practice present them with some difficulty. More discussion is required in relation to this issue. It would be helpful if either the Code, or the associated guidance gave a few examples of what would be regarded as 'sensitive information'.

- **Lobbying and Access to Councillors (p.28) – paragraph 7.5 could have serious implications for Councillors in dealing with planning and licensing applications. It must be ensured that Councillors are fully aware of how some present practices will not be able to be replicated in the new arrangements. There must be a thorough communication exercise with the public and agents as the current system *encourages* lobbying of elected members.**

3.0 Resource Implications

3.1 No resource implications attached to this report.

4.0 Equality and Good Relations Implications

4,1 No equality or good relations implications attached to this report.

5.0 Recommendations

Members are asked to:

(i) note the contents of this report

(ii) consider the draft Council response attached at Appendix 2;

(iii) agree that the draft Council response, subject to any changes made by Members, be submitted to the Department of the Environment

BELFAST CITY COUNCIL RESPONSE
APPENDIX 2

Northern Ireland Local Government Code of Conduct for Councillors

General

- **On a general point, the Council would note that the guidance in relation to the Code of Conduct has not yet**

been issued. It is therefore difficult to give proper consideration to the Code in the absence of the supporting guidance.

- **The Council note that grafted into the code are certain legal duties which exist independent of the Code. The Council would seek clarification as to whether the Code therefore provides for individual sanction to be imposed in relation to those legal duties that exist independently from the Code.**
- **The Council welcome the amendment to the Local Government Bill which provides a right of appeal to councillors who are deemed to be in breach of the Code on the basis that the absence of an appeal would be unlawful. In light of the draft Code this will be important - much of it is high level principles against which members might have a difficulty in discerning if a particular course of conduct is, or could, amount to a breach. There are accessible English standards cases that could have provided a reference point to give greater clarity.**

<u>Background</u>

- **Paragraph 15 refers to "a body of precedent". This in effect means that there is acceptance that the Commissioner will establish the benchmark for conduct as opposed to the Code. A principle of law is that law should have some degree of certainty thus an individual may judge with some certainty what type of conduct falls short or transgresses the required standard.**

  Penal provisions are construed in their narrowest context as a general rule. It appears that the draft Code is capable of giving rise to sanctions but which does not of itself give clarity - a point that is tacitly acknowledged in paragraph 15 of the introductory text.

<u>Comments on the draft Code</u>

- **Requirement to comply with the Code (p.14) – the Council welcome the provision in Part 2 to apply the Code to all councillors, including councillors of existing councils until those councils are dissolved in April 2015.**

- **Enforcement of the Code (p.16) – the Council are supportive of the role of the Commissioner but would recommend that the supporting guidance provides clarity around the enforcement process, including: the making of a complaint; target timescales for resolving complaints; the investigation process; dealing with**

malicious complaints and whether or not fees will be chargeable if a complaint is found to be vexatious.

- **Rules of General Conduct (p.20) – under 4.14 duty to have regard to advice – the Council feel that the Code should also reference the power of surcharge which has been retained**

- **Under paragraph 4.16 disclosure of information - the code duplicates a legal duty under DPA which also has a sanction/penalty for disclosure. Perhaps rather than creating a freestanding further obligation, the code should reference the existing legal duty. The worst cases would be picked up by the disqualification route following conviction.**

- **Under paragraph 4.18 (p.23) "Dealings with your council" – it is unclear as to what "substantial land, property or other interests" means in practice. How would a Member decide if any such interest is substantial? In addition, what does "friend or associate" mean in relation to planning applications? As it currently stands, this could result in a high degree of uncertainty. Will this section apply only if it is the Councillor themselves who make the application on behalf of such a person and does it not apply of the person themselves make the application?**

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- **In respect of paragraph 5.2 (ix) – this would impact when Trade Unions address Council or Committee if any Members are also in the Union. The Council would recommend that the Department further examine the potential impact of that instance.**

- **The section on sensitive information (5.6 to 5.8) places a responsibility on CEOs that might in practice present them with some difficulty. More discussion is required in relation to this issue. It would be helpful if either the Code, or the associated guidance gave a few examples of what would be regarded as 'sensitive information'.**

- **Lobbying and Access to Councillors (p.28) – paragraph 7.5 could have serious implications for Councillors in dealing with planning and licensing applications. It must be ensured that Councillors are fully aware of how some present practices will not be able to be replicated in the new arrangements. There must be a thorough communication exercise with the public and agents as the current system *encourages* lobbying of elected members."**

The Committee approved the draft Council response for submission to the Department of the Environment.

Community Planning - Procurement of Support

The Committee approved the commencement of a tendering exercise for the procurement of the specialist support required to develop the Council's community planning processes at a city and local area level and noted, in accordance with the Scheme of Delegation, the Chief Executive (Designate) would be awarding the contract to the most advantageous tender received.

Corporate Plan and Performance Management

Corporate Plan 2014/2015: Year 3 Update

The Committee was reminded that in June, 2012 it had agreed a three year corporate plan to cover the period from April, 2012 till March, 2015. The Corporate Plan was the key strategic planning document for the organisation which had been agreed and was overseen by the Strategic Policy and Resources Committee. It was a high level document which contained key actions across all the Council's strategic work programmes, including Local Government Reform, Leisure Transformation, the Investment Programme and other significant corporate projects and programmes. Those actions were incorporated within the estimating process and had been contained in the estimates of expenditure which had been approved by the Committee at its meeting on 10th January. They had been included also, together with other key departmental actions, in the departmental plans which had been agreed by each of the Standing Committees in March, 2014.

The Draft Corporate Plan for 2012-15, Year 3 update contained the following information: Introduction; About the Council; Our Services; Our vision and strategic themes; Our values ;Strategic Themes (actions and indicators); Our city; Our finances; Our Councillors and Our Departments.

The Chief Executive explained that the current version of the document would undergo further editing as part of the design and production process before being published on the Council's website.

The Committee approved the draft Corporate Plan 2012-15 Year 3 Update.

Finance/Value-for-Money

Minutes of Meeting of Budget and Transformation Panel

The Committee noted the minutes of the meeting of the Budget and Transformation Panel of 11th April.

Request for Funding

The Committee was advised that a request for financial assistance had been received from the City of Belfast Youth Concert Band towards the cost of a tour to Italy. The Director of Finance and Resources reported that, under Section 37 of the Local Government Finance Act (Northern Ireland) 2011, the Council had a discretion to consider exceptional requests for financial assistance. A small, special expenditure budget (Grants and Subscriptions) within the Finance and Resources Department made provisions for such requests providing:

- The Council had the statutory authority to make such payments; and
- Assistance was not available from the remit of another Committee.

He pointed out that the request for funding met the criteria previously agreed by the Committee and it was recommended that a contribution of £5,000 be made.

Accordingly, it was

Resolved – that expenditure of £5,000 in respect of the aforementioned event be approved under Section 37 of the Local Government Finance Act (Northern Ireland) 2011, it being the opinion of the Committee that the expenditure would be in the interest of, and would bring direct benefit to the District, and the inhabitants of the District, with the Committee being satisfied that the direct benefits so accruing would be commensurate with the payment to be made.

Belfast City Council Reserves Position as at 31st March, 2013

The Committee considered the undernoted report:

"1.0 Relevant Background Information

1.1 Following the release of information by the Environment Minister, Mark H Durkan, in response to an Assembly Question, the Belfast Telegraph on the 22 April 2014 published an article on the reserves of local councils at the 31 March 2013.

1.2 The article specifically referred to Belfast City Council's total reserves position of £20.6m at the 31 March 2013.

1.3 Belfast City Council's total reserves positions includes 'specified reserves' (£7.3m) approved by the Strategic Policy and Resources Committee for non recurring purposes and

these avoid such expenditure being added to the District Rate. The use of specified reserves has assisted the Council in setting a Zero increase in the District Rate for the past two years.

1.4 These specified reserves, all of which have been agreed by the Strategic Policy and Resources Committee, include items such as Local Government Reform £2m, Tall Ships £1.3m, Giro d'Italia £400k, Advice Consortia £426k, Area Interventions £436k, Boxing Strategy £600k, Recycling £568k and Renewing the Routes £645k.

1.5 In addition the Council maintains general reserves (£13.3m) to safeguard the Council from unforeseen, or unquantifiable financial risk.

1.6 It should be noted that the Council's reserves position at the 31 March 2013, including analysis of the total of specified and general reserves, was reported to the Audit Panel and the Strategic Policy and Resources Committee in June 2013. This information was also published on the Council's external web site as part of the financial statements of the Council.

2.0 <u>Key Issues</u>

2.1 A number of controls are in place within Local Government to ensure that councils maintain an adequate level of general reserves. These include:-

- **Under the Local Government Finance (Northern Ireland) Act 2011, the Chief Financial Officer is required to submit a report to the Council on the robustness of the revenue estimates and the adequacy of the proposed financial reserves. The Act also requires that during the financial year the Chief Financial Officer must keep the financial position under review.**
- **The Chartered Institute of Public Finance and Accountancy (CIPFA) guidance on Local Authority Reserves and Balances requires councils to establish a level of general reserves based on the advice of their Chief Financial Officer taking into account all the relevant local circumstances.**
- **As part of their work, external Auditors consider whether the financial position of councils is soundly based.**

2.2 As the CIPFA guidance on reserves and balances requires each Council to assess local circumstances when agreeing the

appropriate level of reserves, there is no prescriptive formula assessing the preferred reserves position.

2.3 However in December 2009, the Department of the Environment issued guidance suggesting that councils should plan to have minimum general reserve levels of between 5% and 7.5% or just less than one month's net expenditure. This would suggest a minimum level of reserves of up to £10.8m for Belfast City Council as compared to the reported level of £13.3m.

2.4 It should be noted that when reporting the level of reserves to the Strategic Policy and Resources Committee in June 2013, the Director of Finance and Resources recommended that the general reserves should remain at £13.3m to cover the financial risks associated with the uncertainty around the future rate base in the context of local government reform and potential one-off resources required to support the delivery of the leisure transformation programme.

2.5 A briefing note highlighting the key issues regarding the council's reserves position at the 31 March 2013 has been circulated, which if agreed by the Committee will be distributed to all Elected Members.

3.0 Resource Implications

3.1 Financial
At the 31 March 2013 the Council had specified reserves of £7.3m and general reserves of £13.3m.

4.0 Recommendations

4.1 The Committee is asked to:-

- **·Note the contents of the report and**
- **·Agree that the Briefing Note be distributed to all Elected Members."**

After discussion, the Committee adopted the recommendations and agreed that the Chief Executive, on behalf of the Council, write to the editor of the Belfast Telegraph regarding the article outlined in the report.

Human Resources

Living Wage

The Committee considered the undernoted report:

**Strategic Policy and Resources Committee,
Friday, 25th April**

"1.0 Purpose

1.1 The purpose of this report is to update Members on progress towards becoming a living wage employer and propose how this can be implemented.

2.0 Relevant Background Information

2.1 Members will be aware that, at the Strategic Policy and Resources Committee on 21 February 2014, a notice of motion was tabled regarding the Living Wage.

It was agreed that the council would take action:

1. **To become a Living Wage employer, in consultation with staff and their representatives, and to revise upwards payment to those employees currently receiving below the living wage level;**
2. **To include a commitment to include the Living Wage in all new employment contracts;**
3. **To review the extent to which the council's Living Wage policy might be able to be applied to currently contracted-out services or as each contract comes up for renewal;**
4. **To encourage other employers in Belfast to adopt a similar anti low-pay policy for their staff;**
5. **To review the ratio between the lowest and the higher paid council officers; and**
6. **To ensure that the appropriate Council Committee received reports on progress towards the above at least annually, and initially by April 2014.**

This report deals with points 1, 2, 4 and 5 relating to the provision of a living wage for direct employees of the council. Point 3 is being taken forward by the Property and Projects Department.

3.0 Key Issues

Organisation pay structure and equal pay

3.1 To meet Single Status and equal pay obligations, a fair and non-discriminatory pay structure applicable to all staff in the council, was introduced in July 2007. An equality-proofed job evaluation scheme was used to determine the grade of each job and the pay structure, based on narrow pay scales, each consisting of three or four spinal column points (SCPs), was developed. Each SCP has an associated salary value in keeping with the recognised National Joint Council (NJC) Local Government Services Scales. However, following the transfer of both local and central government staff into the

council for local government reform there will be different pay and grading structures in operation.

3.2 Work will now start on organisation design and restructuring and it is proposed that a review of the pay structure is carried out as part of that organisation work for the new council and supports future work to reduce and manage staff costs effectively as part of the efficiency programme.

3.3 Best practice recommends that an equal pay review is conducted jointly between management and a trade union representative every three years. A joint review of basic pay was conducted during 2011, with an agreement that the next review would take place 2014/15. In order for the next equal pay review to be meaningful, it is proposed that this is delayed and carried out as part of the overall pay structure review when relevant employees will have transferred employment to the council on protected terms and conditions. A pay review conducted at this time would enable the council to identify and take steps to address equal pay issues which may arise as a result of different terms and conditions applying to different groups of staff.

Living wage

3.4 The current living wage hourly rate is £7.65. Two pay grades on the current organisation pay structure have spinal column points (SPCs) which fall below the living wage hourly rate. These are grades 1B and 1C. Appendix one sets out the grades and hourly rates for these grades, the types of jobs affected and the number of staff currently in those roles. Staff on pay scale 1B will not have the potential to earn £7.65 per hour. Thirty-six staff, currently on scale 1B will be earning below the living wage at 1 April 2014. All staff on pay scale 1C have the potential to earn more than £7.65 per hour as the top point on this scale is £7.71 per hour and thirty-four have already reached SCP11. The remaining six will still be paid below the living wage at 1 April 2014. It should be noted that some staff are required to work weekends and at night and as a result receive additional allowances on top of their basic pay, increasing their overall wage to above living wage.

Casual workers and trainees

3.5 A number of casual workers are currently paid at a rate below the living wage. Many of these casual workers work in Leisure and the Waterfront Hall and Members will be aware that both services are currently under review. It is therefore proposed that the implementation of a living wage for casual

workers is considered as part of these reviews and as part of the overall pay structure review proposed to take as a result of the forthcoming organisation design work. (Members will also be aware that work is ongoing to develop a casual workers policy, which will include general principles on the use of casual workers, a procedure for the use of casual workers, their recruitment, terms of engagement and rates of pay etc).

3.6 It is also proposed that Industrial Placements and Apprentices are excluded at this time due to the trainee nature of their employment status.

3.7 Therefore forty-two staff in the council will earn less than the Living Wage at 1 April 2014.

Proposals on how to deal with the forty-two staff are outlined below:

3.8 In order to deal effectively with this issue it is proposed to redesign and re-evaluate grade 1B posts to grade 1C, assimilate all forty-two staff to SCP 11 and base weekend enhancement and night work where applicable, on the revised hourly rate. Approximate costs will be £56,000 per annum.

3.9 The cost has been calculated at a point in time and may change as people are newly appointed to the affected jobs. Figures will need to be verified by the Payroll unit and annual pay negotiations may also impact on these figures and decrease costs. Any voluntary redundancies resulting from ongoing reviews may also have an impact.

3.10 This proposed approach is in keeping with the Council's Single Status Agreement and will ensure that the value of the job reflects the duties of the post and is in line with the NJC local government scales. It will however, create a single point pay scale until the pay structure is fully reviewed and will require the job holders to agree to additional duties. A number of comparable jobs are already evaluated at grade 1C in other departments and the expected change in duties will be minimal.

3.11 The trade unions have agreed this approach in principle and if the approach is agreed by Members it is proposed that the increases should be implemented from the date of Council ratification.

4 Resource Implications

4.1 This initiative will involve additional annual expenditure of approximately £56 000 and can be funded from existing budgets.

5 Equality Implications

5.1 The approach recommended offers the most equitable solution for all staff and is in keeping with current pay agreement and policies.

6 Recommendations

Members are asked to:

- **agree to a review of the pay structure aligned to the new organisation structure**
- **agree to delaying the equal pay review to be carried out in conjunction with the full pay structure review**
- **approve the above recommendations to progress implementation of the living wage for council staff .**

7 Key to abbreviations

LGR - Local Government Reform
SCP - Spinal column point
NJC - National Joint Council

Appendix One

Grades and hourly rates for grades 1B and 1C

Current grade	Spinal column point	Hourly rate
Scale 1B	5	£6.45
	6	£6.54
	7	£6.69
	8	£6.90
Scale 1C	8	£6.90
	9	£7.11
	10	£7.26
	*11	£7.71

- *the SCP 11 hourly rate is above the living wage rate
- post holders progress through the scale via annual pay increments

Jobs currently paying scale 1B and 1C and numbers of staff currently in post

Jobs in Scale1B (paying less than living wage)	**Number currently in post**
Cleaners in leisure centre	**35**
Cleaner in a play centre	**1**
Jobs in Scale 1C (40 staff) (with potential to pay less than living wage, i.e., SCP 8-10)	**Number currently in post**
Street sweepers	**4**
Refuse Collector	**1**
Messengers	**2**
Housekeepers	**2**
Car park Attendant	**1**
Zoo Crew	**6**
Cleaners in Facilities	**24**

NB At 1 April 2014, only 6 staff on Grade 1C will be being paid below the living wage rate as others have already reached SCP11."

After discussion, the Committee adopted the recommendations.

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 individuals who were related to existing officers of the Council.

Contractor to undertake interim Manager Director duties at the Waterfront Hall

The Committee considered the undernoted report:

"1.0 Purpose of report

1.1 The purpose of this report is to request permission to deviate from Standing Orders and to accede to Standing Order 62a exceptions in relation to contracts by direction of the Council

acting on a recommendation of a Chief Officer that the exception is justified in special circumstances.

2.0 Background

2.1 Members will be aware that the Minister for Enterprise, Trade and Investment recently announced funding support from the Northern Ireland Tourism Board (NITB) and the ERDF Programme of £18.5m towards the development of new conference and exhibition facilities at the Belfast Waterfront Hall. The Council is now in receipt of a Letter of Offer from NITB, which sets out a series of conditions associated with the projected economic benefits set out in the Economic Appraisal submitted by the Council in its application for the above funding.

2.2 The Director of Development previously reported to the Strategic Policy and Resources Committee that it was anticipated that the Letter of Offer would require the Council to fully examine a range of operating models and would require the Council to deploy an operating model which provided the maximum economic return to the City.

2.3 At its meeting on 24th August, 2012 the Committee agreed that the Director conduct a soft market testing exercise to establish any potential private sector interest. Four companies subsequently responded to this exercise expressing an interest in operating the new facility.

2.4 In parallel with this, a consultancy firm, Excellence in Work, were engaged to provide recommendations on the future operational structures should the operation ultimately remain in-house. This work will be completed by the end of April 2015 and a report will be brought back to a future meeting of the Committee on this work.

2.5 Given the uncertainty around future funding and the future operational model the Development Committee agreed to the recruitment of an Interim Head of Waterfront Hall to oversee operations during any interim operational period. Despite 2 recruitment exercises it has not been possible to appoint a suitable candidate with the necessary commercial experience to fill the post.

3.0 Key Issues

3.1 As stated above, the Council is now in receipt of the NITB's Letter of Offer. The conditions therein require the Council to 'fully test a range of operating options for the Project to ensure

the operating model deployed gives the greatest return to the economy in line with the targets set out in the Business Case.' These options range from enhancing the current operating model through to the outsourcing of the operator to an established private sector operator.

3.2 In addition the Council is required to 'provide a transition plan acceptable to NITB outlining the operational and management arrangements within the transitional period'.

3.3 The project plan projects the new facilities being open for business in May 2016. It is important that we immediately develop a sales strategy to build on the business already secured for 2016 and in future years.

3.4 Successful achievement of the sales targets is essential to meet the targets set out in the business case, but is also central to our objective of reducing the operating deficit at the Waterfront Hall.

3.5 Geoff Fenlon, the principal consultant from Excellence in Work, has a proven track record in successfully delivering and managing large-scale conference facilities including the International Conference Centre in Birmingham, the Edinburgh International Convention Centre and the Dublin Convention Centre.

In developing the internal operating model he has secured the co-operation and respect of both staff and the trade unions.

3.6 It is recommended that in the absence of a Managing Director that the Council enter into a contract with Excellence in Work to procure Geoff Fenlon's services to act as Interim Head of the Waterfront Hall for a period of 4 months during which time he will support the Director of Development develop the necessary sales strategy, support the development of the options appraisal and the development of the transition plan as set out in the condition of the Letter of Offer from NITB. He would also assist the Waterfront Team and Project Team prepare operational plans to facilitate the ongoing business of the Waterfront whilst construction takes place.

3.7 Support will also be given to the Director of Development and the Assistant Chief Executive in preparing job descriptions and person specifications for a permanent Managing Director for the new facility and on other changes to the job description, as may be required to meet the future business needs of the Conference and Exhibition Centre.

3.8 It is believed that this exception from the Standing Orders is justified in the circumstances, given that the recruitment exercise has failed twice. Given the time constraints, it would not be possible to conduct a procurement exercise for this service.

4.0 Resource Implications

Human
The Director of Development and the Assistant Chief Executive will work closely with the appointed contractor over a period of 4 months from 1st May, 2015.

Finance
The expected costs associated with undertaking this type of project are in the region of £30K and will be met from the Development Department's revenue budget. This will extend the commission of Excellence in Work to a total budget of £60K.

5.0 Equality Implications
An Equality Impact Assessment in relation to this appointment of the contractor.

6.0 Recommendations
Committee is asked to note the contents of this report and –

- **Agree to accede to Standing Order 62, (a) exceptions in relation to contracts by direction of the Council acting on a recommendation of a Chief Officer that the exception is justified in special circumstances for the appointment of the Contractor Excellence in Work.**
- **Agree to the development of an options appraisal for the operation of the Waterfront Hall and a transition plan, as required by the Letter of Offer from NITB."**

The Committee adopted the recommendations.

Organisational Development and Design

The Committee considered the undernoted report:

"1.0 Relevant Background Information

1.1 The Council is facing an unprecedented agenda of significant HR and organisational development (OD) challenges, many of which are currently being managed through individual projects. These include:

- **Local Government Reform – service convergence (transfer of staff, harmonisation of terms and conditions), transfer of functions (organisation design, capacity building of staff and members), new powers and legislative requirements (organisation/member/officer capacity), revised role for members, new governance and shadow governance arrangements and related programme of capacity building. In particular the new place shaping powers will require a transformation of the entire organisation.**

- **Governance and the future shape of committees in the new Council will also set the context for future organisational design and development work.**

- **Leisure Transformation Programme – TU negotiations, new operating model, transfer of staff, TUPE, communication issues and organisational design implications.**

- **Investment Programme – job opportunities and work placements and staff implications of Waterfront Hall extension and operating model**

- **Efficiency Programme – staff costs including management of absence, agency staff and overtime. Efficiency reviews including review of Security, Fleet and Procurement.**

- **Diversity and equality - Review of Good and Harmonious Working Environment; Equal Pay Review; Article 55, Equality Framework and Action Plans; and Gender Action Plan.**

- **Best Practice Employer – Living Wage; Casual Workers protocol; Corporate IiP; Health and Well Being Strategy and employee engagement.**

2.0 <u>Key Issues</u>

2.1 Organisational Development and Design
While the aforementioned HR and OD issues are progressing well within these individual projects, Members are aware that there are only 12 months to the formation of the new Council and there are still considerable challenges ahead.

Members are also aware of the following recent or imminent developments:

- **The Governance report which was presented to the STC suggested that from June a process is put in place to develop a future organisational development and design and to identify the timeframes for implementation, bearing in mind that the imperative will be to deliver the new functions and to provide services to the new areas on day one of the new Council;**

  - **The Chief Executive of the new Council has been recruited;**
  - **The leisure transformation programme decision will be ratified at the next Council meeting;**
  - **The recommended new/shadow governance arrangements and high level capacity building needs have been agreed by STC;**
  - **A notice of motion relating to the early development of a planning resource was referred to the Strategic Policy and Resources Committee from the last Council meeting.**

  Members have expressed a desire for a timely piece of work in relation to organisation development to ensure the council is fit for purpose in terms of organisation design and capacity. This needs to be far reaching, joined up, planned and resourced and led by Members.

  This programme of work will be a crucial element of the Corporate Plan to be presented to Members in June and will cut across each of the shadow committees' work; it will need to integrate all of the aforementioned HR and OD issues and Members' organisation design priorities and will ensure independencies are highlighted. The programme will be broken down into manageable phases of work and will also be included in the council's programme management arrangements; it will need a detailed, resourced and prioritised action plan; it will be aligned to the Council's other strategic priorities and business as usual; and progress will be reported to Members on an ongoing basis.

  It is proposed therefore that a draft Organisational Development Strategy for taking forward this significant programme of work will be presented to Members in June 2014 in order that an overall strategic approach may be agreed with initial priorities identified. A detailed programme of work developed thereafter.

2.2 Immediate Issues

As the strategy and action plan are developed, immediate OD issues will arise that will need Member decisions in advance of the overall programme. At this point in time there are two HR/OD priority actions that Members need to consider before then – preparation for the transfer of planning functions to Belfast City Council and the need to deal with the void created by the promotion of the Director of Health and Environmental Services to Chief Executive. Key issues and proposals on these matters are set out below.

2.2.1 Preparation for the transfer of planning functions to Belfast City Council

Members have been updated previously on the transfer of a wide range of functions and statutory duties to Belfast City Council on 1st April 2015, the most significant of which are planning and urban regeneration. It is imperative that Members achieve assurance that the Council will be ready to discharge its responsibilities on 1st April 2015 in these areas. The Council will need to develop strategic, tactical and operational capability.

Planning and urban regeneration need to be closely interwoven so that the Council can maximise its 'place shaping' opportunities and whilst the recommendations below relate primarily to the planning function, they are made with this inter-relationship in mind.

In respect of Planning, the Council must be prepared and ready to determine planning applications and enforce planning decisions from 1st April 2015 – functions referred to collectively as Development Control. It will also need to start the detailed process of developing the local area plan.

The Council currently has limited capability in Development Control or local area planning and whilst resource will transfer from DOE, there is an urgent need to assess the gaps and ensure that the design of the Council's future planning team is fit for purpose and will support strategic city planning and regeneration and deliver the aspirations of the new Council. The Council therefore urgently requires external assistance to carry out this assessment and provide expert support in the transition period.

It is likely that a range of skills will be needed to support the Council in this transition period and that these would best be sourced through a procurement process. A budget has already been set aside for this through the transitions fund.

A further report on legal support which will include specific legal support for planning functions will be brought to Committee at a later date.
behind that preference is as follows:

2.2.2 <u>Director of Health and Environmental Services Role</u>
Given the complexity of the post of Director of Health and Environmental Services, the level of organisational change already ongoing within the Council, the planned organisation redesign and the scale of local government reform, it is proposed that the primary duties of the post of Director of Health and Environmental Services and the additional LGR duties associated with this role are split into two strands:- (i) strategic and change management responsibilities and (ii) oversight and co-ordination of the four service operations of the Building Control, Cleansing Services, Waste Management and Environmental Health services.

<u>Strategic and change management responsibilities</u>
The degree of change needed within the Health and Environmental Services Department and within the various partnerships on which the department leads, will require both experienced leadership and the continued utilisation of all existing resource to support that change and to manage business as usual. The capacity of the department is currently stretched in meeting these challenges and it is therefore recommended that this aspect of the duties is provided via external support. Key aspects of this role will be:

- **Strategic planning**
- **Change management**
- **Development of the Belfast Strategic Partnership, Good Relations Partnerships and PCSPs in light of community planning**
- **Oversight of the transition of service delivery in the new areas coming in from Castlereagh and Lisburn**
- **Strategic waste responsibilities**
- **Oversight of the transfer of relevant functions related to Health and Environmental Services**
- **Building capacity, organisational processes, partnerships and negotiations to shape and implement the outcome of Local Government Reform**

Externally sourced interim management solutions are increasingly being used in local government to obtain highly experienced managers with strategic skills and a track record at crucial times of change. There would also be minimal

'lead-in growth time' and it would enable significant flexibility for future re-design.

Internal oversight and co-ordination of service operations
In terms of the oversight and co-ordination of service operations it is proposed that this is covered by a designated officer from the next tier of management within the Health and Environmental Services Department on an interim honorarium basis.

As there is more than one next tier manager within the department and as this is considered a development opportunity, it is proposed to seek expressions of interest from them to undertake the additional, higher-level duties. Should more than one officer express an interest in these additional duties, a merit based selection process will take place, involving elected members.

3.0 Resource Implications

3.1 The procurement of external planning consultancy services has been allowed for in the Transition budget.

3.2 In relation to the arrangements to cover the Director of Health and Environmental Services role, given the proposed interim approach, remuneration would be made in the form of consultancy and honoraria payments. It is proposed that, to ensure the budget is not exceeded, the interim professional manager would cover the strategic and LGR responsibilities of the post on a two or three day per week basis for an interim period of 9 -12 months, subject to review.

4.0 Equality and Good Relations Implications

4.1 None.

5.0 Recommendations

5.1 Members are asked to:

1. **Agree the suggested approach to a Council Organisation Development Strategy and associated programme of work: to include Members' organisational design priorities and the significant HR/OD and capacity challenges the Council is facing**

2. **Agree to initiate a procurement process for external planning expertise to support the Council in its preparation for the transfer of planning and urban regeneration functions and to give the necessary delegated authority to the Chief Executive**

(Designate) to award the contracts to the most economically advantageous tenders; and

3. Agree to the suggested interim arrangements for the Director of Health and Environmental Services role (in accordance with Council HR policy and procedures) and to the procurement of an interim professional manager for 9 – 12 months (in accordance with Council procurement procedures)."

The Committee adopted the recommendations.

Asset Management

Belfast Public Bike Share Scheme

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

"1 Relevant Background Information

1.1 The SP&R Committee agreed at its meeting on the 21st March 2014 to proceed to awarding the contract for the Design, Build, Operation and Maintenance of the Public Bike Share Scheme, subject to additional resources required for the capital construction being secured from DRD.

1.2 The development of a Public Bike Share scheme is identified as a partnership project in Belfast City Council's Investment Programme 2012-2015. The primary objective of the Belfast Public Bike Share scheme is to provide a sustainable low cost transport system for the citizens of Belfast and for visitors as well as benefits such as improved health and reduced congestion.

1.3 Phase 1 of the Public Bike Share scheme aims to create a network of up to 30 docking stations supporting 300 bikes with associated infrastructure in the city centre to be implemented by March 2015. The locations of the docking stations were agreed by the Development Committee on 19th March 2013 and ratified in the Council meeting on 3rd April 2014.

2 Key Issues

2.1 Members were asked to note last month that the submission from the preferred bidder for Lot 1 to Design, Build, Operate and Maintain indicated that the capital cost for Phase 1 will

be *£1,140,000*. The original Council grant award was £698,700 therefore indicating a deficit of *£441,300*.

2.2 A supplementary application had however been made to DRD for an increase in grant support to cover the additional capital cost for Phase 1. DRD has considered the Council's request for £441,303 further capital funding and in a letter to the Chief Executive on 10th April 2014 they have confirmed that they will meet the full amount of the capital costs of the Public Bike Hire Scheme of £1,140,000.

2.2 Ownership of the proposed bike docking station sites (as listed in Appendix 1) falls into the following categories:

- **Private Ownership**
- **Department of Social Development**
- **Belfast City Council**
- **Department of Regional Development, Road Service**

2.3 Definitive locations will need to be agreed between the operator and the Council in line with the contract requirements for a total 30 no docking stations.

<u>Legal Arrangements/Agreements</u>

2.4 <u>Sites in Private and DSD Ownership</u>
It is proposed that the Council shall take a licence of the lands required for the docking stations from private landowners and DSD. Whilst DSD assets are due to transfer to the Council in April 2015 under LGR the public bike hire scheme needs to be implemented by March 2015. A Licence Agreement will therefore be required with DSD for the period pre LGR transfer.

2.5 The Licence Agreements will permit the Council to use and occupy the sites for the purpose of a Public Bike Share Scheme and the landowners contractual arrangements will be with the Council rather than with the Scheme Operator. This is the preferred approach insofar as it satisfies the landowners and provides the Council with control over the use and development of the sites. The terms of the licence are summarised as follows:

i. **A term of 6 years renewable for a further 3 years.**
ii. **An option in favour of the Council to renew at the end of the 9th year.**
iii. **A licence fee of £1.00 per annum, if demanded and without review**
iv. **Use restricted to bike docking stations only**
v. **Council right to terminate**

2.6 Following the grant of licences, the Council will enter into 'back to back' Agreements with the Operator in relation to the development, use and occupation of the bike docking station sites. These will be known as 'Land Access Agreements' by which the Operator is bound to perform the obligations imposed on the Council under the terms of the Licence and all development and operational rights will be conveyed to the Operator. In addition, the Land Access Agreements will indemnify the Council against any legal action arising out of the Operator's use and occupation of the sites.

2.7 <u>Sites in Council Ownership</u>

The Council shall grant a licence on BCC held sites to the Operator on similar terms and conditions as above.

2.8 <u>Sites in DRD/Roads Service Ownership</u>

The DRD has confirmed that the construction and maintenance of bike share docking stations shall be by way of a Street Works Licence(s) to be granted by DRD to the Council. The Council will subsequently enter into Agreement(s) with the scheme Operator in relation to the installation, maintenance management and operation of the bike hire scheme on DRD lands. DRD has advised that this is permissible but the Council is not permitted to contract out off or assign its legal responsibility for any offences under the Street Works (NI) Order 1995.

2.9 However, the Council will protect its position by ensuring that the obligations imposed on the Council under the Street Works Licence are passed, as far as they can be, to the Scheme Operator. This will be achieved by a condition imposed on the Operator making compliance with the Street Works Licence and the relevant legislation a condition of the operational contract. Further, the Council shall have the right to terminate the Agreement in the event of a breach of the Street Works Licence. In addition, the Operator will be obliged to provide a warranty to the Council ensuring compliance with the Street Works Licence and the Council will be permitted to monitor the use and occupation of the lands.

3 Resource Implications

3.1 Financial

The licence agreements are on the basis of a nil rental. Capital and revenue financial implications were included in the report to the Strategic Policy & Resources Committee on 21 March 2014. As noted above, DRD has now confirmed that they will meet the full amount of the capital costs of the Public Bike Hire Scheme of £1,140,000.

3.2 Human

Staff resource from Estates, Urban Development and Legal Services required to progress the land access and licence agreements.

3.3 Assets

Occupation of the docking station sites by way of the legal agreements as detailed above represents effective asset management.

4 Equality and Good Relations Considerations

4.1 There are no equality or good relations implications connected with this report.

5 Recommendations

5.1 The Committee is asked to approve that the appropriate Licences, Land Access Agreements and Street Works Licences are entered into in relation to the Public Bike Share Scheme docking stations, as outlined above and subject to detailed terms being agreed by the Estates Manager and Legal Services.

6 Key to Abbreviations

BCC – Belfast City Council
DRD – Department of Regional Development
DSD – Department of Social Development

**Strategic Policy and Resources Committee,
Friday, 25th April**

Appendix 1 Schedule of Sites and Ownership

No	Area	Location	Ownership
1	City Hall	Footpath in front of City Hall, Donegall Sq North/West	DRD Roads Service
2	Victoria Square	Footpath Victoria Street close to the entrance Victoria Square Shopping Centre	DRD Roads Service
3	Custom House Square	Public open space on the east side of Donegall Quay, close to the Big Fish	DSD
4	Central Station	Mays Meadow, rear of Central Station	DRD Roads Service
5	St. George's Market	Cromac Square	DRD Roads Service
6	Gasworks	Close to the entrance of the Gasworks at Cromac Street/Ormeau Road	BCC
7	Waterfront Hall	Open space area close to the entrance of the Waterfront Hall	DSD
8	Shaftesbury Square	Footpath at the corner Botanic Avenue/Donegall Pass	DRD Roads Service
9	Europa Bus Centre 1	Public open space at Blackstaff Square	DSD
10	Europa Bus Centre 2	Footpath Great Victoria Street/Hope Street	DRD Roads Service
11	Castlecourt	Footpath at the entrance to the Castlecourt Shopping Centre	DRD Roads Service
12	Smithfield	At Smithfield Market	DRD Roads Service
13	St. Anne's Cathedral	Public space at Cathedral Gardens, close to the University of Ulster	BCC
14	St. Patrick's Cathedral	Footpath at the corner Carrickhill/Donegall Street	DRD Roads Service
15	Yorkgate/City North	Only potential site, depending on future plans for contra-flow bus lane	DRD Roads Service
16	Dunbar Link	Footpath in the area Dunbar Link/Dunbar Street	DRD Roads Service
17	High Street	Open space North Street/Waring Street	Private

18	**BBC/Dublin Road**	**Footpath at Bankmore Square**	**DSD**
19	**Wellington Place West**	**Traffic island on College Square East**	**DRD Roads Service**
20	**Millfield**	**Open space on the grounds of Belfast Met**	**Private**
21	**Odyssey Arena**	**Open space in front of Odyssey Arena**	**Private**
22	**Harbour**	**Open space at entrance of new Harbour development**	**Private**
23	**St. Malachy's**	**Footpath opposite St. Malachy's in Alfred Street**	**DRD Roads Service**
24	**Bradbury Place**	**Footpath at King William Park**	**DRD Roads Service**

Note: definitive locations for 30no docking stations are to be agreed between the operator and the Council in line with contract requirements; any additional locations are likely to be on BCC, DSD or DRD land"

The Committee adopted the recommendations.

Leases and Licences

The Committee considered the undernoted report:

"1 Relevant Background Information

(i) St Teresa's GAC, Glen Road: Proposed Sublease:

1.1 The Council lease land (approximately 10 acres) at Glen Road to the Trustees of St Teresa's GAC for a term of 99 years with effect from January 1993 for the purpose of developing and using playing pitches, clubhouse and ancillary facilities.

1.2 St Teresa's GAC have requested consent for the granting of a sub-lease to a third party (Ms Nuala McCusker t/a Teach Mhamo) for the development of an Irish Language childcare facility on the land leased from the Council. Whilst located within the St Teresa's demise the childcare facility will be run and managed wholly independently from the Club itself. A variation of the existing Lease that St Teresa's GAC have from the Council would be required to provide for a change of use.

(ii) Grosvenor Recreation Centre – Proposed New Lease with Roden Street Community Development Group Limited

1.3 Roden Street Community Development Group Limited (the Group) occupies Grosvenor Recreation Centre under a ten year Lease from 1 April 1999. A five year extension to the

Lease was approved by the Development Committee on 20 April 2009. During their tenancy the Group have successfully managed the Centre and worked in partnership with the Council, local community organisations and a range of statutory agencies to enhance the facilities. The lease extension has now expired and the Group are seeking a new lease for ten years from the 1 April 2014. The Development Committee at its meeting on 18 February 2014 agreed to this new lease subject to the negotiation of the revised terms by the Council's Estates Management Unit and the drafting of an appropriate legal agreement by Legal Services.

1.4 Roden Street Community Development Group have also secured £250k funding from the Department of Culture, Arts and Leisure to refurbish and extend the existing toilets, changing area and weights room in the Centre. A report seeking approval to these works is being brought to the Development Committee on 15 April 2014.

(iii) Proposed Subleases and Wayleaves to NIE at Cliftonville Playing Fields & Woodlands Playing Fields

1.5 At its meeting on the 8 November 2013 the SP&R Committee approved the terms of a disposal to the Trustees of Bunscoil Bheann Mhadagain in respect of approximately 0.85 acres of land together with shared access over approximately 0.49 acres at Cliftonville Playing Fields. The land at Cliftonville Playing fields is held by the Council on a 10,000 year lease granted by the Department of Education (DE) and Belfast Education and Library Board (BELB).

1.6 The Council propose to develop a 3G pitch facility together with changing facilities and flood lighting on the southern portion of the Cliftonville Playing Fields site. Consultants working on the design of the school and the pitches have identified that the existing electricity supply has insufficient capacity to cater for the school, pavilion and pitches. Northern Ireland Electricity (NIE) will, therefore, need to construct a substation to provide a new supply for the proposed development. NIE will require an area of 4.5M x 4.5M with a palisade fence and direct vehicular access.

1.7 In addition, at its meeting on the 11 October 2012 the Parks and Leisure Committee received a progress report on the delivery of the Pitches Strategy, namely the provision of third generation pitches and changing pavilions at Council Parks throughout the city including Woodlands Playing Fields. The land at Woodlands Playing fields is held by the Council on a 10,000 year lease granted by the DE and BELB.

1.8 Consultants working on the design of the new 3G pitch, pavilion and associated flood lighting have identified that there is insufficient capacity from the existing electricity supply to Woodlands Playing Fields. NIE will, therefore, have to upgrade the supply and in order to meet the increased capacity NIE will require a new substation.

(iv) Lenadoon Millennium Park - Assignment of Lease

1.9 The Parks and Leisure Committee at its meeting on 16 January 2014 approved the transfer of the existing Facilities Management Agreement in respect of Lenadoon Park in West Belfast from Lenadoon Community Forum Limited to Lenadoon Amateur Sports Community Interest Company.

1.10 Lenadoon Community Forum has previously secured funding from Sport NI to construct a changing pavilion known locally as the Lenadoon Sports Centre on land adjacent to the Park. In order to construct the building a strip of Council owned land, which formed part of the Lenadoon Park was required. The Strategic Policy and Resource Committee agreed on 15 April 2011 to lease the strip of ground to the Forum under a 99 year Lease from 20th June 2011. The Forum has requested that the Council consent to the assignment of this lease to the Lenadoon Amateur Sports Community Interest Company and the Parks and Leisure Committee have recommended the transfer of the Lease subject to approval by the Strategic Policy and Resources Committee.

(v) Permissive Path Agreement at Ligoniel Park

1.11 At its meeting on the 23 August 2013 the SP&R Committee agreed to enter into a 10 year Public Path Creation Agreement with Northern Ireland Water to utilise an existing path located on NIW land at Ligoniel, subject to information being provided to residents living in the vicinity of the proposed path.

(vi) Ulster Hall – Ulster Orchestra Proposed Licence Agreement

1.12 At its meeting on 25 October 2013 the Strategic Policy and Resources Committee approved a 6 month licence to the Ulster Orchestra for office accommodation and storage at the Ulster Hall. The Ulster Orchestra have now made a request to license an additional office on the third floor of approximately 400 sq ft adjacent to their existing accommodation.

(vii) Signage at Lagan Valley Regional Park – Proposed Licence Agreement

1.13 At its meeting on the 24 January 2014 the Strategic Policy and Resources Committee approved a 10 year licence agreement to Lagan Valley Regional Park (LVRP) to allow access to the Council sites listed in the report for the installation and future maintenance of approved visitor signage. LVRP have now requested that a further sign be located at the entrance to the Council's Lagan Lands East Site.

2 Key Issues

(i) St Teresa's GAC, Proposed Sublease Glen Road

2.1 It is proposed to develop an Irish Language childcare facility to cater for up to 50 places for children from the age of 6 weeks up to pre-school age. The facility will be located within a dedicated compound area of approximately 0.123 acres of the land demised to St Teresa's GAC under the 99 year lease with shared access and car parking facilities. The facility will consist of a single storey sectional construction, at a cost estimated by Teach Mhamo of £50,000, to include fencing. Separate servicing of the facility (electricity, drainage etc) will be provided.

2.2 The terms of St Teresa's GAC's Lease require that the written permission of the Council is obtained to permit any construction on the demised land with a further requirement to obtain/comply with all necessary statutory consents. Notwithstanding the need for the Council's approval to any construction, St Teresa's GAC also require express written consent from the Council to enter into any sub-lease. .

2.3 The current user restrictions reserved in the Lease with St Teresa's GAC restrict use of the demised land to playing pitches, clubhouse and ancillary facilities. A legal Deed of Variation will be required to provide for the use now proposed on part of the site as an Irish Language childcare facility.

2.4 St Teresa's GAC have sought the Council's consent to grant a 5 year sub-lease to Ms Nuala McCusker t/a Teach Mhamo and charge an initial rent of £1,500 per annum. In order to reflect the wider use permitted for this land in a Deed of Variation and subject to Committee approval, provisional agreement has been reached with St Teresa's for the Council to receive 50% of the annual rent reserved in the sub-lease.

(ii) Grosvenor Recreation Centre – Proposed New Lease with Roden Street Community Development Group Limited

2.5 A rental figure of £18,050 per annum from 1 April 2014 has been assessed for a new lease for the existing Premises. This is an up lift from the existing rent of £17,350. Should the refurbishment and extension of approx 53 m2 proceed, then an increased rental figure of £18,525 would apply from the date of completion. The Group currently receive a grant from Belfast City Council which is paid net of any rent payable.

(iii)Proposed Subleases and Wayleaves to NIE at Cliftonville Playing Fields & Woodlands Playing Fields

2.6 The options for the location of the substation at Cliftonville Playing Fields included:

1. **Offsite as an upgrade to the existing substation at Linden Gardens.**
2. **In the corner of the proposed school playground off Glenard Brook.**
3. **On the corner of the proposed new car park area at the rear of the Spar Shop.**

2.7 A plan of the location of the school site, the shared area, the proposed 3G pitch and the locations for options 2 & 3 has been circulated.

2.8 Option 1 was ruled out by NIE because the site at Linden Gardens is narrow and it was not considered feasible to decommission the existing substation while maintaining supply to customers.

2.9 Option 2 was not favoured by DE given the close proximity of the sub-station to school children on a daily basis although NIE did indicate that there is no health and safety risk associated with the output from the substation. DE argued that the constraints of the site mean that the school's play area will be significantly smaller than the area to which a school of that size is entitled and it would not be appropriate to further reduce the limited space available

2.10 Option 3 requires a sublease from the Council to NIE; a variation of the lease to DE, and wayleaves for cabling over the shared areas, all of which will require input from legal advisers for NIE, BELB, the Trustees of Bunscoil, DE and Council. For expediency purposes and in order to let the construction start on site as soon as possible, Council officers would have preferred Options 1 or 2 as they do not require the same level of level of legal agreements to be agreed between the 5 parties. NIE have indicated that they

will not order the plant until the sublease is in place and they thereafter have to wait to have the plant delivered. In addition, there may be technical issues with regard to the attenuation tank in the shared area and the cabling at the entrance to the site. The consultant engineer is currently liaising with NIE in this respect, in order to ascertain from them if this is still feasible.

2.11 NIE's position is that they can construct the substation at either the school site or the shared site but vehicular access is easier to the shared car park site. However DE are adamant that they need all of the space allocated for the playground and for that reason officers agreed to put the matter to the Committee. Council officers will endeavour to expedite the necessary legal agreements as quickly as possible from their end but it will also require the other parties doing the same in order to let NIE proceed.

2.12 At Woodlands Playing Fields the most appropriate site for the proposed electricity substation in terms of minimising impact on Council land has been agreed between Council officers and the NIE.

(iv) Lenadoon Millennium Park - Assignment of Lease

2.13 Part of the Lenadoon Sports Centre building sits on top of the land leased to Lenadoon Community Forum. The transfer of the building from Lenadoon Community Forum to the Lenadoon Amateur Sports Community Interest Company is subject to Sports NI approval (as previous funder). The assignment of the lease will only formally take place once Sport NI has given their approval to the transfer of the building.

2.14 The existing Lease provides for assignment of the Lease subject to Council consent which is not to be unreasonably withheld.

(v) Permissive Path Agreement at Ligoniel Park

2.15 Whilst the previous SP&R Committee approval was to enter into a Public Path Creation Agreement (PCCA), it has subsequently emerged that the agreement with NI Water is in fact a Permissive Path Agreement (PPA) not a PPCA. A PPA is made under the Recreation & Youth Services (NI) Order 1986, while a PPCA is made under the Access to the Countryside (NI) Order 1983. The PPA permits any member of the public the right to walk along the path for the purpose of open air recreation. The PPA is restricted to a certain time limit, in this case 10 years and unlike the PPCA does not have the effect of creating a public right of way.

2.16 The plan attached to the report to SP&R on the 23 August 2013 has been amended slightly to shown the route of the path over the existing NI Water pathway.

(vi) Ulster Hall – Ulster Orchestra Proposed Licence Agreement

2.17 A month to month licence agreement at a rent of £385.25 per month plus service charge has been agreed with the Ulster Orchestra for the additional office. This is equivalent to the pro-rata rental rate payable under the existing licence. It has been agreed that all other terms will be as per the existing Licence with an anticipated commencement date in early May.

(vii) Signage at Lagan Valley Regional Park – Proposed Licence Agreement

2.18 As with the already approved signage, the additional signage at Lagan Lands East would be subject to compliance with Council standards, the requirements of the Council's title to the sites and any other statutory or regulatory requirements. Future maintenance of the signage will be carried out by LVRP at LVRP expense. The design and specification will be agreed by officers within the Parks and Leisure Department and will be incorporated within the proposed licence agreement.

3 Resource Implications

Finance and Assets

3.1 (i) St Teresa's GAC, Proposed Sublease Glen Road

- **Provision of this Irish Language childcare facility will be at no financial cost to the Council.**
- **Ms Nuala McCusker t/a Teach Mhamo will be responsible for all outgoings arising from this development and use e.g. any rates liability**
- **The Council currently receive an annual rent from St Teresa's of £2,250 fixed for the next 21 years based on the current permitted sports use. An additional initial annual rental income of £750 will be secured from this asset which represents an increase of approximately 30% over the current rental income and will take the future benefit of any rent reviews instigated in the sub-lease.**
- **This additional asset will provide a further amenity for this area of West Belfast and provide scope for local employment opportunities.**

3.2 (ii) Grosvenor Recreation Centre – Proposed New Lease with Roden Street Community Development Group Limited

- **The rent payable under the proposed new lease would increase from £17,350 to £18,050 per annum. This would then rise to £18,525 per annum should the proposed extension go ahead. The rent payable would also be subject to review after 5 years.**
- **£250,000 investment by Department of Culture, Arts and Leisure to extend and partially refurbish the Centre.**

3.3 (iii)Proposed Subleases and Wayleaves to NIE at Cliftonville Playing Fields & Woodlands Playing Fields

- **The cost of the sub-station at Cliftonville Playing Fields will be split 50/50 with the Department of Education. NIE will pay a nominal rent for the sublease. The siting of the substation on the shared area reduces the area available for car parking. The positioning of the cables routes from the substation to the school, pavilion and floodlighting will be agreed with NIE in order to minimise their impact on future development at the site. NIE normally require a 999 year lease.**
- **NIE will pay a nominal rent for the sublease at Woodlands Playing Fields. The substation is essential in order to provide the power supply for the changing room pavilion and flood lighting for the 3G pitch. The proposed site for the substation on the north western boundary of the Woodland Playing fields minimises the impact on any future development at this location.**

3.4 (iv) Lenadoon Millennium Park - Assignment of Lease

- **None**

3.5 (v) Permissive Path Agreement at Ligoniel Park

- **No capital resources required.**
- **Council will become responsible for on-going maintenance of the stiles and/ or way marking and for approximately 90 metres of tarmac path from within existing Parks and Leisure budget provision for a period of 10 years.**
- **The path will benefit users of the Council's adjoining Ligoniel Park, Cavehill Country Park and the wider Belfast Hills.**

3.6 (vi) Ulster Hall – Ulster Orchestra Proposed Licence Agreement

- **The proposed licence agreement would operate with the Ulster Orchestra paying £385.25 per month and a pro-rata service charge. This represents additional rental income for the Council.**

- **The Ulster Orchestra would increase their office accommodation at the Ulster Hall from approx 1,470 sq ft to approx 1,870 sq ft.**

3.7 (vii) Signage at Lagan Valley Regional Park – Proposed Licence Agreement

- **No Council financial resources are required in the construction of the signage or in its installation or maintenance. As the signage is designed to benefit Council facilities no licence fee is appropriate in this case.**
- **The introduction of this new installation is designed to enhance the attractiveness of the Park by providing welcoming and informative signage which encourages users to develop their interest in the Council's facilities and the LVRP in general.**

3.8 Human Resources

Staff resources from Parks and Leisure Department, the Estate Management Unit and Legal Services will be required to complete all agreements.

4 Recommendations

4.1 It is recommended that members agree:

4.1

(i) To the request from St Teresa's GAC and permit the granting of a sub-lease at their Glen Road site for the construction and operation of an Irish Language childcare facility subject to St Teresa's GAC entering into an appropriate Deed of Variation with the Council to provide for wider user provisions, access and provision for payment of additional rent.

4.2

(ii) To a new lease with the Roden Street Community Development Group Ltd for a further ten years from 1 April 2014 at a rent of £18,050.00 per annum subject to review after five years, and also agree to a further increase to £18,525 per annum should the Centre be extended as planned.

4.3

(iii) To the granting of a sublease to NIE for a new sub-station on the proposed shared car park adjacent Cliftonville Playing Fields, together with the wayleaves as required over retained Council land for cables providing the electricity supply to the school, on terms to be agreed

between NIE, Estates and Legal Services. It is also recommended that Committee approve the granting of a sublease and wayleave to NIE at Woodlands Playing Fields on terms and conditions to be agreed between NIE, Estates and Legal Services for a new substation and cables.

4.4

(iv) To the assignment of the Lease at Lenadoon Millennium Park from the Lenadoon Community Forum Limited to Lenadoon Amateur Sports Community Interest Company subject to the terms as outlined above.

4.5

(v) To authorise a Permissive Path Agreement with NI Water at Ligoniel Park on the terms and conditions as reported to the SP&R Committee on the 23 August 2013 in respect of the slightly revised location of the path.

4.6

(vi) A further temporary licence agreement at the Ulster Hall with the Ulster Orchestra on a month to month basis subject to an additional licence fee of £385.25 per month plus service charge.

4.7

(vii) To the inclusion of additional signage within the proposed 10 year licence agreement to Lagan Valley Regional Park.

5 Key to Abbreviations

5.1 GAC – Gaelic Athletic Club
NIE – Northern Ireland Electricity
DE – Department for Education
BELB – Belfast Education and Library Board
NIW – Northern Ireland Water
PPCA – Public Path Creation Agreement
PPA – Permissive Path Agreement
LVRP – Lagan Valley Regional Park"

The Committee adopted the recommendations.

Connswater Community Greenway

The Committee was reminded that, as part of the City Investment Strategy, it had agreed to co-ordinate the acquisition of lands to enable the Connswater Community Greenway Programme to proceed. It was reported that the following actions had been identified as being required to complete the Greenway route and associated

landscaping which officers had agreed to the following arrangements, subject to the Committee's approval;

- To acquire an easement from the Crown estate over the Connswater river bed, following the replacement of a new pedestrian bridge from Bloomfield Parade to Flora Street Walkway, for a premium of £1,000;

- A management and maintenance agreement with the Belfast Education Library Board for Elmgrove and Belfast Metropolitan College at Montgomery Road to allow the Council to upgrade the entrances to Elmgrove Primary School and Belfast Metropolitan College at Montgomery Road as part of Phase Two of the contract;

- To grant a license to the Rivers agency for the use of lands at Greenville Park and Dixion Park for a contractor's compound and working area for the purposes of constructing a new culvert at across Grand Parade; and

- The making of accommodation works agreement has required to facilitate the construction of Phase Two of the Connswater Community Greenway/Flood Alleviation Scheme.

The Committee granted the approvals sought.

Good Relations and Equality

Minutes of Meeting of Joint Group of Party Group Leaders and Historic Centenaries Working Group

The Committee approved the minutes of the meeting of the Joint Group of the Party Leaders' Forum and Historic Centenaries Working Group of 4th April and adopted the recommendation of the Group as follows:

WW1 Centenaries Event

To approve a request for hospitality which had been received from Jeffrey Donaldson MP and Chair of the Northern Ireland WW1 Centenary Committee, for the hosting of a reception at Belfast City Hall and a candle Light vigil at the Cenotaph on the evening of Monday, 4th August, 2014 to mark the centenary of the outbreak of the First World War.

Minutes of Meeting of Good Relations Partnership

The Committee approved and adopted the minutes of the meeting of the Good Relations Partnership of 7th April and approved the following:

Peace III – Implementation Update

The decision of the Partnership to request that funding of £1,000 be made available to fund an event to publicise the work which had being undertaken by projects being funded under the Belfast PEACE III Plan.

International Day of Peace 2014

Authority for the expenditure of a sum of £1,500 for the holding on 19th September of an appropriate event in the City Hall to mark the International Day of Peace 2014.

Community Relations Week 2014

The decision of the Partnership to request that funding of up to £2,500 be made available for the hosting of a "Living Library" event and the launch of a Transition Guide which would take place during Community Relations Week 2014.

Meeting of Forum for Cities in Transition

Authority for expenditure of funding of £25,000 for the 5th meeting of forum for Cities in Transition which would be held in Belfast during October, 2014.

Request for Funding – Yad Vashem

The decision of the Partnership to request that funding of £5,000 be made available to the Yad Vashem organisation, which had been established in 1953 in order to document the history of the Jewish people during the Holocaust period, as a financial contribution towards the cost of the exhibition "No Child's Play" which would relay the personal stories of the children who had experienced the Holocaust.

Cross-Cutting Issues

Active Ageing Strategy 2014-20 Consultation Response

The Committee considered the undernoted report:

"1 Relevant Background Information

1.1 Members will be aware Belfast, like other communities across the world, is facing the challenges of an aging population. Currently 19% of the population of Belfast is over 60 and this is expected to rise to 36% by 2050.

1.2 Members will also recall the Council has identified older people as a priority within its current corporate plan, and Belfast became the first area in Northern Ireland to join the World Health Organisation Global Network of Age-friendly Cities and Communities. At the Council's request, Belfast

Strategic Partnership has developed a 3 year Age-friendly Belfast Plan which it will implement 2014 -2017.

1.3 The Council's work programme in this area is directed and overseen by the All Party Reference Group on Older People, currently chaired by Councillor Bernie Kelly.

1.4 On 21st February 2014 the Office of the First Minister and Deputy First Minister launched their Active Ageing Strategy 2014 -2020 for public consultation.

1.5 The strategy is designed to make a real difference to the quality of life for older people and to enable as many people as possible to enjoy the benefits and rewards of life for as long as possible. The strategy seeks to recognise the diversity of older people and challenge the negative stereotype that they are a cost to society when they are actually an asset.

1.6 The aims of this strategy are closely aligned to those within the Age-friendly Belfast Action Plan and it is anticipated its implementation will significantly contribute towards Belfast becoming a more Age-friendly City.

2 <u>Key Issues</u>

2.1 The Active Ageing Strategy sets a vision that "Northern Ireland is an age- friendly region in which all people, as they get older, are valued and supported to live actively to their fullest potential; with their rights and dignity protected". To help achieve an Age-friendly Northern Ireland the action plan proposes to assist the eleven new Councils becoming members of the WHO Age-friendly Cities and communities network. This would appear to endorse the approach taken by Belfast joining the network in 2012 and producing its 3 year plan in 2014. Age-friendly Belfast should significantly benefit from such support.

2.2 The strategy sets out 5 strategic aims based on UN principles for older people, to promote:

1. **Independence: choice and control in their lives through the co-ordinated delivery of good warm housing in safe neighbourhoods, accessible transport, adequate income and standard of living, access to social networks and good user friendly information and equal access to participation in the workplace.**
2. **Participation: active participation of older people in all aspects of life, including social participation which helps address isolation and loneliness and ensures that older**

people are properly integrated, valued and included in society; to promote the active participation and citizenship of older people in decision making on policies, the provision of services and volunteering opportunities.

3. **Care: equal access to high quality health and social care services, which promote and maintain physical, mental and emotional health and wellbeing, and support those with long-term conditions. Health and social care services should conform to best practice and be informed by continuous professional development, research, individual preference and need.**

4. **Self-fulfilment: To support older people to develop to the fullest of their potential through promoting education, training, leisure and arts opportunities which will support the development of life skills, positive mental, emotional and physical health and wellbeing.**

5. **Dignity: protect the human rights of older people here; to uphold dignity and respect for older people in all areas of life; to promote equality, address inequality, challenge ageism and outlaw discrimination, recognising the additional challenges faced by older people with multiple identities such as gender, age, religion, disability, ethnicity, sexual orientation and the locality that they grew up in.**

2.4 It is envisaged that these aims will be delivered by Government departments, agencies and health and social services. They will be used to direct their own policies, programmes and services to improve the lives of older people.

2.5 The Strategy also includes a wide ranging action plan of additional programmes to help address issues such as fuel poverty, benefit uptake, decision making, dementia services, safer homes, carers support, education, transportation and legislation.

Members are asked to consider and agree the draft response to OFMDFM which includes the following the key areas this committee may wish to highlight for consideration :

- **The potential to simplify the strategy so it is clearer and more concise,**
- **The need for the strategy and action plan to have clear outcomes and indicators against which it can be monitored and evaluated,**

- **The need for the strategy to recognise the importance of strong partnerships at regional and at local level to effectively deliver aims,**
- **The need to recognise the essential role of Councils, particularly through leading the Community Planning process, this will give older people the opportunity to influence the shape of local services**
- **The need to further emphasise the important role community planning has for the other Government Departments and agencies at the table who will need to develop and deliver targeted resources for agreed outcomes,**
- **The need consider to establishing an regional Age-friendly forum including the Public Health Agency, DOE and the eleven new Councils to collaborate, share information and resources,**
- **The need to consider developing a regional positive ageing campaign, involving local Age-friendly Partnerships, to promote the value of older people, to encourage respect and improve intergenerational relationships,**
- **The need with reflect the current proposals published by the DSD in February 2014 to roll out the affordable warmth scheme across Northern Ireland and to work with all Councils to target the 33,000 households who are spending more than 25% of their income on fuel. The Action Plan should seek to clarify the full extent of actions planned to tackle fuel poverty over the next 6 years.**
- **To support the proposal for the DHSSP/Public Health Agency to extend and enhance the home safety check scheme, currently delivered by Councils, to promote the health and wellbeing of older people and reduce accidents through a home visitation scheme which will also make small home improvements and fit equipment. Councils may be ideally placed to manage such a scheme provided it is fully funded by DHSSP/PHA**

3 Resource Implications

3.1 HR Implications

None

3.2 Financial implications

None

3.3 Equipment Implications

None

4 Equality and Good Relations Considerations

4.1 Equality screening has been carried out.

5 Recommendation and decision

5.1 Members are asked to consider the consultation response to the Active Ageing Strategy and agree the response to OFMDFM.

6 Decision Tracking

6.1 Belfast City Council response will be forwarded to OFMDFM by member services.

Key to abbreviations
World Health Organisation (WHO)
Belfast Strategic Partnership (BSP)
Healthy Ageing Strategic Partnership (HASP)"

The Committee approved the consultation response and noted that a full copy would be available on the Councils website.

Investment Programme

Update on job opportunities and employability aspects of the Investment Programme

The Assistant Chief Executive/Head of Human Resources submitted for the Committee's consideration the undernoted report:

"1.0 Relevant Background Information

1.1 In our Investment Programme we committed to the provision of 400 placement, apprenticeship and internship opportunities and the delivery of 200 job opportunities over its three year duration. This report is to update Members on achievements regarding the job opportunities and placement targets and to seek agreement to the targets and plans for year three, including the "ring-fencing" of two full-time permanent Recycling Operative job opportunities to the long term unemployed.

1.2 Members will be aware that within years one and two we successfully delivered targeted employability interventions through first piloting the ring-fencing of five Business Support Clerk posts to the long term unemployed, supported by a pre-recruitment and training programme. Building on the success of this in year two we delivered a pre-employment programme in partnership with Grafton

Recruitment, whereby five seasonal Cleansing Operative posts were ring-fenced to 30 long-term unemployed participants along with the delivery of a pre-employment programme.

2.0 Key Issues

2.1 Update on job and employability opportunities

Year one and two targets for both job opportunities and placements were exceeded. The collective job opportunities target for years one and two of the Investment Programme was 170 and the Council has delivered 509 job opportunities (295 permanent and 214 temporary jobs). The collective work placements target for years one and two was 340 and 486 placements were provided. Please see Appendix One for a detailed breakdown of employability interventions and work placements provided. The year three targets for job opportunities and work placements (as previously agreed) are 30 and 170 respectively.

2.2 Our pilot initiative to ring fence five Business Support Clerk (BSC) posts to the long term unemployed and provide a pre recruitment and training programme was the first of its kind in the public sector in Northern Ireland. This was very well received by our partner organisations and the five successful candidates were appointed to permanent positions in May 2013.Based on the success of this pilot and applying the learning from the evaluation process we successfully implemented a joint pre-recruitment programme with Grafton Recruitment to recruit five long term unemployed people into seasonal cleansing operative posts last year.

2.3 Ten apprenticeship opportunities (for electricians, fleet technicians, painters and gardeners) were offered in March 2013 and successful applicants started employment with Belfast City Council in September 2013. Sixteen paid one-year industrial placements were also recruited in year two through our ongoing university partnership arrangements.

2.4 Partnership Working

The Council has worked closely with a number of partner organisations on our employability initiatives in order to achieve the successes of years one and two. In particular in year two we have continued to work with the Department of Employment and Learning (DEL) and its lead contractors providing placements for its Steps to Work programme as well as with the LEMIS (Local Employment Intermediary Services) providers across the city, providing outreach

activities to help the long term unemployed and those furthest removed from the labour market apply for our job opportunities and prepare for our selection processes. In year two we have also built on existing partnerships with NIACRO and have been able to offer more placements to ex-offenders.

The Council will also host six managers across a range of disciplines from the Berlin Administration for a four week placement this summer.

2.5 Year three proposals and next steps

While we have already exceeded the targets set for the full three year programme, Human Resources wants to continue to stretch employability targets for year three. Having worked closely with NIACRO in year two we are also in discussions with the Prison Service to review placement and education initiatives. In addition we will continue to build relationships with all our existing partners.

Following the success of previous ring-fencing exercises, we are seeking Member approval to ring fence two out of seven Recycling Operative job opportunities in the Cleansing section. The same best practice model, agreed with the Equality Commission, the Local Government Staff Commission and with DEL, would be applied, including the delivery of a pre recruitment and training programme. The programme will consist of on the job work experience and classroom based training for twenty participants which will be selected by our existing employability partners; Steps to Work providers, LEMIS providers and disability organisations. It is also proposed that the Prince's Trust is brought on board as an additional partner as part of our focus on the employability requirements of the NEETS (Not in Employment Education or Training) group. It is anticipated that appointments will be made before the end of July 2014.

3.0 <u>Resource Implications</u>

3.1 Human Resources

Engagement in these employability initiatives requires ongoing support and supervision within departments.

3.2 Financial

There are no additional financial implications in this report.

4.0 Equality and Good Relations Implications

4.1 The planned approach to the recruitment of permanent Recycling Operative posts is based on the previously implemented programmes and will be developed in accordance with the DEL, the Equality Commission and the Local Government Staff Commission.

5.0 Recommendations
Members are asked to:

- **note the progress in relation to job opportunities and employability targets set out in the Investment Programme**
- **support the continued approach to delivering year three targets**
- **agree the proposal to ring fence two Recycling Operative posts to the long-term unemployed and deliver a pre recruitment training programme**

6.0 Decision Tracking
6.1 The Investment Programme activity in relation to job and employability opportunities and initiatives will continue to be reported to Strategic Policy and Resources Committee as appropriate.

Appendix One

Employability interventions and work placements from 1 April 2012 to 31 March 2014

20 (year 1) and 32 (year 2) targeted 'Job Assist / Employability' Interventions e.g. pre-recruitment training programmes, targeted job assist interventions including:

Job Assist / Employability Interventions	Year 1	Year 2	Year 3	Total
Pre-recruitment training programmes	1 (39 participants)	1 (30 participants)	-	2
Job assist outreach for LEMIS providers	19 (initiatives)	31	-	50

Placement Type	Year 1 1 April 2012 – 31 March 2013	Year 2 1 April 2013 – 31 March 2014	Investment Programme 1 April 2012 - YTD
University	30	26	56
College	24	12	36
School	79	83	162
Disability	32	28	60
Young Person's Employment Initiative	12	12	24
Youth Employment Scheme	1	1	2
Steps to Work	22	20	42
Graduate Acceleration Programme	6	11	17
Training Orgs and Community Projects (including Belfast Met)	3	7	10
Youth Justice Agency	2	0	2
NIACRO	0	1	1
Programme Led Apprenticeships	2	3	5
Pre Recruitment Training Programme	39	30	69
Total	252	234	486

After discussion, the Committee adopted the recommendations and agreed that future reports include a breakdown in terms of the Section 75 categories.

Area Working Update

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

"1.0 Relevant Background Information

1.1 Members are aware that since their inception the AWGs have played an integral role in recommending investment decisions in terms of LIF and Local Interventions to the SP&R Committee. It was also previously agreed at SP&R in November 2012 that the AWGs would play a central part in recommending decisions related to the Belfast Investment Fund (BIF).

2.0 <u>Area Working Group Updates including LIF and Local Interventions</u>

2.1 At the most recent round of AWGs, 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 also had the opportunity to discuss potential reallocations of LIF monies for projects which are no longer progressing. On the basis of the information presented, the Shankill and East AWGs have made the following recommendations for the consideration of the Committee:

SHANKILL AWG - *Local Investment Fund*

2.2 The Shankill AWG has made the following recommendation for the consideration of the SP&R Committee in relation to their Local Investment Fund money. This is from the reallocation of monies from LIF projects which are no longer proceeding (see 2.4 below)

Project	Ref No.	Up to £	AWG Comments
Welcome Community Centre	ShLIF022	£99,320	
St Matthew's Parish Church Hall	ShLIF030	£15,000	

EAST AWG - *Local Intervention Fund*

2.3 The East AWG has made the following recommendation for the consideration of the SP&R Committee in relation to their Local Intervention Fund money. Members are asked to note that this is out of the original budget allocation of £100,000

Proposal	£	AWG Comments
East Belfast Partnership Board	£5,000	To assist the East Belfast Partnership Board to undertake work and research on the Physical Renewal Strand of the Inner East Neighbourhood Action Plan. The project will develop viable plans to transform key derelict sites within East Belfast, complementing the significant developments already underway including the Connswater Community Greenway, the Skainos Centre and the Civic Square at the Holywood Arches. This funding is a contribution towards the costs to be incurred by the Partnership in employing a project officer

Local Investment Fund – Projects no longer proceeding

2.4 Members will recall that it was highlighted that a number of LIF projects which had received in principle recommendations for funding had made limited progress in terms of going through the due-diligence process and it was likely that a number would no longer be able to proceed for a variety of reasons including the groups' capacity to manage capital projects, the scale and complexity of some schemes and the fact that many are reliant on match funding that is not yet in place, particularly from SIF. It was also highlighted that even projects which have gone through due-diligence may still not complete due to a range of external factors including planning and match funding. It was agreed in November 2013 that the Director of Property & Projects would write out to all projects and that the AWGs would then have the opportunity to reallocate monies to alternative projects or existing LIF projects which require additional funding. Members are asked to note that the following projects which had previously received in principle funding commitments are now no longer proceeding and AWGs have either reallocated these monies and/or are considering further projects for funding.

Project no longer proceeding under LIF	Ref No.	In principle funding to be reallocated	Comments
Cairnlodge Amateur Boxing Club	ShLIF008	£100,000	
Cliftonville Community Residents Forum	NLIF047	£100,000	North AWG have recommended that this project is now considered under BIF
St Mary's church, Crumlin Road	ShLIF027	£24,320	
Community Garden at Tildarg Street	ELIF022	£15,000	
St. Mary's Star of the Sea	NLIF052	£47,000	
Malachians FC/ Grove Utd	NLIF031	£100,000	
Cairnlodge Boxing Club	ShLIF008	£100,00	
Antrim Road Regeneration Community Interest Company	NLIF049	£100,00	

The North AWG is currently looking at the potential reallocation of a number of other projects which are not likely to proceed. A further update on these will be brought back to committee if required.

2.5 Local Investment Fund – projects which have changed scope
Members are asked to note that the following LIF projects have changed scope from the original proposals recommended by the AWGs. The relevant AWGs have agreed the change in scope to these proposals. Members are asked to note that the amount of funding has not changed and the main outcomes of the projects have not changed.

Project	Ref.	Amount	Change of scope
LOCA Children's Development Centre	ShLIF017	£50,000	Project to be relocated into a temporary structure in the car park adjacent to the existing building.
Belfast South Community Resources	SLIF056	£51,000	Funding to be used to address a shortfall in funding for a SIF funded project.

3.0 Current status – BIF projects

3.1 Members are aware that BIF was established to enable the Council to take a lead role and work in partnership to deliver key investment projects across the city. Members have previously agreed an approval process for all BIF projects which reflects the Stage Approval process for all Council capital projects. The first stage of this process is the development of a Strategic Outline Case (SOC) which will test the four abilities of the projects – i.e. feasibility, deliverability, affordability, sustainability. The SP&R Committee has already agreed that 19 projects progress to Stage 1. Committee further agreed last month to move 3 of these (St. Comgall's, St. Mary's CBS pitches and Stranmillis Gateway) to Stage 2 and the development of an Outline Business Case.

3.2 The North AWG has now recommended that an additional project, the development of business incubation units by Cliftonville Community Forum, be added to the emerging BIF list. As highlighted above, this project had previously received in principle commitment of funding for £100,000 under LIF. However the project was dependent on receiving match funding from SIF which is now not progressing. The North AWG is therefore recommending that the funding under LIF is de-committed and the project is instead progressed under BIF.

3.3 Members are asked to asked to consider if they wish to progress the project as recommended by the North Area Working Group to be moved to Stage 1 (i.e. the development of an SOC) which will test its feasibility in the first instance. Members are asked to note that this does not constitute a final decision to invest in any project. Members are also asked to note that officers are continuing to work with groups to progress the development of the remaining BIF projects to help bring these up to a state of readiness where Members can take informed investment decisions to a later stage.

4.0 <u>Equality Implications</u>
Emerging equality implications to be considered as further details emerge of projects

5.0 <u>Recommendations</u>
Committee is asked to note the contents of this report and -
Local Investment Fund and Local Intervention monies

- **agree the Local Investment Fund and Local Intervention recommendations as proposed by the East and Shankill AWGs**
- **note the Local Investment Fund projects which are no longer proceeding. AWGs are considering the reallocation of monies from projects which are no longer proceeding**

Belfast Investment Fund

- **agree if the suggested BIF project as outlined in 3.2 above (Cliftonville Community Forum) is progressed to the next stage and completion of an Outline Business Case. Members are asked to note that this does not constitute a final decision to invest and that further detail will be brought back to Committee in due course for Members to make the final investment decision."**

The Committee adopted the recommendations.

**<u>Heritage Lottery Fund – Approval to proceed with a
Stage 1 Application for the restoration of the City Cemetery</u>**

The Committee was reminded of a recent successful application by the Council to the Heritage Lottery Fund's Heritage Grant programme for the restoration of the Tropical Ravine in the Botanic Gardens which had secured funding of £2.32 million. The Heritage Lottery Fund had acknowledged the quality of that application and had reiterated its wish to receive further applications from the Council, particularly under its "Parks for People" programme which had funded many local authority projects across the United Kingdom, including projects in Lisburn, Larne, Derry and Armagh.

The Director of Parks and Leisure reported that the "Parks for People" programme provided grants from £100,000 to £5 million. He pointed out that a project must contribute to a range of outcomes for heritage, people and communities through physical development and programming activities. The programme, which previously only funded projects in parks, had recently been expanded to include cemeteries. The Council, through the Parks and Leisure Department and in consultation with the Heritage Lottery Fund, had identified three potential suitable sites for the programme, that is, the City Cemetery, Alexandra Park and Victoria Park. However, following feedback from visits with representatives from the Heritage Lottery Fund to each of the sites it was apparent that, whilst all three had potential, the City Cemetery currently presented the greatest opportunity. Due to the significance of the Cemetery, its design, heritage features and current condition and widespread public interest in the site and its history, a City Cemetery project would appear to meet the following key strategic factors cited by the Heritage Lottery Fund:

- There should be a definable heritage in design and history;
- There should be a 'heritage need', that is, definable actions which would put the heritage in better condition; and
- There should be a community/public appetite for the project.

The Director reminded the Committee further that the City Cemetery was currently was currently an Emerging Project at Stage 1 on the Capital Programme under the wider Falls Park Masterplan project.

It was proposed that the Council apply to the Heritage Lottery Fund for a grant under the "Parks for People" programme for a project based at the City Cemetery, taking into account the context of the aforementioned Masterplan and with a view to developing a longer term plan for further applications for projects in other areas of the City. The Director pointed out that the application would follow a similar route to the Tropical Ravine Heritage Grant application, that is, a two stage process, with a maximum of 24 months between the first round and final submission and with the opportunity to apply for development grant to fund the intervening planning work. The next submission deadline was 31st August, with a decision anticipated in December, 2014. The final level of grant to be requested would be identified during the development of a first round application. The initial cost for the development for the first submission would be funded out of the Feasibility fund.

The Director explained that, if an application was successful, the principal cost to the Council would be in the form of a 'partnership contribution'. For grants of £1million or more the Heritage Lottery Fund required a minimum 10% contribution, however, it was likely that a higher level would be expected from the Council, would be determined through discussions with the Heritage Lottery Fund. He pointed out that the application would not constitute a final decision to invest in the project and that further information would be submitted to the committee in due course.

The Committee:

- Agreed to the submission of a Stage 1 application for the restoration of the City Cemetery under the Heritage Lottery Fund's 'Parks for People' programme, in

the context of the wider Falls Parks Master Plan which is already an Emerging Project on the Capital Programme; and

- Noted that officers from the Parks and Leisure Department would look also at the development of a longer term plan for further applications for projects in other areas of the city.

Vandalism of War Graves at the City Cemetery

The Director of Parks and Leisure provided the Members with an update in relation to the damage caused to war graves at the City Cemetery earlier in the week. He reported that 1 headstone had been damaged and 14 headstones had been pushed over and the cross of sacrifice was covered in graffiti. He stated that the cross had now been cleaned and the 14 headstones re-erected and the one damaged required to be replaced. He informed the Committee that the War Graves Commission was responsible for the maintenance of this section of the graveyard and that they were in the process of making the necessary arrangements for its replacement.

During discussion, Members expressed concern in relation to the threats and intimidation of members of staff at the cemetery and the inaction of the Police Service. It was pointed out that the local community and visitors to the cemetery had been appalled at the vandalism and had sought to assist in helping to clean up and repair the damage.

The Committee noted the information which had been provided and agreed that a report on how to involve local communities in the clean up and maintenance of war graves be submitted to a future meeting of the Parks and Leisure Committee.

Leisure Transformation Programme

The Director of Parks and Leisure submitted for the Committee's consideration the undernoted report:

"1.0 Relevant background information

1.1 At its meeting in February, the Committee agreed that its preferred business model was the Non Profit Distributing Organisation (also referred to as the leisure Trust). Authority was also granted to continue consultation with staff and the trade unions on the preferred business model and in particular a series of protections for transferring staff and the affordability of these options. It was also agreed by Committee that an Equality and Best Value consultation would be prepared for consideration.

This 'in principle' decision was ratified by Council at its meeting in March. At the same meeting, Council also decided to give the trade unions another six weeks to develop an in-

house option, while preparatory work continues for the leisure Trust model.

2. Key issues

2.1 Purpose and structure of papers

There are a range of issues that need to be presented for Committee's consideration, in advance of formally initiating discussions on the business planning and the partnership agreements with the leisure Trust. The attached papers set out a series of issues for Committee's consideration. The issue papers are:

- **Paper 1: Leisure Trust update**
- **Paper 2: Trade Union engagement update including APSE in-house model report**
- **Paper 3: Outcomes and performance management**
- **Paper 4: Legal, financial equality assurances**

These series of papers will inform the development of the partnership agreement, and all of the associated agreements in relation to funding, staff transfer, leasing and management. These will subsequently be reviewed independently for due diligence purposes, prior to presentation to Committee in August/September.

2.2 LTP: Strategic Principles

In January 2013, Committee agreed a series of guiding principles for the LTP. In discussion with Members, these have been refined over the last 12 months:

- **5* service for 3* prices – an affordable and innovative 'best in class' customer and community-focussed service**
- **Focus on health and well-being outcomes: work with others to improve the health of the population by enabling more people to be more active, more often**
- **More than sport: contribute to wider social, environmental and economic regeneration outcomes, linked to the Council's emerging community plan**
- **Value for money: maximise efficiency and income generation opportunities, reducing dependency on Council rate-based funding**
- **Democratically accountable: working in partnership with the Council to deliver public benefit and accountable to elected Members to deliver real change in local neighbourhoods**
- **Well-connected: well-run, well used leisure facilities which are fit for purpose, attractive and welcoming, with proactive community outreach and marketing**

- **People: staff who are well-trained, customer-focussed and participate in the growth of the business**
- **Balanced investment: a hierarchy of facilities and services which are welcoming and safe, promoting access for all within each quarter of the city**
- **Partnership: flexible to maximise strategic opportunities in the city, working collaboratively.**

It is recommended that these refined principles are used as parameters to inform the development of the partnership agreement and business plan with the Trust.

2.3 <u>Capital programme</u>

Phase I

Members will be aware that the SP&R Committee, at its meeting in June 2013, agreed a £105million capital expenditure affordability limit for the LTP. Members also agreed that as part of the programme that:

- **there will be balanced investment across the city and that each city quarter will have wet, dry, health and fitness facilities that cater for a diversity of activity**
- **there will be no rates increase to support the financing of the programme and revenue savings will form a key element of the financing budget**
- **the programme will be phased over a 10 year period.**

Members are aware that the plans for the new assets under phase 1 of the Leisure Transformation Programme are at an advanced stage with work already commencing on site at Girdwood, designs being finalised for Olympia and the design brief in development for Andersonstown. A separate report on the status of these projects is also on the agenda for consideration by Committee today.

Next phases of capital development

The anticipated savings from the transformed business model will be integrated into any funding agreement with the Trust. This will therefore contractually guarantee delivery of the savings by April 2016. Based on previous work undertaken by Deloitte in its options appraisal report, a reduction of £2m in the Council funding for 2016/17 will be included in the funding agreement with the Trust, thereby releasing approx £23.50m as required by the capital financing strategy.

Work will soon need to start to develop Phase II of the programme. As with all capital projects and in line with the projects progressing under Phase I, these will be subject to the council's agreed capital stage approval process where decisions on which projects progress are taken by SP&R.

Members are asked to note that consultation will be a key part of the development of these new facilities and that there will be further work with Members via the AWGs and party group briefings and with the public and other stakeholders. In discussion with Members, it has been noted that consideration is given to the potential to invest in a city centre facility, to increase the visibility of the Trust, as well as providing an invaluable revenue-generator to subsidise work in local neighbourhoods.

It is envisaged that further detail on these discussions, including seeking authority to move these projects to the next Stage (Stage 2) will be brought to Committee in the late summer/early Autumn. It is anticipated that decisions on Phase III will be taken subsequent to that.

Members are asked to note that the Trust has the potential to avail of alternative sources of funding for capital projects including Sport NI funding which the Council cannot access.

<u>Proposed upgrade/refurbishment programme</u>
While phases II and III are being developed, it is suggested that consideration may be given to an uplift/refurbishment programme at existing centres, including those transferring (e.g. Robinson Centre) in order to ensure their continued usage, positive customer experience and that the buildings remain at the required standards for health and safety. This may include essential M&E work, the installation of access controls, the refurbishment of reception areas, etc. and any such programme will be developed in consultation with the Trust and Members and will be subject to Committee's agreement.

Conditions surveys have just been initiated and a future report will be brought back to Committee with the appropriate business case for consideration.

2.4 <u>Human resources implications</u>

Members will note that there are considerable number of significant human resources issues in relation to the transfer of staff, many of which are dealt with in the attached paper on TU engagement.

Committee will recall that it approved a TU request to introduce a voluntary redundancy process in October 2013. This process is ongoing and 134 expressions of interest have been received. All staff who have expressed an interest in voluntary redundancy have now received details of their financial information and may now formally apply for voluntary redundancy (before 30 April 2014). It is anticipated that officers will be in a position to put a proposal to Committee regarding voluntary redundancies in August, based on an affordability and analysis of relevant criteria.

2.5 Next steps

There is considerable work to be undertaken over the next 8 months to mobilise the decision to transfer the leisure service to a trust operation. As an overview, this includes:

May 14 **June 14** **July 14**	**Formal establishment of Trust and preliminary governance arrangements** **Conditions surveys** **Business planning and drafting agreements – management; funding; outcomes specification; leasing; transfer; etc.** **Staff/TU, equality and Best Value consultations**
August 14	**Due diligence testing – financial and legal assurance process**
Sept 14	**Committee/Council decision to transfer service**
Oct 14 **Nov 14** **Dec 14**	**Pre-transfer planning initiated:** **– Staff training and development** **– Marketing planning and community outreach** **– Infrastructure upgrade e.g. reception 'look and feel'; online and IT systems; gym equipment; performance reporting systems** **– Implementation of customer 'quick wins' e.g. children's free swimming sessions and local employability initiatives**
1 Jan 15	**Transfer of service and implementation of agreed business plan** **Commence performance monitoring**

This will be supported by the resources already agreed by SP&R in August 2013.

Throughout this period, there will be intensive consultation and engagement with staff and trade union representatives.

2.6 Best Value considerations

Under the Local Government (Best Value) Act (Northern Ireland) 2002, the Council is under an obligation to make arrangements for continuous improvements in the way in which its functions are exercised. Therefore, there is an obligation to consult in relation to Leisure Transformation, and these consulting obligations will be met through the equality consultation process as well as specific engagement with end

users using media such as the Council's website and social media. Officers will continue to take legal advice on this matter to give the appropriate assurance to Committee.

2.7 Communications

A communications and engagement plan is already in place for both internal and external communications in relation to the decision to establish a trust. A key messages document has been appended to this report which sets out the themes for communication with the wider public, as well as employees. Multiple channels will be used including City Matters, staff engagement exercises and team briefings and the website.

3.0 Decisions required

Having considered this Overview paper, Committee is asked:

1. **To review and agree the LTP strategic principles and, on this basis, authorise officers to draft the business plan and various agreements with the Trust for consideration by Committee in September 2014**
2. **To confirm the affordability limit for the next phase of capital development and agree the process for agreeing Phases II and III of the LTP capital programme**
3. **To authorise officers to develop an interim upgrade/refurbishment programme within existing resources, for consideration by Committee**
4. **To authorise officers to proceed with the work plan, as outlined at 2.5 above**

Having considered Issues paper 1: Leisure Trust governance update paper, Committee is asked:

5. **To agree the draft objects for the new leisure trust and authorise its establishment**
6. **To grant authority to take preparatory steps to transfer service, as per legal advice set out, including the issue of the contract award notice and to enter into a contractual relationship with the Trust to ensure the effective delivery of the service**

Having considered Issues paper 2: Trade Unions engagement update paper, Committee is asked:

7. **To review the recommendations of the TUs in-house model report and confirm the 'in principle' decision already made in relation to the Council's preferred business model option as the non-profit distributing organisation/leisure trust**

8. **To agree that the initial staff protections outlined be integrated into any partnership agreement with the Leisure Trust and authorise officers to continue engagement and negotiation on these issues**

Having considered Issues paper 3: Outcomes and performance management, Committee is asked:

9. **To give feedback and agree the indicative outcomes framework for the purposes of preparing a partnership agreement and business plan with the Trust.**
10. **To agree those services for inclusion in the transfer i.e. the operations of 10 leisure centres and facilities within their immediate curtilage e.g. adjacent 3G pitches as well as the leisure facilities at Girdwood Park**

Having considered Issues paper 4: Financial, legal and equality assurances, Committee is asked:

11. **To approve the equality framework for integration into the business planning and agreements development process,**
12. **To agree outlined consultation approach to include consideration of the Council's Best Value obligations**

4.0 Resource Implications

This is a major physical and service transformation process and the implications for resources (staff, assets and financial) will be fully scoped and assessed as part of the business planning process, with continuous engagement with staff and trade union reps.

5.0 Equality Implications

In line with Council policy the programme has been screened and an EQIA recommended including a consultation approach.

Prior to considering the report, the Committee was advised that representatives of the Trades Unions were in attendance and had requested permission to address the Committee. The Committee acceded to the request and Ms. A. McMillan (Full-time Official, NIPSA), Mr. D Edmont (Full-Time Official, UNITE), Mr. J. Dawson (Full-time Offical GMB), Ms. S. Jordan (NIPSA Shop Stewart) and Mr. K Clayton and Mr. G. O Fachtna (Belfast City Council Trade Union Co-ordinators) were admitted to the meeting.

Mr O Fachtna advised the Committee that the Unions had some concerns over the legal standing of the Council agreeing to its preferred business model, that is, a non-profit distributing organisation.

Ms Jordan referred to the Association for Public Service Excellence (APSE) report which had demonstrated that over £2 million in savings could be achieved with an in-house model and the best option in the opinion of the Unions was for the governance of leisure services to remain with the Council. She stated that the leisure services staff were highly qualified and had demonstrated that they were flexible and she provided some examples in that regard. She pointed out that the forgotten people in the process were the users of the centres and the proposals should not just be about making money.

The Chairman, on behalf of the Committee, thanked the Members of the deputation for attending and they retired from the meeting.

The Director of Parks and Leisure tabled for the information of the Members managements comments on the APSE report and he reviewed these in detail.

He pointed out that the overriding issue remained the ability to deliver the required significant changes which had been highlighted by both APSE and Deloitte. He stated that consideration would need to be given to Council's current context, particularly the substantial changes it faced with Local Government Reform and the new powers and functions; the continued delivery of the Investment Programme and the Efficiency Programme, as well as the need to change long standing culture and working practices within leisure. The Senior Solicitor outlined to the Committee the Council's legal position and advice which had been received from Trowers Hamlins Solicitors on the agreements and contracts which would be required between the Council and the Trust, and confirmed that the process the Council would undertake was in accordance with the law.

After discussion, the Committee agreed to consider each of the recommendations in turn.

Recommendations:

1) To review and agree the Leisure Transformation Programme strategic principles and, on that basis authorise officers to draft the business plan and various agreements with the Trust for consideration by the Committee in September, 2014.

   On a vote by show of hands 10 Members voted for the recommendation and none against and it was accordingly declared carried.

2) To confirm the affordability limit for the next phase of capital development and agree the process for agreeing Phases II and III of the Leisure Transformation Programme capital programme.

3) To authorise Officers to develop an interim upgrade/refurbishment programme within existing resources for consideration by the Committee.

4) To authorise officers to proceed with the work plan, as outlined in paragraph 2.5 of the report.

5) To agree the draft objectives for the new leisure trust and authorise its establishment.

6) To grant authority to take preparatory steps to transfer service, as per legal advice set out, including the issue of the contract award notice and to enter into a contractual relationship with the Trust to ensure the effective delivery of the service.

The Committee agreed to adopt recommendations 2, 3, 4, 5 and 6.

7) To review the recommendations of the Trade Unions in-house model report and confirm the 'in-principle' decision already made in relation to the Council's preferred business model option as the non-profit distributing organisation/leisure trust.

Moved by Councillor Reynolds,
Seconded by Councillor Attwood,

That the Committee agrees to adopt recommendation 7.

Amendment

Moved by Councillor McVeigh,
Seconded by Councillor Hargey,

That the Council continues to explore an in-house model on the basis of the Trade Unions submission.

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

The original proposal standing in the name of Councillor Reynolds and seconded by Councillor Attwood was put to the meeting when ten Members voted for and seven against.

Accordingly it was agreed to adopt recommendation 7.

8) To agree that the initial staff protections outlined be integrated into any partnership agreement with the Leisure Trust and authorise officers to continue engagement and negotiations on those issues.

9) To give feedback and agree the indicative outcomes framework for the purposes of preparing a partnership agreement and business plan with the Trust.

10) To agree those services for inclusion in the transfer, that is, the operations of 10 leisure centres and facilities within their immediate curtilage, for example, adjacent 3G pitches as well as the leisure facilities at Girdwood Park.

11) To approve the equality framework for integration in to the business planning and agreements development process.

12) To agree the outline consultation approach to include consideration of the Council's Best Value obligations.

The Committee agreed to adopt recommendations 8, 9, 10, 11 and 12.

**Leisure Transformation Programme -
Phase 1 Update: Olympia Regeneration;
Andersonstown Regeneration; and Girdwood Hub**

The Committee considered the undernoted report:

"1.0 Relevant Background Information

1.1 Members will recall that the SP&R Committee at its meeting in June, agreed a £105m capital expenditure affordability limit for the leisure transformation programme. This included £38m towards the Olympia and Andersonstown schemes under Phase 1. The purpose of this paper is to update Members on the current status of these projects.

2.0 Olympia Regeneration

2.1 Members are aware that there is a very tight timescale for the delivery of Olympia given the construction programme for the new Windsor stadium. Phase 1a (development of the new facility) is integral to this development because the project design involves sharing a new roof structure. In October 2013, approval was given to progress the Olympia project from Stage 2 to Stage 3 – Committed on the Capital Programme however it was highlighted that a number of outstanding issues remained to be resolved including the agreement of a mutually beneficial community benefits partnership with the IFA. Subsequently the Statutory Transmission Committee at its December meeting consented, subject to conditions to award contracts for the Olympia Regeneration Project. Members will recall that an update on these issues was taken to Committee last month and all outstanding issues in relation to Olympia were agreed by Members, subject to further information on the mutually beneficial community benefits partnership being brought back to Committee.

2.2 Members are asked to note that a cross party delegation from the Council met with the Minister for Culture, Arts and

Leisure and DCAL officials on Tuesday 15th April specifically to discuss community benefits to ensure the stadia developments deliver sustained city and community benefits and to ensure that the stadia, leisure facilities and associated public realm are shared, welcoming and safe spaces for everyone.

At this meeting it was highlighted that both the Council and DCAL agreed on the importance of sustaining community benefit and there is a need to further refine the specific detail in regard to a community benefits partnership with the IFA. The Minister noted that all three sporting codes were currently financially supported by DCAL to facilitate engagement with local communities and schools. It was imperative that any proposed longer term arrangements built on this work, as well as complemented ongoing work supported by the Council and agencies such as Sports NI. She also highlighted that community benefits proposals were not restricted to sporting activities and could include broader well-being proposals.

It was therefore agreed at this meeting that community benefit would be looked at across the three sporting codes (with the GAA, IFA and IRFU) and that the Council would convene a meeting between DCAL officials, the three sporting codes and the Council before the end of May to allow for a revised proposal to be brought back to Committee in June.

Members are asked to note that a final decision on this must be made by June in order to facilitate the development of the new facility.

3.0 <u>Andersonstown Regeneration</u>

3.1 The project at Andersonstown will provide new leisure facilities at the site of the existing Leisure Centre. It will also include regeneration of the wider site for uses such as recreation and commerce. Three proposed design schematics have been drawn up and a period of intensive public engagement was held between 20 March-12 April. This engagement process was extremely successful with over 1000 attendees at the different sessions and over 350 feedback forms filled in. These consultation responses are currently being analysed and will be presented to the next West AWG (29th April) and will be fed back to Committee in June. The results from this consultation process will inform the design brief.

3.2 Members will also be aware that discussions have been ongoing with other key providers in the area including the Health Trust to maximise the overall use of site and provide a centre that delivers the best outcomes for the local area. Members are asked to note that the Health Trust has been very receptive and positive about looking at the feasibility of locating a number of GP practices within the redeveloped centre. However the Trust have highlighted that at this stage that any relocation, either via a leasing arrangement or a capital build, will require departmental approvals and that this could take a minimum of 5 months for a lease or longer if it is a capital build.

Members are asked to note that waiting for any approved decision from the health trust will have a consequential impact on the timescale for the build.

3.3 This therefore presents Members with a number of options and Members are asked to consider:

- **If they wish officers to continue to progress discussions with the Health Trust and to defer the design brief process for the new centre until the outcome of the discussions with the Health Trust is known and the decision goes through their departmental approval processes which will take at least five months or longer; or**
- **if they wish to look continue to the current timetable for the design for the new centre and as part of the design process look at how the building could be flexibly designed, if possible, in order to accommodate any future provision for health/GPs.**
-

4.0 Girdwood Hub

4.1 Members are asked to note that work commenced on the development of the Girdwood Hub on Monday 14th April and is anticipated to be completed by Summer 2015. Members will be kept up to date with progress.

5.0 Equality Implications

***Phase 1 – Leisure Transformation Programme* - A high level EQIA is currently being prepared for the LTP. This will include capital investments and will be presented to SP&R in due course for its consideration.**

6.0 Recommendations

Committee is asked to note the contents of this report and -

Olympia Regeneration

- **note that the Council has highlighted to DCAL that it is committed to the principle of community benefit subject to further refinement of the detail involved**
- **note that a meeting with all three sporting codes, DCAL and Council officials will be organised before the end of May to agree this detail and to facilitate a further update being brought back to Committee in June when a decision must be reached by Committee in order to ensure the successful delivery of the project**

Andersonstown Regeneration

- **agree if they wish to continue to progress discussions with the Health Trust in relation to the provision of health facilities within the redeveloped Andersonstown Centre. Members are asked to note that this may an impact on the timescales for the development due to the Trust's decision making timescales. Alternatively as part of the design process officers can look if there is a possibility to flexibly design the new centre so that future provision for health/GPs can be accommodated**

Girdwood Hub

- **note that work commenced on the development of the Hub on Monday 14th April and is expected to be completed by Summer 2015**

7.0 Abbreviations
IFA – Irish Football Association
GAA – Gaelic Athletic Association
IRFU – Irish Rugby Football Union"

The Committee adopted the recommendations in relation to the Olympia Regeneration and the Girdwood Hub.

With regard to the Andersonstown Regeneration, the Committee agreed that, as part of the design process, officers look at the possibility to effectively design the new centre so that future provision for health/General Practitioners could be accommodated and, without delaying the scheme, for discussions to continue at a senior level with the Health Trust and the Department and a meeting of the West Area Working Group be held during May to update the Members on any progress.

Future City Conference – Planning for Growth

The Chief Executive submitted for the Committee's consideration the undernoted report:

"1 Relevant Background Information

1.1 In recognising that the core of the city centre is important to driving growth and investment in neighbourhoods, Committee will be aware that Urban Strategies (Joe Berridge), with Deloitte and ARUP as part of the consultant team, have commenced the development of a Belfast Core City Regeneration and Investment Framework which is due to be complete in September/October 2014. Urban Strategies have met with the Budget & Transformation Panel and as part of the programme of engagement a public city centre event is planned for June 2014 to make stakeholders aware of the approach, allow comparison with other cities and to test the direction of travel of the plan.

1.2 This is a key opportunity to reinforce the role of Belfast as the key regional driver and the importance of the city centre in planning for future economic growth and competitiveness. Members will be aware that the Council held the 'Belfast: Future City' Conference in May 2013 with around 170 attendees from the public, private, community and voluntary sectors. This was designed to build on the State of the City Development Debates and begin the process of ongoing engagement around priorities for city development in the context of the return of regeneration and place-shaping powers to the Council. This was well received and a conference report was made widely available in the summer edition of agendaNI. This proposed public city centre event in June clearly aligns and progresses the discussion that took place at the Future City Conference last year.

1.3 Members have previously noted that while the focus of this work is initially on the core city and surrounding communities it is important that it is placed firmly within the context of the wider regeneration and planning context of Local Government Reform i.e. the development of the local development plan, the community plan, and area regeneration frameworks. This report therefore sets out the proposed approach to the event in June, which is provisionally scheduled to take place on 20th June 2014.

2 Key Issues

Budget & Transformation Panel

2.1 Urban Strategies have met with the Budget & Transformation Panel where Members highlighted a number of issues to be taken account of during their work. This included the need to ensure connectivity between the city centre and local

communities in terms of accessibility and mobility and in terms of ensuring that job creation and investment benefit local residents. The importance of incorporating social clauses into investments was also cited as important to promoting and securing local employment. The issue of housing in the city centre was noted as well as the importance of creating an attractive city for tourists and residents alike. Suggestions were also made about the benefit of a city art gallery and a casino in terms of attracting tourists and spend in the city.

2.2 In recognising the importance of ensuring connectivity of the city centre and local communities, a separate report on the agenda deals with the procurement of expertise to support the creation of a city vision as part of the community planning work programme agreed by Members. We will ensure that the work carried out on the city centre is connected to this city wide programme so that the impact of recommendations of this work impact across the city.

2.3 Urban Strategies have planned a public city centre event to make stakeholders aware of the core city regeneration and investment framework and to test the direction of travel. There is merit in maximising this event to reinforce the city as the regional economic driver, This event, which will build on the positive feedback received following last year's Future City Conference will foster collaboration and engender support amongst key stakeholders for the emerging strategy.

2.4 The preferred date for the Belfast conference is 20th June is as Urban Strategies are involved in a major International Festival of Business Conference which will take place in Liverpool (key dates are 18 -19 June 2014). Given the leadership role Members will play in taking forward the new Council's place-shaping responsibilities, it is proposed that Members attend this conference to hear the experience of world-class practitioners and provide an opportunity to meet with Members and officials from Liverpool and Manchester Councils. Leeds has also been suggested. This would allow Members to practically explore the challenges facing towns and cities as they continue to develop, how they can link their citizens to opportunities and play an ever stronger role in driving regional and national growth using regeneration and planning powers. There is also an opportunity for Belfast to align the Future City Conference with this through scheduling and engaging key speakers to attract a wide range of stakeholders in Belfast.

Proposed Objectives for the 20 June Conference:

2.5 The core city regeneration and investment plan must be set within the context of the broader city planning agenda which will include the community plan, the local development plan and the Council's new approach to city-wide and neighbourhood regeneration. The conference objectives are proposed as follows:

- **To launch the initial findings of the core city regeneration and investment framework and test the direction of travel**
- **To agree 3-5 key projects/opportunities for growth for Belfast, particularly with the return of regeneration and place-shaping powers to council**
- **To provide a focus for practitioners to share experience and ideas for Belfast's city centre development and growth**
- **To provide a platform to inform stakeholders about the planned process to develop a city vision and community plan**

There may also be an opportunity to make an announcement about a significant city infrastructure project.

2.6 Proposed Conference Structure
The following conference sessions are proposed:

Introduction to the regional city context – introduction from the First Minister and Deputy First Minister reinforcing the role of Belfast as a regional driver, noting the recovery in the economy and the importance of city centres in generating growth through employment, attracting business and as a key focal point.

Belfast's Future Growth –Professor Michael Parkinson OBE was a key speaker at the Future City Conference in 2013 and has reviewed Belfast's competitiveness and capacity to deliver at regular intervals since 2004. Drawing together a number of key pieces of work such as Opportunities for Investment in Belfast, the impact of anchor institutions as well as the preparations for the Investment Conference scheduled to take place in Liverpool, Professor Parkinson will highlight the critical steps for Belfast and challenge us agree shared city development priorities, consider alternative resourcing plans and commit resources to deliver and shape Belfast's future success.

City Competitiveness and Growth – Bruce Katz regularly advises federal, state, regional and municipal leaders on creating urban prosperity. Bruce Katz is known to Belfast

through his involvement in the State of the City Debates and the work on the Weak Market Cities. He is also a keynote speaker at the Liverpool conference. His recent work has focused on metropolitan cities and how networks of city leaders can work together to grow more jobs and make their communities more prosperous, by investing in infrastructure and equipping workers with the skills they need.

Shaping the Core City: the Regeneration and Investment Plan – Joe Berridge, Urban Strategies will outline the work to date and direction of travel for the Regeneration and Investment Framework. This will be driven by the economic vision for Belfast and will include an indication of the opportunity projects and possibilities as well as alternative financial arrangements to support investment in regeneration.

2.7 Practitioner focussed workshops

The final sessions will be informed by the work of Urban Strategies focussing on 4-5 key areas of opportunity for the core city; this is also likely to build on the city investments made through the Council's Investment Programme 2012-15. Workshop discussions would be led by a key speaker demonstrating good practice examples from elsewhere and a local practitioner to provide the Belfast context. Initial examples of workshop topics include:

- **University City – maximising the regenerative impact of the University of Ulster relocation to the city centre, and reinforcing the mutual value created through building critical relationships between universities / educational establishments and their cities.**

- **Waterfront Developments – recognising the value and regenerative potential of the river in Belfast, this could refer to key projects/plans such as the Lagan Canals project.**

- **Tech City/Hub – focusing on the development of the creative hub, innovation centre and Superconnected Belfast. This would also enable us to build on the success of the recent Tech Mission to Silicon Valley which included 20 local private sector companies.**

- **Tourism (Food/Music/Culture) – creating a strong marketing offer to attract conference visitors, the food/music scene is particularly important to sustain and promote the city centre. This would support the work currently underway with the development of**

the new Integrated Tourism Strategy and could build on the recent relationship and comparisons that have been made with Bilbau. Members may also wish to consider a future follow-up visit to Bilbau.

- **Transport/Connectivity – another theme within the Masterplan, this supports the development of Belfast Rapid Transit and reinforces the connectivity and mobility between neighbourhoods and the city centre.**

2.8 Leading the city

Political input will be critical throughout the event. It is proposed that the Lord Mayor would introduce the event, providing the context for the city and the link with the Liverpool conference. It is suggested that specific input be provided by Chair of SP&R, to outline the challenges ahead and Chair of Development Committee, in providing an update on the Belfast masterplan and way forward. Key roles will be played by elected Members throughout the event.

2.9 Connecting to the broader planning agenda

In line with the proposals outlined to Members at Statutory Transition Committee and at the all-Member community planning workshop on 5 March, it is recognised that while there is a need to provide focus and clarity on the 'core city' developments it is important that this is viewed within the context of the broader community planning framework. While the discussions at the event will connect to the community planning work programme the event will also sign-post this process to a wider audience.

3 Resource Implications

3.1 The total cost of this event is estimated at £30,000 and has been budgeted for within 2014/15 Departmental estimates.

4 Equality and Good Relations Considerations

4.1 Equality and good relations considerations will be taken into account in all aspects of this work.

5 Recommendations

5.1 Members are asked to:

- **Agree that a 'Future City Conference: Planning for Growth' event as outlined above should take place in June and the costs associated with the conference, its organisation and retention of expert contributors**
- **Agree that the First Minister, Deputy First Minister, Minister for Regional Development and Minister for**

Social Development should be invited to participate in the conference

- **Agree to nominate party representatives to attend the International Festival of Business Liverpool event on 18-19 June 2014 which will coincide with meetings with Councils in Liverpool, Manchester and Leeds"**

The Committee adopted the recommendations.

Belfast Bursary Fund – proposed amendments to eligibility criteria

The Committee considered the undernoted report:

"1 Relevant Background Information

1.1 At the 15 April meeting of the Development Committee, members received an update on the Belfast Bursary and agreed to the allocation of £50,000 funding to Prince's Trust to roll out year 3 of the bursary. The bursary scheme is an element of the Belfast Investment Programme.

1.2 Members were also updated on progress with the bursary being delivered on behalf of the council by Belfast Metropolitan College (BMC). They were advised that, at a previous meeting of the Development Committee, a number of recommendations were being made regarding the eligibility criteria for the scheme and the potential for these to impact on numbers applying. Members asked that a report be brought back to a future meeting of the Strategic Policy and Resources Committee to consider the implications of changing the scheme criteria and to make recommendations on any changes required for the coming academic year.

2 Key Issues

2.1 In order to be eligible for the bursary at present, the criteria are as follows:

- **First year, full-time student at BMC, resident in Belfast City Council area**
- **Aged 16-24**
- **Household income threshold not to exceed £23,820**
- **Students to be studying on one of priority courses focusing on new growth areas, course are at levels 2-5.**

2.2 The aim of the bursary is to offer an incentive to young people to consider undertaking study in one of the areas in which we project future employment growth to be greatest, as opposed to those areas where new jobs are less likely to be created. Hence the courses eligible for bursary support cover IT,

multimedia, renewable energies, science and tourism and hospitality. The value of the bursary is £500.

2.3 In the current academic year, Belfast Met reported that 64 students availed of the bursary. Spend on the awards amounted to £32,000. A total of 120 students applied for the scheme, of whom 64 were successful and 56 failed to meet one or more of the eligibility criteria set. Participants were ineligible predominately because they lived outside the Belfast City Council area (principally in Castlereagh) or because the household income levels exceeded the £23,820 threshold.

2.4 One of the most significant challenges has been our ability to predict the number of students who will apply for and be eligible to take up the Belfast Met bursary, given that this programme is targeted at first year students on approved courses. While there is a pool of over 800 students undertaking the priority courses agreed by members, only around 8% of those students met all of the scheme's eligibility criteria last year.

2.5 Of the successful students, over a third of awards have been provided to young people who live in the top 10% of most deprived wards while over half of the awards have been taken up by young people who live in the top 25% most deprived wards.

2.6 Based on last year's figures, and assuming that the uptake levels and student profile will be broadly similar to last year, it is likely that around 70 students will avail of the bursary in the coming academic year, should the scheme go ahead in the same format as previous years.

2.7 Assuming an available budget of up to £50,000 in the coming year – in line with the budget for Prince's Trust bursary – the following options may be considered by members.

2.8 <u>Extend the scheme to second year students</u>
This would potentially double the amount of students availing of the bursary. As such, it could mean that the £50,000 allocation would be exceeded. Also, given that the bursary was intended to act as an incentive to get students to take up a certain course, the fact that they were going into year 2 would mean that they no longer needed that incentive and were simply completing their course.

2.9 <u>Consider removing the upper age limit</u>
At present, only students aged under 24 are eligible for the scheme. This criterion was established to take account of the

high levels of unemployment and economic inactivity among that group. Belfast Met advise that removing the upper age limit would enable access by a small number of additional students, particularly people studying on Access courses at level 3 which can lead to a study on a degree course. Based on last year's figures, this could lead to an uplift of 10-15 additional recipients.

2.10 <u>Consider revising the household earning limits</u>
As part of the consultations undertaken through party briefings last year, members were keen to see the earning cap pitched at a level that meant that a student living in a household where two people were earning minimum wage would still be eligible for the bursary. On that basis, the earnings threshold was set at £23,820. If this cap was lifted, considerably more students could benefit from the scheme. However it may mean that the initiative is less targeted than the current position, namely half of recipients resident in the top 25% most deprived wards. When the bursary was established, the minimum wage was £6.19; this has since been revised (October 2013) to £6.31 and will increase again in October 2014. Assuming uplift to around £6.50 per hour in October this year, this would mean that the earnings threshold could be increased to £25,000 for household income, and still be based on the assumption of two people working within the household at minimum wage.

2.11 <u>Consider revising the priority courses</u>
The courses of study were chosen based on the fact that they focused on areas of projected future employment growth. The Development Committee, at its meeting in December 2013, agreed the inclusion of a number of additional courses, still within the agreed priority areas. Applications were received from across all of the courses last year. It is therefore recommended that the same courses are eligible for bursary support in the coming year.

2.12 In addition to any changes in criteria, it is also proposed that additional work is undertaken in the coming months to promote the bursary, using council networks and outreach facilities. This includes promoting the scheme to the following key conduits:

- Welfare rights advisors in advice sector to ensure those who need help the most have an opportunity to apply
- Targeted engagement through existing community networks and outlets, including the council's community centres and community development staff

- **Organisations on the Council's Section 75 consultee list. This is particularly important in widening participation among younger people's groups and disability specialist groups**
- **Targeted use of both the Council's and on Belfast Met's website (including on the online prospectus and at open days and via media)**
- **Schools' career advisers in order to ensure that young people are aware of the financial incentive when making their choice of course.**

2.13 Members have previously raised the potential of making the bursary available to Belfast City Council residents who were studying at other institutions, principally Northern Regional College. While it would be possible to identify how many students with a Belfast City Council postcode studied at the college last year, it would take some work to set up the relevant administration systems with the college as well as identify priority courses available in the college. It is unlikely that this could all be in place to allow for promotion of the bursary for the coming academic year. However members should be aware that these students would potentially be eligible for the council bursary provided through Prince's Trust (open to all Belfast residents aged 16-25 who are not currently undertaking training but who would want to do so, if the relevant financial support was available to cover fees or course materials). Officers will work with members in the coming months to promote this scheme to interested young people and to encourage take-up, particularly in disadvantaged communities.

2.14 Taking account of all these considerations, it is proposed that:

- **The bursary continues to be available to first year students only**
- **The age cap is removed, in order to support adult returners and those undertaking access courses**
- **The household earnings cap is set at £25,000**
- **The priority courses previously agreed by the Development Committee are maintained.**

3 Resource Implications

Based on the recommendations, it is anticipated that the budget required will not exceed £50,000 (i.e. covering up to 100 bursaries at a value of £500).

4 Equality and Good Relations Considerations

No specific equality or good relations considerations.

5 Recommendations

It is recommended that the following changes to the scheme eligibility are agreed:

- **The bursary continues to be available to first year students only**
- **The age cap is removed, in order to support adult returners and those undertaking access courses**
- **The household earnings cap is set at £25,000**
- **The priority courses are maintained."**

The Committee adopted the recommendations.

Communications Issues

The Committee discussed a number of the issues which had been raised and agreed throughout the meeting in relation to the Leisure Transformation Programme, the update on job opportunities and employability, and the living wage and agreed that press releases in the name of the Chairman and the Party Group Leaders be issued in this regard.

Standing Order 12

In accordance with Standing Order 12, the Committee agreed that the minutes of the meeting be submitted to the Council on 1st May for approval.

Chairman

Parks and Leisure Committee

Thursday, 10th April, 2014

MEETING OF PARKS AND LEISURE COMMITTEE

Members present: Councillor McKee (Chairman);
Aldermen Robinson and Rodgers;
Councillors Beattie, Convery, Corr, Cunningham, Haire, Hanna, Hendron, Hussey, Kyle, Mac Giolla Mhín, Mallon, McCabe, Ó Donnghaile, Mullan, Thompson and Verner.

Also attended: Councillor Kelly.

In attendance: Mr. A. Hassard, Director of Parks and Leisure;
Mrs. R. Crozier, Assistant Director of Parks and Leisure; and
Mr. B. Flynn, Democratic Services Officer.

Apologies

An apology was reported on behalf of Councillor McNamee.

Minutes

The minutes of the meeting of 13th March 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 April, subject to the omission of the minute under the heading 'Northern Ireland Commonwealth Games Council' which, at the request of Councillor Kelly and with the permission of the Council, had been referred back to the Committee for further consideration.

Declarations of Interest

No declarations of interest were reported.

Whiterock Leisure Centre – Update

The Committee considered the undernoted report:

"1. Background Information

At its meeting on 13th February 2014 Committee approved an application from Cumann Spoirt an Phobail to hire facilities on Saturday 29th March 2014. The request was to facilitate a community celebration event with presentations to local people who had contributed to the development of the

Whiterock community in the fields of sport, culture and development. .

On 30th March 2014 a number of Councillors contacted the Director of Parks and Leisure regarding images which had been circulating on social media and their concerns around the nature of the event and the displays within it, posters which were displayed on the walls within the leisure centre and the promotional material which had been prepared to advertise the event. The Director reviewed the information provided to him and initiated an investigation into the circumstances around the event and potential breaches of the Council's Parks and Leisure events policy, the conditions for hire and the neutral and harmonious working environment policy.

2. Key Issues

In conducting the investigation the Director:

- **Reviewed information provided by staff in relation to the event;**
- **Sought legal advice on breaches to the events policy and the conditions of hire;**
- **Met with the event organiser;**
- **On legal advice, asked the PSNI to review the available information relating to the event to establish if any unlawful activity had taken place; and**
- **Reviewed all documentation associated with the event including the application form and the occasional licence.**

Investigation findings:

General

- **Cumann Spoirt an Phobail was the applicant and event was organised in conjunction with a number of other organisation including Gortnamona Historical and Cultural Society and Sliabh Dubh Public House for the event.**
- **The elements of the event agreed by Committee i.e. the Community Awards appear to have formed the main part of the event. As far as can be ascertained the displays which included one to commemorate to 100th anniversary of the formation of Cumann na mBan (League of Women) were staged by the Gortnamonagh Historical Society.**
- **No promotional material was displayed within the leisure centre prior to the event.**

- **No event programme regarding the event was provided or requested by staff prior to the event. Staff were under the impression that this was a community based event.**
- **No permission was requested for the display of posters within the main hall.**
- **The centre closed at 4pm and the organisers were given access to the facility at that time after the other bookings had finished.**
- **No staff members were involved in the set up of the event.**
- **No complaints have been received from staff or customers regarding the event.**
- **An occasional licence was in place for the event, applied for and granted to the Sliabh Dubh Public House from 7.30pm to 1pm. The licence indicates that the organiser of the event was Gortnamonagh Historical and Cultural Society.**
- **The facility hire form was completed and a formal letter of application was submitted. The applicant was provided with a hire agreement and the conditions of hire.**
- **A fee of £700 to include staff costs was charged for the event.**

<u>The Hire Agreement</u>

- **The agreement confirms the use of the facility for the purpose of the event described in the application.**
- **The agreement sets out the hirer's obligations and requires the hirer not to display flags or emblems (except for the use of with a historical significance), to run the event in such a manner as not to injure the reputation of the centre or to undertake anything which would be unlawful. It also requires the hirer not to assign the benefit of any application without consent and that all attachments and decorations are subject to the prior approval of the centre manager.**
- **There is a requirement that publicity and promotional material will be subject to the approval of the centre manager.**
- **The agreement refers to the Council's Section 75 obligations and the requirement to promote equal opportunities and good relations between and with the protected groups.**

Conclusions

1) In this case there were a number of breaches of the conditions of hire:

a) There were a number of different organisations involved in the organisation of this event, not only the applicant who was granted permission of the Council. This breaches the conditions of hire unless consent has been sought and approved, which did not happen in this case.

b) The organisers did not seek the approval of the centre manager in relation to the type of promotional material used on for the erection of posters or banners within the centre.

2) In the application to the Council the event was described as a community celebration event to showcase success within the community with an emphasis on presentations to local people who have contributed to the development of the community in the fields of sport, culture and development.

It would appear that this was the main focus of the event. However, there were clearly other elements planned for the event which were not disclosed to the Council either at the time of the application or subsequently.

3) Once the event had been given permission by the Council and the application form submitted, which at this current time only requires basic information to be provided, the process for vetting the application was not as robust or searching as it might have been.

4) There is a requirement for those hiring the facility not to act in a way that would offend the Council's legal obligations under Section 75. The Council also has a policy to provide a neutral and harmonious working environment for staff who work in the facility.

The Centre is a place of work and a facility that all sections of the community should feel free and welcome to visit. The Centre was not open to the

general public at the time of the event but the portrayal of images on social media and the press is unlikely to be viewed as sitting comfortably with the Council's legal duty under Section 75.

The display of banners, emblems and flags in the centre during the event also creates difficulty for the Council in complying with its policy to create a neutral and harmonious working environment for all staff.

5) An oral update will be given to the Committee on the investigation that the PSNI are currently undertaking.

3. Recommendations

To agree that the Director:

- **Reviews the application process for use of Leisure Centre facilities to ensure that sufficient and appropriate information is provided by applicants to enable better considered decisions on hiring to be made by committee.**
- **In conjunction with legal services review and amend the agreement for hire to clarify and simplify the hire obligations regarding the issues raised by the investigation.**
- **Submit a further report to committee in due course."**

The Director outlined the principal aspects of the report and clarified a range of issues thereon.

After discussion, the Committee noted the information which had been provided and adopted the recommendations.

Reconsidered Item - Northern Ireland Commonwealth Games Council

Pursuant to the decision of the Council of 1st April, the Committee reconsidered the minute of the meeting of 13th March under the above-mentioned heading, a copy of which is set out hereunder:

"The Director reported that a request had been received from the Northern Ireland Commonwealth Games Council seeking financial support to assist in the costs associated with sending the Northern Ireland team to the 20th Commonwealth Games, which would be held in Glasgow in July and August. He pointed out that over seventy countries would be participating in 2014 and reminded Members of the significant achievements of Belfast competitors at previous Games.

The Director reminded the Committee that the Council had, in 2002, 2006 and 2010, agreed to provide financial assistance to the Commonwealth Games Council to offset the costs associated with bringing the team to the Games. Such expenditure had been authorised under the specialised expenditure powers as set out within Section 37 of the Local Government Finance Act (Northern Ireland) 2011. Accordingly, he recommended that the Committee agree to make a contribution of £5,000 to the Commonwealth games Council.

Accordingly, it was

Resolved – That the aforementioned expenditure in respect of the Council's contribution to the Commonwealth Games Council be approved under Section 37 of the Local Government Finance Act (Northern Ireland) 2011, it being the opinion of the Council that the expenditure would be in the interest of, and would bring direct benefit to, the District and the inhabitants of the District, with the Committee being satisfied that the direct benefit so accruing would be commensurate with the payment to be made."

The Chairman reported that Messrs. S. Tosh and C. Heatley, representing the Northern Ireland Commonwealth Games Council, were in attendance and with the permission of the Committee they were admitted to the meeting.

Mr. Heatley stated that the Northern Ireland Commonwealth Games Council would, subject to the securing of adequate funding, be sending a record 114 athletes to the 2014 Commonwealth Games in Glasgow. He provided an overview of the costs associated with the preparation, travel and accommodation for the team. He reminded the Committee that local athletes had excelled at recent Games, particularly in 2010 at Delhi. He pointed out that a majority of local competitors who had been awarded medals had been from Belfast. He requested that the Committee reconsider the amount of funding which it had endorsed at its meeting on 13th March. The deputation then left the meeting.

After discussion, it was

Moved by Alderman Rodgers,
Seconded by Councillor Hanna and

Resolved – that the Committee agrees to rescind its decision of 13th March and agrees further that the Director re-examines the Department's budgets for 2014/2015 to identify a sum of £15,000 to be allocated to the Northern Ireland Commonwealth Games Council; and agrees that such expenditure be authorised under Section 37 of the Local Government Finance Act (Northern Ireland) 2011, it being the opinion of the Committee that the expenditure would be in the interest of and would bring direct benefit to the District and the inhabitants of the District, with the Committee being satisfied that the direct benefit so accruing would be commensurate with the payment to be made.

**Parks and Leisure Committee,
Thursday, 10th April, 2014**

Burial Land at Dundrod

The Committee considered the undernoted report.

"1 Background Information

Members will be aware that as part of the approach to cemetery and crematorium development we have been engaged in a process to identify a site for development as a new cemetery and that discussions have been ongoing around a potential site at Dundrod.

The site at Dundrod came to the Council through an expression of interest exercise which the Council initiated. This site was put forward by an agent acting on behalf of a business man who holds an option on the site. Officers from the Parks and Leisure Department, Legal Services and the Estates Management Unit have held a number of meetings with the party who holds an option on the site along with their agent. The Council is aware of who the landowners are but at this point have had no direct dealings with them.

2 Key Issues

At its meeting in January 2014 the Committee agreed the following:

- **Agree to commission an expert to do detailed drawings of the sight lines and to determine what options for a viable secondary access exist at the site;**
- **Subject to the findings of the above, commission additional ground investigations at the site including deeper trial pits and bore holes across the entire site; and**
- **Authorise the Director, under the Scheme of Delegation, to award the successful tender in respect of the ground investigations and in respect of the access arrangements should these exceed quotation limits.**

Officers are currently in the process of commissioning the first set of tests and we would hope to bring a report detailing the findings to Member in June 2014.

The option holder has also commissioned work around the site suitability. A letter has been received from Strategic Planning, on behalf of Carston Undertakings Limited requesting the opportunity to make a presentation to the Committee at its June meeting. In summary Strategic Planning have asked permission for a delegation to attend the meeting to make a 10 minute presentation, to inform the Members of the rationale behind the project and the possible

options going forward. They have also indicated that they will be happy to respond to any questions that Members may have. It should be noted that officers are in discussion with the option holder to clarify his relationship with Carston Undertakings Limited. The delegation would be made up of representatives from the various consultancies that the option holder has commissioned to work on this project, including Strategic Planning, MRA Traffic Consultants, Park Hood Landscape Architects and PwC.

3 Resource Implications

Financial
The development of a new cemetery is currently a Stage I emerging project in the Council's capital programme.

Asset and Other Implications
None at this stage although the final phases of the project will inevitably increase the Council's land ownership and associated liabilities.

4 Equality and Good Relations Implications

There are currently no equality or good relation implications however this will continue to be reviewed as the project is developed.

5 Recommendations

Members are asked to consider the request and determine whether they want to accede to the request from Strategic Planning.

After discussion, the Committee agreed to accede to the request from Strategic Planning and agreed that Members of both Councils would be invited to attend.

Potential Flood Alleviation Measures at the Musgrave Park

The Director reminded the Committee that there had been a series of flooding incidents in the City over the past number of years. He pointed out that the area of the Upper Lisburn Road, within the vicinity of Sicily Park and Marguerite Park, had been affected severely, particularly on the evening of 27th June, 2012. The Director indicated that Northern Ireland Water was in the process of developing a medium to long-term strategy to address the issue and one if its proposed alleviation measures under consideration might include the creation of an outlet flow pond adjacent to the Musgrave Park Playing Fields. Such a measure, he reported, would act to retain excess rainwater and enable it to be directed away from residential properties.

The Director indicated that the creation of the pond would not impact on the pitches within the park and he drew the Committee's attention to a number of issues which would need to be considered prior of any firm recommendation being placed before the Members in respect of the creation of the outlet pond.

The Committee noted the information which had been provided and noted that a further report in this matter would be submitted for its consideration in due course.

Procurement of Supplies and Services

The Director sought and was granted approval to undertake procurement exercises for the undernoted supplies and services for 2014/2015:

The Director indicated that the duration for each contract would be for three years, subject to satisfactory performance and annual review and that all tenders would be evaluated on both cost and quality.

Tenders	Annual Cost
• Supply and delivery of fruit and vegetables at the Belfast Zoo;	– £110,000
• Supply and delivery of haylage, meadow hay and barley straw;	– £40,000
• Supply and delivery of ground maintenance plant and machinery;	– £100,000
• Cash collection at leisure centres and parks properties;	– £18,000
• Parks Education Programme;	– £20,000
• Supply and delivery of topdressing sand, topsoil and sand/soil mix;	– £114,000
• Supply and delivery of outdoor seating	– £50,000
• Supply and delivery of fertilisers, grass seed and miscellaneous supplies	– £110,000
• Maintenance and removal of hanging baskets.	– £33,000

The Committee noted that, in accordance with the Scheme of Delegation, the Director would award the contracts to the most advantageous tenders received.

(The Deputy Chairman, Councillor Mac Giolla Mhín, in the Chair.)

St. Patrick's Day Operations 2014

The Committee considered the undernoted report:

"1. Relevant Background Information

In the last number of years the Council has been working closely with its partners to coordinate resources to effectively tackle any antisocial behaviour occurring during St. Patrick's day (and where appropriate the days around it) across the city.

This year, as before, preparatory meetings were held with the PSNI, NIFRS, Ambulance Service, Queens University and Ulster University and a comprehensive operations plan was drawn up to support effective communications during the St. Patrick's holiday weekend.

2. Key Issues

The aims of the St. Patrick's weekend operations were to:

- **Communicate with local communities, elected representatives and revellers about the St. Patrick's weekend operation.**
- **Provide a safe environment for residents, communities and revellers to enjoy and partake in St. Patrick's celebrations across the city.**
- **Tackle crime, on-street drinking and antisocial behaviour.**
- **Enforce breaches of local bye laws and other legislation.**
- **Improve the public image of Belfast as a safe city to socialise in.**

The principal areas given attention over the period included the Holylands, the City Centre (during the St. Patricks Day parade and concert) and the parks throughout the city over the St. Patrick's bank holiday weekend.

The Parks and Leisure Department ensured officers were contributing to the development of a city wide plan for the St. Patrick's weekend operations. The coordinated operations in parks began at 7:30am on Saturday 15 March and ended at 7:30pm on Monday 17 March 2014. The St Patrick's Weekend Operations Brief – March 2014 which outlines the operations is attached as appendix 1.

Parks operations were based at the City Hall Emergency Co-ordinating Centre on 16 and 17 March from 7:00am and continued until 7:30pm. Hourly updates on the situation in parks were gathered and collated by two City Parks Managers. These updates were shared amongst the agencies and informed decisions on where to deploy resources were taken using this information.

The mobile CCTV van was accompanied by a Park Manager and deployed throughout parks across the city on 15, 16 and 17 March. This resource provides a highly visible representation of authority and is very effective in identifying

and quantifying antisocial behaviour at hotspots within park areas.

Evidence collated from previous years indicated where groups would consume alcohol in parks and leisure facilities across Belfast. There were over 150 people carrying alcohol, who were denied access to parks and therefore not given an opportunity to settle, drink or attract further groups of drinkers. The early coordinated intervention of council officers was extremely effective in keeping parks free from drinkers gathering.

Following reports from the public or Councillors, the mobile CCTV van was deployed to a number of parks to broadcast live images or provide verbal reports back to the Emergency Co-ordinating Centre in the City Hall. The CCTV resource provided an extremely versatile asset, as council officers and PSNI could make decisions on deploying a response using 'real time' information and images to assess and respond to any reports of antisocial behaviour.

As a result there were a number of successful responses which utilised the coordinated resources of Park Wardens, Safer Neighbourhood Officers, Get Home Safe Officers and the PSNI to tackle drinking across the city.

3. Resource Implications

Finance: The mobile CCTV was supplied under a contract sourced by the Community Safety Unit and jointly resourced department's Safer Neighbourhoods Antisocial behaviour programme budget.

4. Equality Implications

Much of the ASB programme work spans activities related to reducing interface tensions or responding to community concerns. All of the programme work is in line with the Council's equality and good relations policies and procedures.

The Committee noted the information which had been provided.

(The Chairman, Councillor McKee, in the Chair.)

Environmental Based Youth Development Camps

The Committee considered the undernoted report:

"1 Background Information

A trial Youth Development Project was held last year in West Belfast which was based on an environmental theme for young people. The aim was to provide youths with an opportunity to learn new skills and knowledge in an outdoor environment. The project included organised visits to various Council Parks properties, River Lagan, Bog Meadows and the Colin Glen Forest. Parks staff, along with various community partners delivered 2 separate weeks of summer camps. Each camp lasted for five days and each day had a different environmental or geographical learning theme relating, for example, to the environmental aspects of the Lagan Valley Regional Park. The project was very favourably received by both parents and young people who stated it was a very enjoyable and challenging week.

2. Key Issues

Following the success of the trial project, it is proposed to provide 4 summer camps for children and young people in North, South, East and West of the City during the period July and August 2014.

The camps will last for five days and will be aimed at various age groups with a maximum of 15 per camp. Each camp will have the following objectives;

- **to develop skills and knowledge of the local environment**
- **to develop personal development skills and complete different adventurous activities**
- **to build new relationships, both within a team environment and across the City.**

Each camp will have different aspects and projects based both on local opportunities and options to visit and experience other parts of the City and develop and learn new skills. A typical day of activity may include the following;

A walk through a forest or up a glen or mountain and an opportunity to learn new skills such as compass reading, basic navigation, lunch on a mountainside, learning about the local fauna and the natural local history.

Parks Officers are keen to promote the Parks and open spaces across the whole of the city and to make our parks a focal point for leisure, education, adventure, physical and mental well-being along with youth engagement activities.

It is intended this type of youth development camp will;

- **Increase participation in leisure activities and assist in reducing childhood obesity.**
- **Reduce the potential of anti social/community behaviour by engaging and educating the youths of Belfast on the positives that our parks and open spaces have to offer.**
- **Increase the awareness of our youth on the importance of enhancing biodiversity in our city and surrounding area.**
- **Encourage young people to become 'Young leaders' by developing leadership skills, decision making skills, team working skills and hazard awareness/avoidance skills.**

The camps would be subject to the preparation of an in depth event management plan including health & safety, child protection and relevant risk assessments.

If this project is supported by Committee, staff will engage with local schools and youth groups to devise a registration/selection process. It is anticipated that age groups may vary from 10 – 17 years old, dependent on the local area needs.

3. Resource Implications

Financial

Each camp will have different requirements based on local need and availability and it is estimated each camp will cost £9,000. This cost will include the hire of buses, facilities at various sites including Belfast Activity Centre, purchase of camp uniform (clothing) food costs and the hire of specialist environmental consultant/contractor to facilitate the events.

Human Resources

Community Parks Outreach Managers will be required to be involved in the camps and at times Park staff may be needed to assist with delivery of projects at parks sites.

4. Equality Implications

There are no equality implications as the project is aimed at providing a positive environment for all children to enjoy and learn about their natural surroundings.

5. Recommendations

To Grant approval to proceed and organise 4 summer camps during period July and August 2014 in East, North, west and south Belfast.

Discussion ensued in respect of the costs which would be incurred in the hosting of the summer camps and concern was expressed that they seemed to be somewhat excessive. Members expressed concern also that the anticipated age-range for participants was too wide-ranging and requested clarification in respect of the criteria which would be utilised in choosing the young persons who would participate in the camps.

After further discussion, the Committee agreed in principle to grant approval for officers to proceed with the organisation of the summer camps, subject to the Department undertaking a re-evaluation of the costs associated with delivering the initiative and clarification being provided on the issues which had been raised by Members.

Alexandra Park – Future Management Arrangements

The Committee considered the undernoted report:

"1. Background Information

Under the Peace III Programme, Groundwork NI was awarded funding to deliver the Reconciling Communities through Regeneration programme. In consultation with the Council and the local community, Alexandra Park was chosen as a specific project with a budget allocation of £50,000 towards physical regeneration work. Parks and Leisure Committee formally endorsed the project in June 2009.

The formal arrangement for Groundwork NI to facilitate meetings of the Alexandra Park steering group ended in March 2013. Since then, the group has continued to meet on an interim basis with meetings chaired by Ciaran Shannon from Groundwork NI (in his role as Chair of the Duncairn Community Partnership).

Subsequent to the end of the funding period, Committee agreed in August 2013 to undertake a review of the management arrangements. The terms of reference for the independent review are agreed as:

1. **To independently review with relevant stakeholders the successes and areas of improvement for the Alexandra Park regeneration process**

2. **To scope a management structure, business planning and management approach, which balances community ownership and public accountability, based on good practice elsewhere**
3. **To make recommendations going forward for consideration by Parks and Leisure Committee.**

Julie Harrison was appointed as an independent consultant to undertake the review.

2. **Key Issues**

In reviewing the contextual materials and a series of one to one conversations, the consultant observed the following:

- **All stakeholders were supportive of the substantial work that has been delivered to date by the steering group in partnership with the Council to re-vitalise and regenerate Alexandra Park;**
- **Steering group members indicated that Groundwork NI has provided a valuable role in chairing meetings to date and securing the initial grant-aid from SEUPB;**
- **All participants were open and positive in their engagement with the review process, recognising that this was a useful point to review progress and plan for the next phase of development.**

In reviewing progress, it was noted that:

a. **While there was good involvement from local people on the steering group in its initial stages, attendance is now more from paid community workers and statutory agencies;**
b. **There was a genuine effort in 2010 to connect with local people on proposals for the park. The response rate to the survey is in keeping with what would be expected of a neighbourhood survey of this type, but attendance at the consultation events appears to have been limited;**
c. **Some participants expressed concern over the traditional 'Friends of' model as too prescriptive and needed adaption for the local context, especially to address the particular good relations issues in the locality;**
d. **Related to this, there was a need for an intensive outreach resource to sustain the relationships around the regeneration process and to be able to respond to any good relations/community safety issues quickly;**

e. **While elected representatives were invited to the steering group, there was less structure/regularity in the formal reporting mechanism back to the Council's Parks and Leisure Committee. This meant that progress on the development plan did not have the visibility it deserved or needed and there is a need for greater clarity in relation to decision-making processes between the Council (as owner of the park) and local engagement mechanisms;**
f. **On an informal basis, North Belfast Memorial Orange Hall raised issues in relation to the quality and safety of fencing between the Hall and the park which could be improved;**

In conclusion, the consultant highlighted that every participant demonstrated commitment from all parties to the ongoing regeneration of Alexandra Park and to adjacent communities. The issues highlighted above demonstrate the importance of a clear strategy for the park and a mechanism for ensuring a balance between local voice, community ownership and the Council's strategic role as a provider of community and leisure services across Belfast.

On the basis of the review, the consultant made the following recommendations, for the consideration of Committee:

1. **<u>Consultation and community engagement</u>**
   Council may wish to consider the frequency of consultation that is appropriate for its parks and public spaces, what standards are set for community engagement work by external partners such as Groundwork NI and how this might fit with current and proposed governance arrangements.
2. **<u>Reconnecting with local residents</u>**
   The steering group and elected representatives should be encouraged to reach out to local residents who no longer attend and encourage their involvement again to ensure that local experience and aspiration is fed in to planning and management of the park.
3. **<u>Improving connections with neighbouring properties</u>**
   Given practical considerations such as the nature and upkeep of fencing for properties adjacent to the park, consideration should be given to extending steering group invitations to the North Belfast Memorial Orange Hall and Elim Church.
4. **<u>Involvement of elected representatives</u>**
   In relation to concerns over information flow in relation to the opening of the pedestrian gate adjacent to Dunmore Avenue, it is recommended that elected representatives are

invited to quarterly meetings of the steering group and that minutes of meetings are circulated by email.

5. **Structure of steering group**
   It is recommended that Council consider working with the current Alexandra Park steering group and local residents to review the existing terms of reference and formalise a locally-appropriate 'Friends of' group. This would help to clarify relationships and could attract local people back into discussion in relation to the park. It could also facilitate external funding opportunities and begin to create greater consistency across the city.
6. **Chairperson**
   It is recommended that consideration is given to rotating the Chair between members, perhaps on a quarterly basis, so that capacity and ownership of the process is enhanced. This may require investment by Council for administrative support to ensure that meetings are scheduled and minutes circulated accordingly. Such a change may best be facilitated as part of discussion on the potential establishment of a 'Friends of' group for the park.
7. **Looking to the future**
   It is recommended that following the establishment of a 'Friends of' structure potential funding streams for capital works in the park are identified. Future funding could be a catalyst for a refreshed structure and engagement process around the park. When thinking about the future of the park a review of relevant policies including specific initiatives by DSD and OFMFDM may offer opportunities for Alexandra Park and surrounding communities.
8. **Connecting to the formal decision-making process of Council**
   As part of the structural review to create a version of a 'Friends of' group, it is important that this is within the public accountability frameworks of Council, as the asset-owner. There needs to be greater regularity in formal engagement with the Council in the planning and implementation process for the park.

Benefits to Council

There are a number of key benefits to the Council in continuing to work collaboratively with local stakeholders in this way:

- **Encourages local civic stewardship in Alexandra Park, to protect the Council's asset and local biodiversity**
- **Links the Council's programme of work to established existing networks e.g. with schools**
- **Potentially draws down additional external funding for capital and revenue proposals**

- **Fulfils Green Flag standard principles for 'good' community engagement**
- **Connects to wider government good relations and regeneration priorities**
- **Contributes to wider strategic outcomes related to promoting good relations, healthy living, protection of the environment and vibrant, safe neighbourhoods.**

It is expected that a representative working group would present a refreshed steering group structure and a development and consultation plan to Committee by October 2015.

3. **Resource Implications**

Financial
Community engagement expenditure within revenue budgets.

Asset and Other Implications
As asset owner, any further asset-related developments will be presented to Committee for its consideration, prior to implementation.

4. **Equality Implications**
There are no equality and good relations implications at this stage. Screening of any emerging development proposal and annual plan will be undertaken in the future which is likely to include positive good relations impacts.

5. **Recommendations**
   - **Consider the recommendations outlined above, provide any feedback and endorse the final recommendations;**
   - **Based on the recommendations, authorise officers to convene a representative working group to review the existing terms of reference, develop a locally-appropriate structure and initiate planning for the next year, for consideration by Committee in autumn 2014."**

After discussion, during which a number of Members welcomed the steps which had been taken to enhance the levels of community engagement in the future management of the park, the Committee adopted the recommendations.

Willowbank Park and Clarendon Playing Fields - MUGA Programme

The Committee considered the undernoted report:

**Parks and Leisure Committee,
Thursday, 10th April, 2014**

"1. Relevant Background Information
Committee is asked to note that Strategic Policy and Resources Committee at its meeting on 24 January 2014 agreed a MUGA programme.

2. Key Issues
Phase 1 of the MUGA Programme is broken down into two strands – refurbishments and new builds. The sites and investment have been agreed are as follows

MUGA PROGRAMME – PHASE 1		
Phase 1A – Refurbishments - £275,000		
1	Clara Street	Completion by end of March 2014
2	Victoria Park	Completion by mid April 2014
3	Finlay Park	Completion by mid February 2014
4	New Lodge	Completion mid March 2014
5	Willowbank	Completion mid March 2014
6	*Dover Street*	Complete December 2013
Phase 1B – New Builds – approx £815,000		
7	Springfield Av Site A	New build. Preparatory work to commence now. Due for completion March 15* *(Costs to be confirmed)*
8	Annadale	New build. Preparatory work to commence now. Due for completion March 15*
9	Clarendon Playing Fields	New build. Preparatory work to commence now. Due for completion March 15*

***Dependent on planning permission etc.**

MUGA Refurbishment
Members will be aware that there is already a very successful rolling programme of improvements in place for the Council's playgrounds which is based on robust independent condition surveys. A similar process will be put in place to assess the remaining existing MUGAs and the results of this assessment will form the basis of a rolling programme of refurbishments for the Council's MUGAs going forward.

Members will also be aware that a number of MUGAs are transferring in under the Local Government Reform (both from

DSD and from Lisburn/Castlereagh) and these will be included in the inspection programme.

New Builds
It has been agreed that officers progress the development of a policy framework in relation to the provision of new MUGAs. This will be carried out in parallel to the work being progressed on the condition surveys and will be brought back to Strategic Policy and Resources Committee at the same stage to allow Members to consider an overall Programme.

Work is also ongoing on re-base lining the Pitches Strategy and looking at Facilities Management Agreements. The work on development of a rolling MUGA programme will be looked at in the context of these.

3. Resource Implications

Financial
Phase 1A will be financed through non-recurrent underspend and the new builds will be progressed under the Capital Programme.

Human Resources
Staff from Parks & Leisure and Property & Projects will deliver the MUGA programme.

Asset and Other Implications
The MUGA Programme will enhance facilities for local people

4. Equality and good relations implications
There are no equality implications.

5. Recommendation
Committee is asked note the report."

The Committee noted the information which had been provided and noted further that an update report in this regard would be submitted in due course.

Knocknagoney Linear Park

The Committee considered the undernoted report:

"1. Relevant Background Information

The Knocknagoney Area Forum (KAF) was formed as a result of the *Living on the Edge* report, undertaken in January 2011 by the Council and East Belfast Community Development Agency. This report highlighted Knocknagoney as an area

with high levels of social deprivation, unemployment, low levels of self-esteem and academic achievements.

KAF represents an initiative developed in response to the needs highlighted in the above report, drawing on several stakeholder organisations and groups with a view to positively challenging these statistics. Their committed and collective work has had a significant impact on this local community.

The groups involved include Knocknagoney Primary School; Knocknagoney Community Centre; Knocknagoney, Orchardville and Garnerville - a community group for the area; Glenluce Group - set up for care of the elderly (dissolved in July 2013); Residents; Church of Ireland; Aslan Centre - Church of Ireland Youth Club; Presbyterian Church; Tesco; Parks Management Team; Police Service of Northern Ireland; and Northern Ireland Housing Executive.

KAF has four key areas of focus:

- **Community cohesion**
- **Environment**
- **Health and well-being**
- **Education and youth**

Following a Green Flag quality standards inspection in 2011 Knocknagoney Linear Park was reported as being the lowest scoring park in East Belfast and in need of significant improvement.

Members may be aware that the Council has made investment in Knocknagoney Linear Park over the last two years in preparation for Greenflag:

1. **Park lighting**
2. **Ongoing woodland thinning**
3. **Woodland outdoor classroom**
4. **Forest School Project**
5. **Removal of trees and shrubs in the bullring area**
6. **Removal of fly tipping**
7. **Community garden**
8. **Kickabout area**
9. **Children's cycle and skills development area**
10. **12 week summer activity programme**
11. **Tree planting**
12. **Arts projects to reimage the viewing towers**
13. **Ongoing community engagement**

Community involvement and ownership within Knocknagoney Linear Park has been significant since the community garden

opened in May 2013. Council officers have observed large numbers of young people who may have otherwise been involved in ASB engaging positively and respectfully in the community garden and newly refurbished kickabout area.

Council officers have been working closely with KAF to develop Knocknagoney Linear Park in line with the aspirations of the local community. The parks management team have been in discussions regarding possible solutions and concepts for the disused bullring area.

2. Key Issues

Through discussions with park management it is envisaged that this natural amphitheatre could be transformed into a Land Base Activity Zone (LBAZ). This LBAZ would have the potential of providing challenging, enjoyable and educational recreational zones where young children, teenagers and adults can discover a variety of different activities in a cross generational environment.

The options below may be considered when developing a concept plan for the bull ring area;

- **Anti vandal material will be used to ensure a longer life span for equipment and activity areas**
- **Council officers would work with KAF in order to create changeable audio, visual platforms and interpretation panels**
- **The development of a centre stage in this natural amphitheatre to encourage performances and shows.**
- **Capacity building and skills development with the community working alongside a variety of training/ employment agencies.**

If Committee are in support of the concept, KAF and Parks management will work to develop the scheme and together with the departments Funding and Monitoring officer identify potential funding streams.

3. Resource Implications

Financial
It is estimated that the funding required to develop a LBAZ could be in the region of £150,000. Council officers are keen to develop the LBAZ with the community and various agencies that have capacity to provide training or employment opportunities which could reduce overall costs.

Human Resources
There would be additional human resource implications attached to this report for inspection regime for this LBAZ. It is envisaged that the ROSPA team could inspect this area similar to playground inspections.

Asset and Other Implications
A LBAZ within KLP represents a use of disused space as well as delivering on key Council outcomes such as helping people become healthier, active, and more involved in their local communities and neighbourhoods. Once installed, the LBAZ will form part of the departmental asset portfolio and the department will assume responsibility for the ongoing maintenance of the area.

4. **Equality Implications**
This LBAZ would have positive implications in terms of the promotion of equality and good relations and will be undertaken in an inclusive manner.

5. **Recommendation**
It is recommended that authority is granted for officers to investigate further the feasibility of this LBAZ working in partnership with Knocknagoney Area Forum; and officers and Knocknagoney Area Forum to identify potential funding streams.

The Committee adopted the recommendation.

Container at the Waterworks Park

The Committee was reminded that, at its meeting on 14th March, 2013, it had granted permission for the erection of a container for use by a local fishing club within the Waterworks Park, the costs for which had been met by the Department for Culture, Arts and Leisure.

The Director pointed out that the fishing club had been permitted to use the Upper Pond of the park as part of a facilities management agreement with the Council. He indicated that, in order to permit the fishermen to use the container, it would necessitate a variation to that agreement to afford them key holding responsibilities for the container.

The Committee granted the authority sought.

**Parks and Leisure Committee,
Thursday, 10th April, 2014**

Marrowbone Millennium Park – Update

The Committee considered the undernoted report:

"1. Relevant Background Information

The Committee is reminded that the Council secured funding from Department of Culture Arts and Leisure and Department for Social Development (Belfast Regeneration Office) to support the delivery of a 3rd generation artificial turf pitch at Marrowbone Millennium Park. Members will be aware that the Council has also contributed towards the project. The project is now complete and management arrangements are now in place.

As recipient of the funding the asset will remain under Council ownership and will be managed by Council staff. However, Members are asked to note that within the terms and conditions of the funding from Sport NI, the Council is required to work with representatives from the Community, in this case the Ardoyne Youth Providers Forum, and to review the management model after 18 months to determine whether a more community based delivery model could be developed and an appropriate legal agreement entered into. At this time it is not clear what this arrangement would be, whether it would be in the form of a lease or some other management arrangement, the actual mechanism will be determined through the review and will require further discussion with Sport NI and the Forum.

There are several elements to the management of a facility such as Marrowbone. These include:

1. **Routine and operational maintenance of the surface and ancillary structures such as the fencing and floodlighting;**
2. **The opening and closing of the facility**
3. **The management of bookings including taking of payments; and**
4. **The development of a sports development programme to maximise the use and of the asset and its benefits in terms of participation levels**

2. Key Issues

The key issues for the Committee to note is that the Council is required as part of the terms and conditions of funding from SportNI to review the management arrangements in relation to Marrowbone 3G artificial turf pitch and to work with the

Ardoyne Youth Providers Forum to help support the Forum to build their capacity in relation to the potential management of the asset in the future. To meet the requirement Officers will form a small group to support the Forum over the next 18 months.

The Department will take the lead in the management of the asset at this time. The purpose of this report is to outline to the Committee the approach to be taken over the next 18 months in advance of a review of the management model in relation to this facility.

Preliminary discussions have been held with representatives from the Ardoyne Youth Providers Forum including local sports clubs from the area. It is proposed that a capacity building group comprising Council Officers; representatives from the Forum; and a representative from Sport NI will form the core of the group moving towards a review in 18 months. Local elected representatives will be invited to attend meetings. The purpose of this group will be to build the necessary capacity to enable community management of the asset.

At this time it is anticipated that primary focus of this work will be to deliver a sports development plan as required by Sport NI within the terms and conditions of the funding agreement. Active Communities Coaches will engage with local sports clubs; youth clubs; schools and other organisations particularly those involved with underrepresented groups to promote the facility, encourage its use and develop the capacity within the community to deliver and sustain a wide ranging programme of activities around this new asset. The Youth providers Forum will have a key role to play in this process.

Members are assured that the future transfer of any responsibilities associated with this particular asset must be carried out to the satisfaction of the Council and will require an appropriate legal and monitoring framework to be in place.

3. <u>Resource Implications</u>

While there are no additional human resource implications Members are asked to note that this will require ongoing Officer involvement from Parks and Leisure as well as officers from other Departments.

<u>Asset and Other Implications</u>

The approach outlined will promote greater responsibility for the asset within the Community and will help develop the

capacity and confidence of the local community. It will also support higher levels of use of the asset from a range of groups.

4. Equality Implications
There are no equality implications.

5. Recommendations
The Committee is asked to note the report."

Arising from discussion, the Director agreed to clarify for a Member the Council's current position regarding the charging for the use of public toilets on parks managed properties.

The Committee noted the information which had been provided.

Review of Grave Digging Posts

The Committee considered the undernoted report:

"1. Background Information

Currently within the Parks and Cemeteries Services Section there are 9 x Gravedigger posts (Scale 3) and 15 x Cemetery Operative posts (Scale 4). At the February 2014 meeting members were made aware of the resourcing issues within the section and advised that a review of the post of Gravedigger was being conducted. The Cemetery Operative posts were introduced in 2008 following committee approval.

It has been identified by management that the posts within the cemeteries, and in particular Roselawn, are not providing sufficient operational flexibility to meet today's demands, service standards and health & safety requirements. At Roselawn there is a growing requirement that staff must be flexible in order to deal with the increasing number of burials on this expanding site, associated increases in ground maintenance requirements, the introduction of memorial safety and the provision of operational back-up cover at the Crematorium. It is within the job description of the Cemetery Operative to provide this required level of operational flexibility, but not all the required aspects are covered within the job descriptions of the current Gravedigger posts.

2. Key Issues

In order to ensure that the staff's job descriptions are suitably flexible to provide the full range of operational requirements within the cemeteries, it is recommended that the current post

of Gravedigger is replaced by that of Cemetery Operative. The requirement to dig graves will remain the primary focus of the post holders however the move to Cemetery Operative provides much needed flexibility and the ability to vary resource allocation as demand requires.

The review has also considered equipment needs and it is proposed that a contract hiring 2 mechanical diggers at Roselawn which is coming to an end is not retendered and that replacement equipment is acquired and operated by Cemetery Operatives. Mechanical digging is carried out by Council staff at Dundonald and City Cemetery and this brings the practices at Roselawn into line with this. It is recommended that staff undergo refresher training for mechanical digging.

3. Resource Implications - Financial

The current contract for 2 diggers is £80,000 per annum. The cost of acquiring new equipment is approximately £80,590 in year 1 and £14,720 in subsequent years giving a total running cost of £139,470 excluding fuel over 5 years. These costs consist of x 2 mechanical excavators and x 2 tractors for transportation throughout the site as is currently practised in the City cemetery and Dundonald cemetery. This would also equip the site better to deal with adverse weather conditions as experienced in 2013. The cost of 9 posts moving from Grave Digger (Scale 3) to Cemetery Operative (Scale 4) is £18,000 approximately. This cost can be offset by the savings from buying rather than hiring our own equipment by year two. Therefore savings over 5 years amounts to approximately £171,000.

Human Resources

The proposed changes provide much needed flexibility in the section. Staff and Trade Unions have been engaged throughout the review and all are in agreement with the recommendations.

4. Equality and good relations implications

There are no equality implications.

5. Recommendations

The Committee is asked to agree to the recommendation to replace the post of Gravedigger with that of Cemetery Operative and to the acquisition of two mechanical diggers to be operated by staff."

After discussion, during which the Director undertook to provide further information in respect of the costs incurred annually by the Department through hire agreements, together with an outline of the potential savings which might be realised through outright purchase of plant or equipment, the Committee adopted the recommendations.

Belfast Zoo – Bat Flight and Release Enclosure

The Committee considered the undernoted report:

"1.1 The Zoo has worked closely with the Northern Ireland Bat Group for many years. The Northern Ireland Bat Group, with whom the Zoo has long standing relationships, has successfully applied to the Heritage Lottery Fund for a grant to construct a bat rehabilitation and release enclosure in the zoo. The Zoo site lends itself well to such an enclosure, and is envisaged that the enclosure will be a valuable addition to the Zoo's suite of native species facilities, and provide for excellent visitor information and education opportunities.

1.2 Following consultation with the HLF, once the build is complete, the NI Bat Group would like to transfer ownership of the enclosure to the City Council. The Committee is asked to consider allowing for the construction of the bat enclosure in the zoo, and that ownership, which includes liabilities such as maintenance, insurance, and reinstatement at the end of the useful life of the enclosure, to be transferred to the Council.

1.3 The NI Bat Group attend many of the zoo's native species events, including our native species weekends, and representatives from the group lead the 'bat evenings' that take place throughout the summer. The zoo provides access to facilities for the Bat Group's committee meetings and for the junior Bat Group evening events.

1.4 As well as their education and community roles, the Bat Group provides a rescue and rehabilitation role that rescues bats, both displaced adults and spring/summer born infants that require hand rearing, for eventual release.

1.5 The Bat Group has identified that permanent facilities for the flight training and rehabilitation of these rescued bats is needed, usually during the late spring and summer period, and reasoned that such a facility should be on a safe site, ideally where bats are already known to live, where access is good for servicing the facilities and managing the bats, and perhaps where the enclosure might be somewhat discrete but where significant numbers of visitors might be able to learn

more about bats in Northern Ireland and the work of the Bat Group.

2. Key Issues

2.1 In discussion with the NI Bat Group, it became clear that the Zoo was uniquely positioned to provide a site for such a facility.

2.2 The enclosure will be designed for the short term holding of native species of bats, and will allow sufficient space for the rescued bats to recuperate and undergo rehabilitation prior to release. It is currently planned that the enclosure will be of weld mesh construction, approximately 8 x 4 x 3m high. It is also confirmed that planning permission is not required in this instance, as the potential build falls within permitted development.

2.3 Subsequently, the NI Bat group made a successful bid to the Heritage Lottery Fund (HLF) for grant funding of a bat rehabilitation and flight enclosure.

2.4 Further, a suitable site has been identified for the enclosure within the zoo. Situated near the Lion's Den Restaurant, and near enclosures for other native species kept in the zoo, i.e. red squirrels and barn owls, there is space for the enclosure to be positioned a little distance from the main visitor path, but with the production of high quality signage, significant numbers of zoo visitors could learn and understand more about the Bat Group's and the Zoo's work with native species.

2.4 It is proposed that access to the enclosure for NI Bat Group members for caring for any bats kept in the enclosure will be made available during normal working hours, and access to the zoo site itself will be provided and managed via normal established procedures. The NI Bat Group will undertake all day-to-day care of the bats whilst the enclosure is in use.

2.5 The NI Bat Group have discussed ownership options of the enclosure itself with HLF, and consider that once the build is complete, ownership of the enclosure should be transferred to the Council. The specification of the proposed bat enclosure will be subject to approval by the Council.

2.6 It is envisaged that a form of licence will be drawn up with the NI Bat Group that will allow for the construction together with appropriate legal agreement for the subsequent transfer of ownership to the Council, and the Council will then enter a management arrangement with the NI Bat Group.

2.7 There are good indications that such a facility will be extremely useful to the valuable rescue and rehabilitation work of the NI Bat Group, and provide visitors with another example of the Zoo working closely with local wildlife and wildlife groups.

3. Resource Implications

Financial

There are no financial implications during the build phase, as this will be covered by the grant. If ownership of the enclosure is transferred to the City Council, there will need to be some allowance for annual maintenance, though there will be few other costs as we will not pay rates on the enclosure, and there are no utilities (electric, water, gas) in the enclosure.

5. Recommendations

5.1 The Committee is asked to note the above report and it is recommended that;

- **Permission is granted to proceed**
- **Appropriate legal agreement is drawn up with the Northern Ireland Bat Group**
- **Ownership will transfer to the Council once the build is complete"**

The Committee adopted the recommendations and, in accordance with Standing Order 60, noted that the Strategic Policy and Resources Committee would be requested to grant formal approval for the acquisition of the enclosure on its completion.

Feile an Phobail

The Committee was informed that a request had been received from the organisers of the annual Feile an Phobail seeking permission to the use of the Falls Park and the City Cemetery for a range of events which would form part of the West Belfast Festival in 2014. The Director reported that the Festival would take place from 1st till 10th August, however, the actual dates for the events indicated had yet to be finalised:

- Carnival Parade – the Falls Park;
- Teddy Bears' Picnic – the Falls Park;
- Feile Family Entertainment Day – the Falls Park; and
- Guided Historical Tours of the City Cemetery - for which a charge would be levied to participants by the tour operator.

The Director reported also that occasional licences would be sought by the organisers for the sale of alcohol, together with an entertainments licence for the period

of the Festival. In addition, it was anticipated that further requests would be received to host additional events in other departmental facilities, such as the Andersonstown Leisure Centre.

Accordingly, the Director recommended that the Committee grant approval for the use and hire of the Council facilities for the events, as set out, and agree also to delegate authority to him to consider and approve, if appropriate, any further requests received in relation to Feile an Phobail 2014, subject to the undernoted conditions:

- that the event organisers resolve all operational issues to the satisfaction of the Council;
- that an appropriate legal agreement be prepared by the Town Solicitor; and
- that the event organisers meet with all the statutory requirements.

The Committee granted the approval sought and granted also delegated authority to the Director as outlined.

Leisure Centre Activity Price – Active Travel

The Committee agreed to reduce the price of the use of shower and changing facilities within leisure centres to £1 per person, or 50 pence concession rate. It was noted that such a reduction would be for a trial period ending on 31st October, 2014, and would seek to increase the use of the facilities by casual joggers and cyclists across the City as part of the Active Travel initiative.

Tennents Vital

The Committee considered the undernoted report:

"1. Background Information

1.1 The Department has received a request from MCD Productions to use the playing fields at Boucher Road for a minimum of two and maximum of three shows between 21 and 25 Aug 2014. MCD are the promoters behind a number of UK and Ireland top music festivals and held a similar event in the playing fields in August 2012 and 2013.

Although the acts for the concerts have not yet been confirmed it is proposed that they will be top international acts. It is estimated that each concert will have a capacity of 45,000 plus staff.

2. Key Issues

The Council wishes to promote the city and the use of its parks and open spaces and in line with the council's events policy will permit the use of these

facilities for large events and concerts. A review of the event in August 2013 has been carried out to assess delivery and to identify areas for improvement. The review was attended by Council officers, the promoter and all agencies involved in the delivery of the event.

The noise issues which arose in 2012 were significantly reduced in 2013 due to improvements in noise management and stage set up. Given the scale and nature of the events proposed it cannot be guaranteed that noise disturbance will be completely eliminated and in this regard it is important that all concerts finish by 11.00pm.

The promoter will require 12 days before the first concert for set up and 5 days after the final concert to take down and tidy up. The promoter is proposing to protect grass surfaces with industry standard covering as used at Croke Park and Aviva Stadia. The promoter will be required to carry out proper reinstatement of the grounds therefore a bond of reinstatement will be paid by the promoter prior to the event.

It is estimated that each concert will have a capacity of 45,000 plus staff, traffic management and flow of people to and from the concert will be a key aspect of planning the event. Discussions between the promoters, MCD Productions and council officers has highlighted the potential need to use the car park at Olympia Leisure Centre as a taxi pick up point after the concert and to use the grounds around Strangford Playing Fields as a contingency for overflow parking.

The promoter will be required to liaise with the Community Parks Manager, the Events team, Building Control, Environmental Health, PSNI, Roads Service and emergency services to produce an Event management plan for council's approval.

A fee of £20,000 per concert has been offered by the promoter to be paid in advance. Officers have assessed the offer and consider it to be value for money based on market rates and the indirect income this will generate for the city in terms of hotels bookings, taxi hire and restaurant use. The event will disrupt bookings of pitches however it is anticipated that these bookings can be accommodated at other sites.

3. Resource Implications

Finance

- **a fee for the use of the site - £20,000 is proposed per concert;**
- **a bond of intent to be paid to the council which would be retained in the event of a concert being cancelled; and**
- **full ground reinstatement cost to be met by the promoter, subject to a bond.**

Human Resources
It is envisaged that any additional staff costs will be met by the fee charged. This is an important event that will add to the profile of the city. Measures will be taken by the organiser to protect the grounds and any damage to grounds will be reinstated within specified timescales.

4. Recommendations

To grant authority to MCD to hold up to 3 concerts at Boucher Road Playing Fields between 21 and 25 Aug 2014, subject to satisfactory terms in line with the above being agreed with the Director and on condition that:

- **the event organisers resolve all operational issues to the council's satisfaction;**
- **an appropriate legal agreement is completed, to be prepared by the Town Solicitor; and**
- **the organisers meeting all statutory requirements including entertainment licensing."**

After discussion, the Committee adopted the recommendations and noted that the Director would review the use of Council staff at the event and in particular liaise with the Health and Environmental Services Department to establish if any Community Safety staff had been deployed to last year's event.

Irish Football Association – Junior Coaching Sessions

The Director reported that the Irish Football Association had requested permission to host a number of junior football coaching sessions at the Cherryvale Playing Fields between Monday, 18th and Friday, 22nd August. He outlined the arrangements which would be put in place to facilitate the sessions, which would be subject to the submission of a satisfactory event management plan which would address all issues to the Council's satisfaction. The Director pointed out that, given that the sessions would take place on the training area of the playing fields and not on the actual playing pitches, no charge would be levied on the Association. However, he requested that the Committee note that a charge would be levied by the organisers on the participants.

After discussion, the Committee granted approval for the hosting of the coaching sessions as outlined and noted that a charge would be levied by the organisers on the participants.

Cremation and Burial Conference

The Director informed the Members that the Institute of Cemetery and Crematorium Management would be hosting the above-mentioned event in Stratford-upon-Avon from 7th till 9th July. The Committee was provided with an overview of the relevance of the conference programme, together with a summary of the range of exhibitors who would be in attendance. Accordingly, it was recommended that the Committee authorise the attendance at the event of the incoming Chairman and the incoming Deputy Chairman, together with the Director (or their nominees). The total costs associated with attendance at the event would be approximately £675 per delegate.

The Committee adopted the recommendation.

Rose Trials – Glasgow

The Director reported that the Glasgow International Rose Trials would be held on 21st and 22nd August. He pointed out that the event was considered to be one of the most prestigious in the international rose trial circuit. The Council had been invited to participate by Glasgow City Council in trial judging and participation at the event would enable joint learning and discussion of future developments. He reported that costs associated with attendance at the event would be £325 per person and he recommended that the Committee authorise the attendance of the incoming Chairman, the incoming Deputy Chairman and the Director (or their nominees).

After discussion, the Committee adopted the recommendation.

Love/Hate – Request to film at Belfast Zoo

The Assistant Director reported that the Department had been approached by DNS Five Film Productions Limited seeking permission to film scenes from the RTE Television drama ‘Love/Hate’. She outlined the popularity of the show and provided the Members of an overview of the content and details of the scenes which would be filmed at the Zoo.

The Committee granted the authority sought.

Parks and Leisure Committee,
Thursday, 10th April, 2014

Request for the Use of Wedderburn Park

The Director reported that a request for the free use of the soccer pitch at Wedderburn Park Playing Fields had been received on behalf of the Taughmonagh Youth Football Club. He indicated that the club would host, between 14th and 18th April, a series of coaching sessions for approximately 70 local children which would be delivered by coaches representing the Glasgow Rangers Football Club. He pointed out that the loss of income to the Council, should the Committee accede to the request, would be in the region of £248.

The Committee agreed to grant the free use of the pitch to the football club for the purposes outlined.

Chairman

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Development Committee

Tuesday, 15th April, 2014

MEETING OF DEVELOPMENT COMMITTEE

Members present: Councillor Hargey (Chairman);
the Deputy Lord Mayor (Alderman Stalford);
Alderman Ekin; and
Councillors Austin, Beattie, Convery,
Garrett, Keenan, Kelly, Kingston, Kyle,
Magee, Mac Giolla Mh□n, Ó Donnghaile,
Reynolds, Spence and Webb.

In attendance: Mr. J. McGrillen, Director of Development;
Ms. C. Taggart, Community Services Manager; and
Mr. B. Flynn, Democratic Services Officer.

Apologies

Apologies were reported on behalf of Alderman Stoker and Councillors Kennedy and Verner.

Minutes

The minutes of the meeting of 18th March 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 April, subject to the amendment of the minute under the heading 'Eurocities – Update' to reflect that, in addition to the Chairman and the Deputy Chairman having been authorised to attend the Eurocities Annual Conference in Munich in November, the Committee had authorised also a representative of each of the remaining political parties to attend the conference.

Declarations of Interest

In respect of item 4(h) viz., 'Ulster Orchestra - Lease at the Ulster Hall', Councillors Magee and Spence declared interests in that they were members of the Board of the Ulster Orchestra.

Smithfield and Union

The Committee agreed to receive, at its meeting in June, a presentation from representatives of the Smithfield and Union area in respect of its campaign to be afforded recognition as a formal Quarter within Belfast.

**Development Committee,
Tuesday, 15th April, 2014**

Tourism Strategy

The Committee noted the contents of a presentation by Mr. T. Stephens, which outlined the scope and remit of the review of the Tourism Strategy which he would be undertaking on behalf of the Council. It was noted that further progress reports on the review would be submitted in due course.

European Sport Tourism Summit

Arising from discussion on the Council's future Tourism Strategy, the Director reported that the inaugural European Sport Tourism Summit would take place at the Thomond Stadium, Limerick, on 15th May. He indicated that the event would explore a range of issues relating to the economic benefits which could be realised by major cities in the hosting of sporting events. He outlined the programme for the event and gave an overview of the speakers who would be addressing the delegates. He indicated that, since the City would be hosting the Giro d'Italia in May and given that Belfast was potentially one of the cities which might host games in the event of the Rugby World Cup returning to the British Isles, it would be of benefit if the Committee was represented at the Summit.

The Committee agreed to authorise the attendance at the Summit of the Chairman and the Deputy Chairman, together with the Director (or their nominees).

Grosvenor Recreation Centre

The Committee considered the undernoted report:

"1 Background Information

1.1 The Council entered into a new 10 year lease for Grosvenor Recreation Centre with Roden Street Community Development Group (RSCDG) from 1 April 2014. Due to high usage figures, the existing shower and changing facilities at the centre require upgrading to effectively meet the needs of the physical activity providers in the area, such as users of the 3G pitches, local schools, women's groups, centre users etc.

1.3 To help sustain the high level of services currently provided at Grosvenor Recreation Centre, RSCDG are working with DCAL to secure additional investment to refurbish key areas of the centre. Firm plans have now been developed and relate to the refurbishment of the showers and changing rooms in a single storey extension and refurbishment of the weights room.

1.4 Property Care has confirmed that any planned maintenance for the centre could be carried out in quarters 3 and 4 to coincide with the work on the proposed extension. They have also confirmed they do not foresee that the extra work will create any additional demands on the maintenance budget.

2 Key Issues

2.1 This project will enhance the Centre by increasing the quality of both the changing facilities and the weights room. The former is especially required due to the increased demands from users of the 3G pitch and centre users.

3 Resource Implications

3.1 The total cost of £250,000 will be met by DCAL with the work being carried out by the end of the 14/15 financial year. Estates Management has reassessed the rent and it will rise by £425.00 to £18,525.00 per annum. As the grant is paid net of rent the amount RSCDG receive will remain the same.

It was reported that Ms. C. Mack, Roden Street Community Development Group**,** together with Mr. K. Kelly, consultant architect, were in attendance to outline the principal aspects of the proposed refurbishment and they were admitted to the meeting and welcomed by the Chairman. Ms. Mack indicated that, on completion, the enhancement to the centre would provide additional community space and improve the quality of service for the users of the facility. Mr. Kelly provided an overview of the physical and structural changes which would be made to the building and answered a range of Members' questions in respect thereof.

The Committee agreed to recommend to the Strategic Policy and Resources Committee that, at its meeting on 25th April, under the circumstances as set out under Standing Order 46, it would authorise the undertaking of the extension work to the Grosvenor Recreation Centre.

Opportunities for Investment

The Committee considered the undernoted report:

Background Information

1.1 The Council recently commissioned a report on barriers to investment in Belfast. This work was undertaken by Mike Smith and Denis Rooney. That report was based on a stakeholder engagement exercise which identified the types of barriers – perceived and real – experienced by investors in Belfast. They also considered the investment criteria used by some major global organisations when choosing locations. Furthermore they considered key stakeholder actions to improve the attractiveness of Belfast to investors.

1.3 An outline of the report was presented to the party leaders and their representatives at a meeting hosted by the Lord Mayor on 26 February 2014. Following discussion, it was agreed that a report be brought to the Development

Committee to identify a number of action points arising from the work and to consider possible ways forward.

2 Key Issues

2.1 The Rooney Smith report, as presented to the Elected Members at the end of February 2014 was entitled 'Opportunities for Investment'. This reflected the focus on identifying the required organisational shift as well as the potential to exploit the city's key strengths in order to increase the volume of investment.

2.2 The report involved an interpretation of interviews and questionnaires undertaken with 27 key individuals and organisations that were directly or indirectly involved in encouraging and supporting investment in Belfast. These included representative bodies (e.g. CBI, IoD), government departments with city centre responsibility, financial organisations, property developers, private equity institutions and key experts such as economists. Key questions asked were:

1. **List what you think are the positive aspects about Belfast which encourage investment**
2. **List what you think are the most negative aspects which discourage investment**
3. **List any policy initiatives which the city council and/or statutory agencies could do to encourage investment**
4. **List any key development projects which need to be prioritised in the city**
5. **List any initiatives which you have witnessed in other cities and which should be considered in Belfast.**

2.3 In response to question 1 regarding the positive aspects supporting investment, responses focused on the competitive cost base, the skilled workforce, quality of life and good transport connections.

2.4 The issue which had the most negative impact on investment was identified as community tensions and unrest, followed by lack of a single political leader for the city, difficulties in accessing finance, delays within the planning system and lack of skills relevant to business requirements (interestingly seen as both negative and positive).

2.5 With regard to policy initiatives that should be accelerated, responses focused on the opportunities presented by enterprise zones (which are now a potential option for Belfast to pursue, given the recent designation of an enterprise zone in Coleraine). This was followed by greater collaborative promotional campaigns for the city as well as a reduction in corporation tax.

2.6 When asked which development projects needed to be prioritised in the city, responses focused on Royal Exchange, followed by University of Ulster and Titanic Quarter.

2.7 Finally, with regard to which other cities were seen as examples of good practice, Manchester was identified by most respondents, followed by Edinburgh, Chicago, Glasgow and Barcelona.

2.8 In their summary of the responses, Smith and Rooney suggested that the key areas where Belfast needed further work included addressing the collective attitude to risk – particularly in the public sector. This has a knock-on effect on private investor confidence. They also considered that there was work to do to explore how a more coordinated approach to dealing with investor enquiries could be established among those agencies responsible for this work. While the public agencies involved in this activity considered that the current approach worked well, private sector representatives questioned felt that it was somewhat uncoordinated. As an extension of this point, they felt that there was some work to do to improve collaboration and engagement between the public and private sectors. While they acknowledged that this was happening to some extent, they considered that there was an opportunity for a more informed and strategic dialogue to help shape the city's economic future and maximise opportunities for growth.

2.9 In addition, they suggested that the lack of lending was continuing to impact negatively on business growth and investment. They noted that there was an opportunity – with the expansion of UU in Belfast – to create an improved engagement with the two city universities. Finally, they suggested that local government reform will place the Council in a much stronger position than is currently the case, giving it a more pivotal role to play in generating investment in the future.

2.10 Rooney and Smith identified the main criteria used by key global organisations in identifying preferred investment

locations. These included: good operating environment; cost competitive operating structures; low political/economic risk; good education system; good labour pool with the ability to scale up; good IP/data security; good government incentives; good physical and IT infrastructure; efficient, non-bureaucratic government.

2.11 They noted the importance of external (FDI) investment not only in creating jobs but also in trying to rebalance the public/private sector employment ratios in the city and improving wage levels.

2.12 Taking account of the research findings, Rooney and Smith made a number of recommendations around practical actions that might be undertaken to address the issues identified. One of the key lessons emerging was the importance of Belfast standing out from the rest and focusing on its key strengths – where these existed – as well as identifying those areas of challenge where more work is required to improve the offer. In this regard, they pointed to the investment approach undertaken by a number of key cities and demonstrated how a focused approach was beginning to pay dividends for these locations.

2.13 In order to help Members agree priority actions arising from this work, it is recommended that we engage with OCO – a local company that works on behalf of multiple global economic development agencies including UKTI and World Bank. We could invite the company Chief Executive to attend a future meeting of the Development Committee to illustrate the approach undertaken by other locations and to help Members consider how the city, collectively, can work to maximise investment and economic growth by taking a focused approach to this work.

5 <u>Recommendations</u>

- **Note the key findings of the recent work undertaken by Mike Smith and Denis Rooney on 'opportunities for investment in Belfast'**

- **Invite a representative from OCO to illustrate the approach undertaken by other locations to attract investment and to help members identify priority actions required to maximise investment and economic growth in the city."**

The Committee adopted the recommendations.

Development Committee,
Tuesday, 15th April, 2014

European Social Fund – Match Funding and HARTE Programme

The Committee considered the undernoted report:

"1 Background Information

1.1 Members will be aware that European Social Fund (ESF) Priority 1 provides financial support to promote training and other activities to assist long term unemployed people obtain sustainable employment. ESF projects are funded through the Department of Employment and Learning (DEL) and is subject to the agreed match funding being in place. Successful projects are allocated funding on condition that they can provide 35% match funding from another public sector source. Match funding must be secured on an annual basis.

1.2 At the March meeting, Members agreed to provide match funding to six ESF projects for 2014-2015. Members will recall that East Belfast Mission (EBM) had not submitted a match funding request to Belfast City Council but if forthcoming it was agreed that it would be presented to a future meeting of Development Committee for consideration. EBM has now submitted a match funding request for Jobs4u for 2014-2015.

1.3 HARTE
Following an open procurement exercise, Time Associates was awarded the contract for the Council's HARTE (Hospitality and Retail Training and Employment) Programme in November 2011. The tender was for the achievement of defined targets up to March 2014. DEL subsequently offered a one year extension to the funded projects as well as a 25% uplift in the budgets for year 3 (last year) and year four (2014-2015). The Development Committee previously agreed the extension to the project.

2 Key Issues

2.1 East Belfast Mission (EBM) - Jobs4u Project
The midterm progress report received from EBM (to end September 2013) shows the project engaged with 84 participants out of an annual target of 212. 25 people moved into employment against a target of 53, seven people completed a qualification against a target of 42 and 84 people engaged in job search activities against a target of 170.

2.2 Provisional figures (up to mid-March 2014) indicate 195 people were registered out of a 212 target, 52 people got jobs against a target of 53, 38 people completed a qualification against a target of 42 and 195 people engaged in job search activities

against a target of 170. Targets have improved compared with the other quarters following a re-focusing of resources to the project. A recent review of operating procedures has identified additional outreach opportunities to work closely with community partners and better engage with local long-term unemployed people as a means of ensuring that targets for the coming year are met.

2.3 In the coming year, the Jobs4u project will again aim to support 212 people, assist 53 people into employment and 42 people to complete qualifications and engage 170 people in job search activities.

2.4 The total project cost of the Jobs4u programme is £190,253 for the 2014/2015 financial year. The organisation is requesting match-funding support of £12,485 from Belfast City Council. The other funding sources are DEL/ESF (£123,665); other DEL match (£15,312 - currently being applied for) and East Belfast Mission (£38,791).

2.5 <u>HARTE</u>
Given that the original contract between Belfast City Council and Time Associates was scheduled to come to an end in April 2014, officers have taken advice from Central Procurement Services on the implications of extending this contract in order to deliver the final year of the programme, following DEL's funding extension.

2.6 As part of this process, a value for money assessment of Time Associates' original contract to March 2014 for achievement of the HARTE project targets was undertaken. Time Associates' proposed costs for the extended project period (to March 2015) were also reviewed. The European Social Fund Promoter's Operating Manual guidance on subcontracting requires project promoters to follow Central Procurement Directorate (CPD) guidelines for purchases of direct items in excess of £200. Officers have therefore applied a CPD test to the proposed revised contract.

2.7 The findings of the exercise above are:

- **Over the current contract the Council has received good value for money from Time Associates. The original tender price was £410,336 and the actual amount paid to the contractor was £404,741. The original target of 188 participants was exceeded by 16 and the supplier delivered one further programme/workshop. Therefore the contract has cost less than the tender price and the original**

targets upon which the tender was based have been exceeded

- **The cost schedule submitted by Time Associates for the period 1 April 2014 – 31 March 2015 is £119,585. In most instances costs are straight line projection of rates from Time Associates' original tender. The costs are also proportionate when considered against the targets in the original tender. In instances where costs are not straight line projections there is a clear rationale mostly influenced by DEL as the funder. The costs are in line with the overall letter of offer received by the Council from DEL – the maximum value of the contract is £142,000, based on the Council's match funding commitment of £25,000 in cash and £10,000 in kind (therefore a total cash value of £132,000).**

- **The CPD test applied by officers concluded that the economic balance of the contract has not changed in favour of the contractor in a matter not provided for in the terms of the initial contract.**

2.8 A further consideration of this contractual matter is that DEL will not be in a position to extend the timescale beyond March 2015 for achievement of the outputs. Therefore if the Council did not agree to the extension of the current contract, both the ESF funds and potential economic impacts would be lost.

5 <u>Recommendations</u>

- **To agree to the match funding request of £12,485 for the Jobs4u project at East Belfast Mission**
- **To agree an addendum to the Time Associates contract for achievement of a further year's targets for the HARTE project to March 2015 at a total value of £119,585, subject to agreement by DEL."**

The Committee adopted the recommendations.

<u>Integrated Economic Strategy - Update</u>

At the request of the Director, the Committee agreed to defer, to its meeting in June, consideration of the above-mentioned item in order for more information to be obtained.

Northern Ireland Connected Health Alliance

The Director informed the Committee that the Northern Ireland Connected Health Alliance would be hosting a meeting in the City Hall on 23rd September. He reported that the event, which would be attended by representatives from a range of councils across Northern Ireland, would discuss issues regarding the use of technology to promote public health and well-being. In addition, subjects such as transforming care in the home, wealth creation within the Health and Social Care Services and European funding opportunities would be explored by the 150 delegates. He outlined the aims and objectives of the Connected Health Alliance and indicated that the hosting in the City Hall of the meeting would provide a valuable opportunity for networking and he added that each Member of the Committee would be invited to attend the event.

The Committee agreed to contribute a sum of £3,000 to cover the costs associate with providing hospitality at the event.

Belfast Bursary Awards - Update and Request

The Committee considered the undernoted report:

"1 Background Information

1.1 Members will be aware that Belfast City Council made funding available through the Investment Programme for the Achieve: Belfast Bursary Fund. The Fund is administered through Belfast Metropolitan College (Belfast Met) and the Prince's Trust. Hundreds of young people are supported in the city to take part in further education and training and to improve their employment prospects.

1.2 The Prince's Trust bursary (with funding allocated through the charity's Development Awards programme) is open to young people aged 16-25 residing in the city who are not in education, training or employment. The scheme aims to help recipients overcome barriers which may prevent them from undertaking training and education or moving into employment. The fund is in the second year of operation.

1.3 At Belfast Met, full-time students who began their first year of study, who are resident in the Council area, aged between 16-24 years and whose annual household income is £23,820 or less were eligible to apply for grants of up to £500. This fund applies to students on recognised courses at levels 2-5 in future growth sectors including IT, multimedia, renewable energies, science, tourism and hospitality.

2 Key Issues

2.1 Prince's Trust Development Awards

The Prince's Trust provided an update on the bursary fund supported in the second year of the programme (2013-14):

- **232 young people aged 16-25 years were supported against the original target of 202 - 15% higher than the original target**
- **The majority of bursary fund recipients were aged 17-21 years old**
- **93% of young people achieve a positive outcome against a target of 80%, including moving into employment (39%), education or training (69%). The average award was £171**
- **165 awards (71%) were provided to young people in the Belfast City Council area who live in the top 10% of most deprived wards**
- **193 awards (83%) were provided to young people living in the top 25% of most deprived wards in Northern Ireland**
- **The highest percentage of bursary fund recipients (68%) used the fund to pay for equipment for construction-related skills, cookery, hairdressing and mechanics, followed by 23% who used the fund to pay for course fees.**

2.2 The Prince's Trust's experience in running the Development Awards shows that support is needed most by young people up to age of 25 to help them achieve a positive outcome. The fund continues to support young people who are not in education, employment or training, typically working towards level 1 or 2 qualifications. As well as being a priority group in the Council's Investment programme, young people aged 16-24 continue to be a key priority of the Department of Employment and Learning (DEL). The most recent claimant count statistics issued by the Department of Enterprise Trade and Investment (DETI) show that almost 25% of those claiming unemployment benefits are aged 18-24.

2.3 In the coming year, the Prince's Trust aims to deliver 313 Development Awards in the Belfast City Council area - 12% higher than the number of awards provided in 2013-14. Based on this year's figures, these awards could help 122 young people to find employment as well as supporting 216 bursary recipients to undertake education or training that will improve their chances of finding a job. The budget for the awards will be £50,000. Prince's Trust have again asked if the Council will

consider a contribution towards the organisational resource required to promote and manage this scheme: as with the contribution last year, they have asked for an amount of £9,484 towards programme administration.

2.4 <u>Belfast Metropolitan College – progress report</u>
In the 13/14 academic year, Belfast Met reported that 64 students availed of the bursary. Spend on the awards amounted to £32,000 (£500 per bursary). A total of 120 students applied for the scheme, of whom 64 were successful and 56 failed to meet one or more of the eligibility criteria set.

2.5 Of the successful students, over a third of Achieve awards (24) have been provided to young people in Belfast City Council area who live in the top 10% of most deprived wards in Northern Ireland while over half of the 64 Achieve awards have been provided to young people in Belfast City Council area who live in the top 25% most deprived wards.

2.6 One of the most significant challenges has been to predict the number of students who will apply for and be eligible to take up the BMC bursary, given that this programme is targeted at first year students on approved courses. While there is a pool of over 800 students undertaking the priority courses agreed by Members, only around 8% of those met all the scheme's eligibility criteria.

2.7 At the December 2013 meeting of the Development Committee, Members were advised of the number of applicants for the BMC bursary and they considered how the original targets might be met, while maintaining the focus of the bursary. Following that meeting, it was agreed that a report would be brought back to a future meeting of the Strategic Policy and Resources Committee to consider implications of changing the scheme criteria, for example lifting the age limit or amending target courses.

2.8 In anticipation of the Committee's decision on the criteria, and in order to increase awareness of the scheme among the target audience, a detailed engagement plan has been developed to promote the scheme. This includes promoting the scheme to the following key conduits:

- **Welfare rights advisors in advice sector to ensure those who need help the most have an opportunity to apply**
- **Targeted engagement through existing community networks and outlets**

- **Organisations on the Council's Section 75 consultee list. This is particularly important in widening participation among younger people's groups and disability specialist groups**
- **Targeted use of both the Council's and on Belfast Met's website (including on the online prospectus and at open days and via media)**
- **Schools' career advisers in order to ensure that young people are aware of the financial incentive when making their choice of course.**

3 Resource Implications

3.1 The financial resource required to deliver 313 bursaries through the Prince's Trust in the coming financial year will be £50,000. In addition, the organisation is seeking a contribution of £9,484 towards the management and administration resources associated with the scheme. The future report to the Strategic Policy and Resources Committee will identify the resources required for the Belfast Met scheme, subject to the implications of changing the eligibility criteria.

5 Recommendations

- **Note the progress in the Achieve bursary, administered by both Belfast Met and Prince's Trust**
- **Agree to the request from Prince's Trust for £50,000 to deliver 313 awards in the coming financial year, as well as a request for £9,484 towards scheme management and administration**
- **Note the intention to take a report to the future meeting of Strategic Policy and Resources Committee to consider potential amendments to the guidelines for the scheme managed by Belfast Met."**

During discussion, the Director provided an overview of the review of the eligibility criteria for the bursary fund and indicated also that he would submit information to a Member in respect of a Section 75 breakdown of those applicants who had applied and had been successful for assistance under the scheme.

The Committee adopted the recommendations.

City Sightseeing Tour Provision

The Director reminded the Committee that one of the three companies which had been licensed to provide a coach sight-seeing service in the City had ceased to operate earlier in the year. He reported that officers from the Council had attended a multi-agency meeting at which the number of licences required for the City had been considered. Accordingly, it had been agreed that it would be necessary to undertake a

piece of research to ascertain the future demand for the service. That study would enable a recommendation to be made to the Driver and Vehicle Agency regarding the number of tour operator licenses appropriate for Belfast.

Discussion ensued during which the view was expressed that issues such as the establishment of a code of conduct for tour guide providers would need to be addressed as part of any study.

The Committee agreed that a sum of £4,000 be allocated towards the commissioning of a study as outlined.

Coach Parking in Belfast

The Committee considered the undernoted report:

"1 Relevant Background Information

1.1 Coach Tourism is an important market for Belfast City. Cities across the UK and Europe have looked at coach tourism and tried to put in place infrastructure to support it. Edinburgh generates nearly £40m a year from coach-based tourism and in Bristol up to 40% of tourists visiting local attractions arrive by coach.

1.2 It is difficult to quantify the exact economic return from coach tourism in Belfast but it is an important part of the business mix for many visitor attractions and hotels. It is business that typically can be attracted during mid-week and shoulder seasons.

1.3 Officers have been working with other agencies to enhance the drop off and pick up provision across the City. The provision has improved over the past number of years, but still has the scope to be enhanced.

1.4 The availability of secure overnight coach parking has been raised as an issue by the chairman of the Coach Tourism & Transport Council of Ireland. This organisation is the industry body for the leading coach operators in the Republic of Ireland bringing International visitors to Belfast.

1.5 The Chairman has indicated that a number of coaches have been damaged while parked in lay-bys and at the side of the road. The need for secure overnight coach parking in Belfast has been raised by a number of other organisations involved in tourism including tour guiding groups, various hoteliers and industry bodies.

1.7 This has been echoed by Visit Belfast staff that are selling Belfast in the market place and are frequently asked by coach/tour operators regarding the provision of this type of facility. At a recent presentation to Committee the Access Study report indicated that coach parking was required within the City. An independent report during one evening last summer recorded 70 visiting coaches within the City boundaries.

1.10 Members will recall that there was the provision for overnight coach parking provided in Corporation Street, on land owned by the Harbour Commissioners. This was managed by the Industry body for Coach Operators in Northern Ireland, the Federation for Passenger Transport. This ultimately wasn't successful for a number of reasons; namely the volume of coaches wasn't as anticipated; it wasn't a commercially viable operation rather a service for coach operators, so the Federation couldn't afford to sustain the monthly rental payments and the ticketing of coaches illegally parked across the City wasn't enforced.

2 <u>Key Issues</u>

2.1 There has been a strong lobby from various organisations across the City and from the key Coach Industry Body in the Republic of Ireland bringing International visitors to Belfast highlighting the need for secure overnight Coach Parking.

2.2 It is clear that 2012 including the opening of Titanic Belfast has made Belfast a high profile destination. Titanic Belfast in particular has been a huge draw for visiting coaches to Belfast. This increase in coach traffic is a test for the City's infrastructure to handle this type of traffic.

2.3 DRD acknowledge that this has a knock on effect for traffic flow, particularly in and around the City centre. Coach parking would appear to be inadequate to cope with the increase in demand.

2.5 If this is not addressed it could have an impact on the City as a destination for coach tourism. It is estimated that a maximum provision of overnight parking for up to 60 visiting coaches is provided to cope with the summer peaks. This will be less in the shoulder and winter months. The coach parking would also be available to coaches from Northern Ireland visiting Belfast.

2.8 Officers have looked at the Council's portfolio of land and nothing is suitable to meet this requirement. Officers have

also spoken to Translink regarding the use of space in their depots and facilities but again this is not possible. Various sites across the City have been explored and the ideal site has been identified as a plot of land over ½ acre owned by the Harbour Commissioners. Coach Operators would pay a nominal fee for the use of the site on a 12 or 24 hour basis.

3 Resource Implications

3.1 It is estimated that the rental cost for the site will be £2,000 per month. It is proposed that the Federation of Passenger Transport as the Industry Body for Northern Ireland will manage the facility with a Service Level Agreement.

3.2 The Federation of Passenger Transport have equipment in storage including CCTV equipment, electronic key pads, maintenance equipment for coaches that they will make available for the site at no cost to Council. To purchase this equipment from new would cost circa £20,000.

3.3 The Federation will provide insurance for the site and work with The Harbour Commissioners. In return the Federation will receive income from overnight rentals. It is estimated that this will be circa £2,000-£3,000 per annum.

3.4 As the service is not commercially viable and the Federation is the Industry body for Northern Ireland, Legal Services are content that this is a single tender action.

3.5 In order that coach parking as specified is successful a promotional/sales effort will be necessary. The Federation of Passenger Transport, Coach Tourism and Transport Council and Visit Belfast will provide this sales focus.

5 Recommendations

1. **To agree to a trial period of one year, with a view to a rolling three year period**
2. **A agree that a budget of £25,000 is allocated per annum, up to a maximum of three years, subject to annual review to support this initiative.**
3. **That a Service Level Agreement is put in place with the Federation of Passenger Transport.**
4. **That further discussions be pursued at officer level."**

The Committee adopted the recommendations.

**Development Committee,
Tuesday, 15th April, 2014**

Ulster Orchestra - Lease at Ulster Hall

The Committee agreed to recommend to the Strategic Policy and Resources Committee that it endorses a variation to the 2009 Lease Agreement with the Ulster Orchestra to enable it to rent an extra office at the Ulster Hall at an additional cost of £385.25 per month.

City Events Action Plan

The Committee agreed to defer consideration of the above-mentioned Action Plan to its meeting in June to enable it to be considered within the context of the Council's revised Tourism Strategy.

Mr. Carl Frampton

Arising from discussion, a Member referred to the recent successes of the local super-bantamweight boxer Mr. Carl Frampton and pointed out that negotiations were ongoing to secure a world title fight for Mr. Frampton in Belfast. He suggested that, if such a bout was to take place in the City, the Council should seek to avail of the opportunity which would be afforded to promote Belfast to a worldwide sporting audience. In addition, the Council might consider supporting the event by providing the use of the Ulster Hall for the purposes of a weigh-in, or that the City Hall might be considered appropriate for the hosting of a press conference.

The Committee endorsed the Member's comments.

World Pipe Band Championships

With the permission of the Chairman, the Director reported that he had been advised earlier that day that the Royal Scottish Pipe Band Association had indicated that it wished to switch the venue of the World Pipe Band Championships, which were due to take place in May in the Ormeau Park, to the Civil Service Sports Grounds on the Upper Newtownards Road. He added that such a decision had been deemed necessary by the prevailing ground conditions at the Ormeau Park.

After discussion, during which the Director agreed to liaise with the organisers regarding the feasibility of promotional performances being staged throughout Belfast, or having the event broadcast within the grounds of the City Hall, the Committee noted the information which had been provided.

United States Technical Mission 2014

The Committee considered the undernoted:

"1 Background Information

1.1 Members will be aware that the Council recently supported the Belfast Tech Mission which took place in October 2013. This was the first business mission led by Council to the west coast of America.

1.2 **The mission provided an opportunity for 20 companies to travel to San Francisco and San Jose to showcase and network with leading companies, investors and venture capitalists from the west coast of America. The mission targeted Belfast-based digital media, software and hi-tech IT companies who offer a globally focused product or service and were considering expansion or increasing sales and investment opportunities in the west coast area.**

1.3 **The mission achieved a number of significant successes including:**

- **One company who surpassed its Kickstarter £100,000 fundraising target during the mission**
- **One company announced a new $800,000 funding round**
- **One company established a partnership with PayPal and will roll out their software in the US in 2014**
- **One company secured 5 new US based clients while another secured its first US client as a result of meetings that took place during the mission.**

1.4 **A number of other participating companies have also secured additional investment in their companies since returning from the mission through crowd funding campaigns and business angel investment.**

1.5 **Due to the positive feedback received from participating companies as well as subsequent discussions with Invest Northern Ireland and the Northern Ireland Science Park, it is clear that an opportunity exists to support another tech mission in November/December 2014, as a collaborative event with those organisations.**

2 **<u>Key Issues</u>**

2.1 **Based on the success of the 2013 tech mission, Northern Ireland Science Park and stakeholders in the Northern Ireland tech community have recommended that the mission becomes an annual event and that NISP, Belfast City Council and key partners such as the University of Ulster, Queen's University and Invest Northern Ireland, combine to organise a joint tech mission to Southern California.**

2.2 **In 2014, NISP CONNECT launches INVENT, an evolution of the 25K Awards, which, for the first time, will be open to the public as well as NI's HE research institutions. INVENT aims to identify the new product inventions with the highest commercial potential in six categories: electronics, creative media and consumer internet, enterprise software, agrifood, engineering and life and health sciences. INVENT category winners will be supported by NISP to travel to the west coast**

of America as part of the tech mission and will take part in up to 10 meetings in a number of west coast locations.

2.3 As with the 2014 mission, Council will help in generating contacts and business leads through our existing networks and those provided through the partner organisations. A showcase, pitching sessions and a series of one to one meetings will be organised, providing a platform from which local companies can target key businesses and potential clients based in the United States, with the aim of securing new business.

2.4 It is intended that this trade mission will become an annual event and will be built into the support ecosystem for hi-tech and growth focused businesses in Belfast. It will help them explore new markets and develop collaboration with US-based partners. It may also offer an opportunity to explore the potential for residencies for the companies within incubators and workspace on the west coast, and to develop linkages with those incubators so that exchanges can be explored, for example, when the Belfast Creative Hub is operational.

2.5 It is proposed the Council's contribution to the trade mission will be up to a maximum of £30,000. If agreement can be secured from all the partners, Council officers will work with Invest NI, NISP and the universities to develop a targeted programme of meetings and showcase events and to recruit local businesses to take part in the event. While the details are still being finalised, it is likely that the event will take place towards the end of November/start December 2014.

2.6 Given that the Lord Mayor led the 2013 Tech Mission, it is proposed that there is also civic engagement in the 2014 event, in order to ensure continuity and to demonstrate civic commitment to this venture.

3 <u>Resource Implications</u>

3.1 Up to £30,000 required to support the mission.

5 <u>Recommendations</u>

Members are asked to:

- **Note the proposal to develop and implement a trade mission to the west coast of America in partnership with NISP, Invest NI and HE partners in November/December 2014**

- **To approve a total budget of up to £30,000 to support the trade mission**
- **To approve the participation in the event of the Lord Mayor/relevant elected representatives."**

The Committee adopted the recommendations.

South by Southwest 2014

The Committee was apprised of the key outcomes of the South by Southwest Conference which had taken place in Austin, Texas, in March. The Director outlined the range of key contacts which the Council's delegation had engaged with and noted that officers would continue to liaise with local partners to discuss how a collective approach to attending in the conference in 2015 might prove to be more beneficial, particularly in the promotion of the City as a viable destination for the film-making industry.

Noted.

United States Inward Delegations

The Committee noted the contents of two update reports which provided an overview of the inward investment missions to Belfast by delegates from New Brunswick/New Jersey, which had taken place from 15th till 17th January; and the American Ireland Fund, which had taken place from 25th till 28th February.

Eurocities Social Affairs – Update

The Committee considered the undernoted report:

2 Key Issues

2.1 In February 2013 the European Commission published the "Social Investment Package (SIP)". It is important to note that this is not a new funding stream but rather a policy instrument to enable Europe to re-orientate its social policy. By this, it means:

- **Maintaining social investment throughout the individual's life;**
- **Pursuing, activating and enabling policies by including more people into the labour market; and**
- **Increasing the sustainability and adequacy of social systems.**

2.3 In response to this policy initiative, EUROCITIES developed in June 2013, a policy statement which was submitted to the European Commission. This statement highlighted the fact that cities are responsible for delivering the majority of the public services and are often the first ones to respond to

emerging social problems. It asserted that the success of SIP can only be achieved through a strong multi-level partnership, involving cities directly, and improved coordination.

2.4 The recent Social Affairs Forum meeting in Barcelona focussed on how cities can facilitate and contribute to these European objectives and included a politicians' panel. Alderman Bob Stoker represented the Council along with counterparts from 14 other European cities to stress cities' fundamental role in social policy. Alderman Stoker presented a position paper which was endorsed by the panel, which will be integrated into original EUROCITIES statement and taken back to its Executive Committee for endorsement.

2.5 The fact that Alderman Stoker's paper was debated and agreed is a significant output and cements Belfast's role as an active participant in European Affairs. Indeed as a result of this process, Alderman Stoker has since been invited by the European Commission to attend the Social Policy Innovation Conference in Brussels on 19-20 May 2014. This is an extremely high level, invite only event at which the Commissioner will speak, and will be of great benefit to Belfast to attend. It is therefore recommended that Members approve the attendance of Alderman Stoker and a European Officer at this event to continue to represent and profile the work of Belfast in this highly relevant and topical area.

2.6 An additional output from the Barcelona meeting was agreement to establish a SIP Taskforce. EUROCITIES is presently seeking best practice examples from cities to demonstrate their contribution to socially inclusive cities. The network will then select 10-12 cities who will participate in the Taskforce. EU funds are available to support their participation in a defined set of activity to maintain this lobby with the European Institutions over the next year.

3 <u>Resource Implications</u>

3.1 The maximum cost of attendance by Alderman Stoker and an EU Officer at the EU Commission event in May 2014 will not exceed £2,400 and this is budgeted for within the annual EU Unit EUROCITIES activity budget.

4 <u>Recommendations</u>

4.1 To note the substantial contribution made to the EUROCITIES Statement on the Social Investment Package.

4.2 To approve the attendance of Alderman Bob Stoker and an EU Officer at the above mentioned conference and to approve associated expenditure in the amount of £2,400 to facilitate travel, accommodation and subsistence.

4.3 To note that Belfast will apply to participate in the SIP Taskforce."

The Committee adopted the recommendations.

New York/New Belfast Conference

The Committee was advised that the Belfast Media Group and the Irish Echo would be hosting the fourth 'New York/New Belfast - One City Conference' at Fordham University, New York, on 29th and 30th May.

The Director advised the Committee that the theme of the conference would be 'building bridges of mutual benefit between two cities' and that a range of prominent individuals from business, community and political organisations would attend. He reported that the Council had been invited to speak at the conference and he indicated that the estimated cost of attendance, per delegate, together with the costs associated with the Council hosting a reception at the event, would be £7,500.

Accordingly, he recommended that the Committee agree to authorise the attendance at the event of the incoming Chairman and Deputy Chairman, together with the Director (or their nominees).

The Committee adopted the recommendation.

Belfast/Boston – Sister Cities Relationship

The Committee considered the undernoted report:

"1.0 Background Information

1.1 Members will be aware that from 19-25 March 2014 the Lord Mayor and the European Manager travelled to New York and Boston to continue working to foster stronger trade, education and tourism links with the key cities in the North American market. This work aligns fully to the aims and objectives of Council's International Relations Framework.

1.2 During the visit, the Lord Mayor visited the Massachusetts State Senate President, Therese Murray, and the Mayor of Boston, Martin Walsh. He also met with Invest Northern Ireland's Boston office and Boston business leaders, as well as the American Ireland Partnership who have a long history of investing in Community and Cross Community education projects in Ireland, including Belfast. Meetings also took

place with Secretary Kerry's local office on the Global Partnerships initiative and the President of Sister Cities International.

1.3 During this programme of meetings it became more and more evident that there is a real interest at the highest political level to do business and develop closer ties with Belfast.

2. <u>Key Issues</u>

2.1 During the visit to Boston, the Lord Mayor met with the Mayor of Boston to tentatively explore the opportunity and value of entering into a formal city to city cooperation agreement. During the meeting, the Mayor of Boston expressed his desire to enter into a Sister Cities Agreement to foster real actions and opportunities between both cities in the areas of: economic development, trade and investment; tourism; cultural exchange and faith based exchange and educational linkages.

2.2 This would require the development and signing of an official Sister Cities Agreement in line with the standards and codes of Sister Cities International. It would also require the development of an agreed annual action plan to drive and monitor the initiative in each city.

2.3 This detail would be developed and presented to the incoming Belfast City Council from June 2014 and championed by the incoming Lord Mayor and the new Development Committee which would continue to be responsible for the delivery of the Council's International Relations Framework. Plans are already underway with the current Lord Mayor to undertake an exchange of faith based leaders in both cities in autumn 2014.

2.4 Members are asked to agree to the establishment of a formal Sister Cities Relationship and to ensure this is formally signed between both city Mayors within the timescale of the current term of the existing Lord Mayor.

2.5 The Head of Invest NI for North America, Gary Hanley has fully endorsed the potential of a Belfast Boston Sister Cities relationship to support Northern Ireland companies in the marketplace.

2.6 Members should also be aware that the Massachusetts State Senate President, Therese Murray, is fully supportive of a Belfast/Boston Sister Cities relationship and fully endorses

the proposal. President Murray has collaborated with Minister Poots to put in place a Memorandum of Understanding between Boston and Northern Ireland on connected health issues. She will be in Belfast in September 2014 as part of a political programme and business mission to the North and South of Ireland. It is expected that she will be accompanied by Congressman Richard Neal, and potentially the Mayor of Boston, Martin Walsh, both strong supporters of the NI Peace Process and economic development promotion between Northern Ireland and North America.

2.7 As part of the BCC International Relations Framework Action Plan, Committee agreed to engage in the next EU/US Connected Health Alliance Conference to be held in Boston in October 2014. Members are therefore asked to agree to host President Murray and her delegation at a City Hall civic reception in September at a maximum cost of £5,000.

3 Resource Implications

3.1 It is anticipated that the cost of hosting a civic reception to welcome Massachusetts State Senate President Murray and her delegation will not exceed £5,000.

5 Recommendations

- **Agree to enter into a formal Sister City Relationship Agreement with the City of Boston and that it is signed by the current Lord Mayor of Belfast before 2 June 2014.**
- **That a Sister Cities Action Plan is thereafter developed in agreement with both cities.**
- **Agree to provide a welcome reception for Senate President Murray and her political and business delegation in September 2014.**
- **Agree to provide a budget of £5,000 to cover this visit."**

The Committee considered also the proposed wording for a Sister Cities agreement between Belfast and Boston, a copy of which was published on the Council's Mod.gov site.

A number of Members expressed concern that the agreement between Belfast and Boston had been initiated without the prior consideration and endorsement of the Committee. It was pointed out that the Committee had been unable to assess the viability of the initiative and provide guidance on its implementation.

Concern was expressed also in respect of the proposed wording of the draft agreement, in particular, the use of the word 'Mayor', as opposed to 'Lord Mayor', was objected to by a number of Members. In addition, it was suggested that the term 'peoples of Ireland' be deleted from the wording of the document, since the agreement was solely between the two cities.

Prior to proceeding to a vote in the matter, the Committee agreed to endorse the wording of the agreement, subject to the replacing of the word 'Mayor' with 'Lord Mayor' and to the deletion of the term 'peoples of Ireland'.

Accordingly, it was,

Moved by Councillor Spence,
Seconded by Councillor Kingston,

That the recommendations as set out within the report be adopted, subject to the amendment that the signing of the Sister Cities agreement between the Lord Mayor and the Mayor of Boston would take place after the date of the Local Government Elections on 22nd May and prior to the end of the current Lord Mayor's term of office.

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

Accordingly, the Committee adopted the recommendations as set out, subject to the amendment to the wording of the draft agreement as noted.

Food Tourism and Belfast Restaurant Week 2014

The Committee considered the undernoted report:

"1 Background Information

1.1 Food Tourism is recognised globally as an important theme that many destinations are using to maximise tourism, investment, sustainability and marketing opportunities. Food tourism also plays a role in animating and enhancing the visitor experience, and it is also important as a product which can effectively market and sell a city and region.

1.2 To maximise the opportunities that food tourism presents for Belfast it is important that events such as Belfast Restaurant Week (BRW) are integrated into a fully supported and integrated food tourism plan for Belfast.

1.3 Since the launch of BRW in 2012, it has become a well established event in the city's culinary calendar and has been fully endorsed as an important initiative by Northern Ireland

Tourist Board (NITB), Department of Agriculture & Rural Development (DARD) and Tourism Ireland.

1.4 BRW 2013 took place from 5 to 12 October and research confirmed that it was extremely successful for the businesses taking part as well as for the promotion of the city and the development of a strong food tourism event.

1.5 BRW 2013 successfully:

- **Delivered Taste and Dine at Belfast City Hall on 5 and 6 October 2013 – a mini food village was created outside City Hall, featuring local artisan producers, pop-up restaurants, and St George's Market. Each day there was a packed programme of chef demonstrations, wine talks and a full celebration of the local agrifood sector.**
- **The registration of 80 participating restaurants promoting special signature menus and offers to develop and encourage more patronage of the restaurants that showcase the agrifood sector among citizens and visitors during the week in October 2013.**
  - **13 Hotel restaurants, 44 restaurants, 5 cafes, 12 bars/pubs and 6 other**
- **The programming of 30 special food themed events throughout the week which will raise the profile of the agrifood sector and the restaurants they supply.**
- **BRW 2013 successfully showcased the brand of Belfast and Northern Ireland through delivering innovative, forward thinking, authentic and celebratory events which will fully promote our food offer in an exciting and inspiring way.**
- **Delivered over 4.5 million impacts through the media plan**
- **Wide coverage in key press – BBC and UTV, Belfast Telegraph, Irish News, Newsletter, Radio Ulster, U105, Cool FM, Downtown, Citybeat, BBC Radio 12 – all positive**
- **Excellent interaction and involvement with restaurants**
- **Developed excellent links with Translink and Belfast Fashion Week**
- **93% of restaurants surveyed agreed that BRW provided a positive platform to promote food in the city**
- **90% agreed BRW attracted new customers**
- **85% agreed it will impact positively on future sales.**
- **49,000 people from Greater Belfast Area attended a BRW event**

- **Attendees rated the event(s) positively**
- **91% expressed likelihood to revisit the event in the future.**
- **There was also strong agreement from respondents that the event(s):**
  - **Increased their knowledge of city's food product (70% agreement)**
  - **Increased their knowledge of the use of local produce in Belfast restaurants (59% agreement)**
- **Overall average spend per person during BRW was £20.61, with the highest spend coming from Special offers/menus at Belfast restaurants (£25.61 on average).**

1.6 A Belfast Restaurant Steering Group has been established and they have contributed to seminars and workshops to help shape BRW 2014.

1.7 The objectives of the Belfast Restaurant Week 2014 are to:

- **Increase footfall and mid week dining**
- **Showcase new and multi cultural food offering across the city**
- **Showcase the range of dining experiences for a range of lifestyles**
- **Showcase local produce, excellent chefs, skills and wealth of the food offer**
- **Contribute to Belfast's culinary events calendar**
- **Positive media attention of Belfast as a tourism destination**

2 <u>Key Issues</u>

2.1 It is crucial to build on the success of BRW 2012 and BRW 2013 and ensure that BRW 2014 creates more economic impact and support for the restaurant/hospitality sector. It is necessary that adequate resources and support are in place to achieve the aims and objectives. BRW 2014 (4 to 11 October 2014) planning is underway and BCC has successfully been awarded sponsorship of £21,000 from NITB's events fund to support the week.

2.2 A key stakeholder Steering/Working group has been established to implement the plans as well as a Sector Steering Group to ensure that BRW 2014 delivers for the industry. To instigate registration it is proposed that BRW 2014 will be launched to the consumer in August 2014.

3 Resource Implications

3.1 Food Tourism Development and BRW 2014 require support from a number of sources. The sum of £50K has been identified for BRW 2014 and broader food tourism initiatives within the departmental budget and £21,000 has been secured via the Northern Ireland Events Fund sponsorship. On approval additional funding will be sought from a range of partners, together with contributions from each participating restaurant.

4 Recommendations

1. **To approve a budget of £50,000 identified from Department budget and approve officers seeking additional funding and sponsorship to support BCC investment which will develop a food tourism plan and support the delivery of Belfast Restaurant Week 2014.**

2. **Members approve acceptance of £21,000 sponsorship package from the Northern Ireland Events Fund administered by NITB.**

3. **Members approve Officers procuring services to help deliver Belfast Restaurant Week 2014 and a food tourism development plan.**

4. **The Chairman agrees to host an Industry Launch and take part in the consumer launch in August 2014."**

The Committee adopted the recommendations.

Strategic Planning Policy Statement - Response

The Committee was advised that the Department of the Environment had issued for consultation a Strategic Planning Policy Statement which sought to establish the scope and future direction for regional planning policy. The Director outlined the principal aspects of the Council's response to this document and, after discussion, the Committee endorsed the response, a copy of which was published on the Council's Mod.gov website.

Community Grants Programme 2015/2017

The Committee noted that the Statutory Transition Committee, at its meeting on 9th April, had endorsed a Council-led approach to the implementation of the Community Development Grants Programme 2015/2017, and had agreed also to proceed to an open call for applications in June, 2014.

Development Committee,
Tuesday, 15th April, 2014

Belfast Poet Laureate Initiative

The Committee was reminded that the Lord Mayor had appointed Dr. Sinead Morrissey as Belfast's inaugural Poet Laureate in July. The Director outlined the range of duties which Dr. Morrissey had performed since her appointment and the outreach initiatives which she had undertaken. He pointed out that Dr. Morrissey, together with the United Kingdom Poet Laureate, Carole-Ann Duffy, together with a range of performers, would attend a celebratory event on 14th May at the Movie House Cinema, Dublin Road.

After discussion, the Committee noted the information which had been provided and noted further that a report in respect of the Council's future involvement with the Poet Laureate initiative would be submitted for consideration in due course.

Blue Plaques

The Committee was reminded that, in 2012, it had agreed to fund a three-year rolling programme to assist the Ulster History Circle to erect blue plaques at locations throughout Belfast which would acknowledge the lives of citizens who had contributed to the City's history. The Director reported that in 2014/2015 the Circle was proposing to erect further plaques to commemorate the footballer Danny Blanchflower, the poet and architect Padraig Gregory, the academic Professor A. E. Muskett, the playwright St. John Ervine and the actor J. G. Devlin.

The Committee noted the information which had been provided.

Pride of Place Awards 2014

The Committee was reminded that the Pride of Place Competition provided community groups from throughout Ireland with an opportunity to showcase initiatives which have had a lasting and positive impact upon their communities. Since 2004, the Council had sponsored, with considerable success, the participation of several groups in the Competition. It was reported that the Council had been invited to nominate five groups to take part in the Pride of Place 2014 awards ceremony, which would take place in Ennis, Co. Clare, on Saturday, 15th November. The Director indicated that the following five groups had been identified as being suitable for entry in the competition:

- **The Oak Partnership** – based in the east of the City, Oak Partnership had been established to promote health, education and well-being for the benefit of children, young people and adults in the Clarawood community and surrounding areas;

- **Ligoniel Improvement Association** - based in north Belfast, the association worked to improve the quality of life in Ligoniel and provided integrated services to address poverty, unemployment and social exclusion;

- **Sandy Row Community Forum** – based in the south of the City, the community forum acted on behalf of a range of local community groups in the Sandy Row area and sought to promote the area in terms of tourism and economic development;

- **Whiterock Hub** – based in the west of the City, the Hub sought to address environmental quality issues within the general Whiterock area and encouraged individuals to participate in community activity which would reflect positively and add to the regeneration of the vicinity; and

- **Windsor Women's Centre** – this centre, which was located in the Village area, worked to provide a community development framework to promote equality of opportunity for women within an area of high social need and economic deprivation

After discussion, the Committee approved the entry of a maximum of five groups as outlined and approved also the attendance at the awards of the Chairman, the Deputy Chairman, the Director and the Project Officer (or their nominees), together with a maximum of two representatives of each group, and authorised the payment of the entrance fees, travelling and accommodation costs in connection therewith, which, it was noted, would be approximately £5,500.

Northern Ireland Science Festival

The Director reminded the Committee that Belfast was due to host the Northern Ireland Science Festival in 2015. The Director outlined the economic importance of the event and how it would help showcase the City and enable local communities to become involved in outreach events and educational activities.

The Committee noted that a request for assistance towards the costs associated with the hosting of the Festival would be considered in due course.

Chairman

Health and Environmental Services Committee

Wednesday, 2nd April, 2014

MEETING OF HEALTH AND
ENVIRONMENTAL SERVICES COMMITTEE

Members present: Councillor Corr (Chairman);
Alderman Stoker;
Councillors Austin, M. E. Campbell, Clarke, Curran, Garrett, Hussey, Keenan, Kelly, Kingston, Magee, McCarthy, McKee, McNamee and Thompson.

In attendance: Mrs. S. Wylie, Chief Executive Designate;
Mr. T. Martin, Head of Building Control;
Mr. S. Skimin, Head of Cleansing Services;
Mrs. S. Toland, Head of Environmental Health;
Mr. T. Walker, Head of Waste Management; and
Mr. H. Downey, Democratic Services Officer.

Apologies

Apologies were reported on behalf of the High Sheriff (Councillor L. Patterson) and Councillor Jones.

Minutes

The minutes of the meeting of 5th March 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 April.

Declarations of Interest

No declarations of interest were reported.

Congratulations

The Chairman, on behalf of the Members, congratulated Mrs. S. Wylie on her recent appointment to the post of Chief Executive for the new Council and thanked her for the significant contribution which she had, over the years, made to the work of the Committee.

Mrs. Wylie thanked the Chairman for his kind remarks and the Committee for the support which it had provided to her during her term as Director of Health and Environmental Services.

Building Control

Consultation on Proposed New Delivery System for Achieving Affordable Warmth

The Committee considered the undernoted report and agreed that the accompanying comments be forwarded to the Department for Social Development as the Council's response to the consultation document, subject to the inclusion of an additional comment recommending that the scheme be extended to include sheltered accommodation:

"Relevant Background Information

1.1 The Department of Social Development's (DSD) primary method of tackling fuel poverty has been the Warm Homes Scheme, which commenced in 2001. A revised Fuel Poverty Strategy, 'Warmer Healthier Homes', published in March 2011 stated that there was a greater need for partnership working with local councils, together with a move to an area based approach of delivery to ensure improved targets and greater effectiveness of helping those most in need.

1.2 In order to test this as a concept the DSD have already carried out two Affordable Warmth pilot exercises with selected councils across the province. Belfast City Council was involved in the first pilot in 2012-2013, where the Building Control Service surveyed 360 properties in four areas across the city as part of the exercise. This resulted in approximately 120 homes receiving free insulation measures and/or boiler services. Additionally, data was collected and passed to the Northern Ireland Housing Executive (NIHE) enabling some of those houses to claim further grant aid under the boiler replacement scheme. Using the data from this project the second pilot was a more focussed exercise based on the emerging delivery model. Most councils were not involved in this pilot as the Minister agreed that the Mid Ulster cluster of councils and Newtownabbey Borough Council would undertake the work. Belfast was involved however in the Project and Review Group that managed the second pilot so that we could advise, input and learn from its operation.

1.3 In light of these two pilot exercises, the DSD now intends to introduce a new model for the delivery of the energy efficiency improvements to low income households. The new model will involve the DSD working in partnership with the University of Ulster (UUJ), NIHE and the interested councils. Due to the success of our work in the first pilot and the desire of Members that the Council be involved in tackling fuel poverty, Belfast has expressed an interest to participate in this scheme.

1.4 In February 2014, DSD issued a consultation document on the proposed new delivery model. The deadline for the submission of responses is Friday, 9th May. The consultation outlines the changes from the Warm Homes Scheme to the new Affordable Warmth model and invites comments in relation to seven proposals.

1.5 These seven proposals are:

1. **Targeting – DSD states that the outcomes of the pilots indicate that the benefits of financing and alleviating fuel poverty is by directly targeting those in greatest need. UUJ, using their computerised database, would be responsible for targeting those most in need.**

2. **Partnership working – DSD proposes to work in partnership with all interested councils, UUJ and NIHE to deliver the targeted approach.**

3. **Private rented – the initial Warm Homes Scheme included private rented properties. There is evidence that many landlords with large property portfolios benefitted from the scheme, which was not the intention. The new scheme will be open to tenants in the private rented sector but would require the landlord to be registered with the Departments Landlord Registration scheme and also contribute 50% towards the costs.**

4. **Eligibility – the Department proposes to change the method of addressing eligibility from using social security benefits to an income based approach. The income level would be set in line with other government programmes, such as the level of income for determining eligibility for free school meals (currently £16,190). Household make up would also be a factor to determine the level of income.**

5. **Energy Efficiency measures – the Department is proposing to maintain all the measures that were available as part of the Warm Homes Scheme and also introduce a number of new measures including:**

    - **Conversion of Economy 7 to a high efficiency storage heating system**
    - **Replacement boilers for people aged 65 with boilers over 15 years old**
    - **Replacing existing heating controls**

- **Replacing existing redundant radiators**
- **Replacing defective cavity wall insulation**
- **Draught proofing existing doors and windows**

6. **Self referrals – the proposal is for the scheme to primarily target those identified by UUJ. However views are sought on the option for self referrals outside the targeted areas.**

7. **Client contribution – the scheme is to fund improvement measures for low income households. However, where the costs for the range of measures that could be carried out are in excess of the allowable grant, the householder could be allowed to fund the additional measures.**

1.6 A copy of the draft response is attached.

<u>Key Issues</u>

2.1 The main changes are the delivery mechanism in the Affordable Warmth model where the DSD will work in partnership with UUJ and councils to deliver a more targeted approach to tackling fuel poverty. The outcomes of the pilots have shown this to be a more effective and efficient method of improving homes for those most in need. However, clarification is needed as to the target areas, the need for a three year plan, and communicating with those outside the areas who would like to be involved.

2.2 New qualification criteria are proposed for the scheme, including moving to an income based approach. More detail is required on the level of income and how household make up would affect eligibility before comment could be made.

2.3 Whilst landlord contributions could help to avoid disproportionate benefits for landlords it could also reduce the uptake from this sector where tenants fall within the criteria but landlords refuse to pay their contribution.

2.4 There are additional energy efficiency improvement measures being proposed by the DSD which would further improve the energy efficiency of properties and are welcomed.

3 Resource Implications

Financial

3.1 There are no financial implications regarding the consultation. All the home improvements proposed are financed by the DSD.

Human Resources

3.2 The proposals for partnership working include the roll out of the Affordable Warmth proposals once agreed. Officers are currently involved in discussions to implement the partnership arrangements.

Assets and Other Implications

3.3 None.

4 Equality Implications

4.1 The Department of Social Development will undertake its own Equality Impact Assessment of any proposed pilots.

5 Recommendation

5.1 The Committee is recommended to adopt, subject to ratification by the Council, the draft consultation response on the proposed changes to the current Warm Homes Scheme as outlined in the Achieving Affordable Warmth Scheme."

COUNCIL RESPONSE

Proposal 1 – Targeting

Northern Ireland's first independent review of Fuel Poverty reported that more than 33,000 homes in Northern Ireland needed to spend more than a quarter of their income on heating and lighting their homes. The Department believes that these homes need help most and should be targeted for help in the new Affordable Warmth Scheme.

The Department believes that the Affordable Warmth pilots have demonstrated that a more targeted approach works and brings assistance to those who need it most. The Department proposes to continue with this targeted approach in the new Affordable Warmth Scheme.

How much do you agree with this proposal? (please tick one option)

Strongly agree ☐

Agree ☒

Unsure ☐

Disagree ☐

Strongly disagree ☐

Don't know ☐

Comments

The targeted approach is a good way of reaching those most at risk of being fuel poor, particularly in relation to older people. However more detail is required in terms of what areas will be targeted and the rationale for selection. Will a programme be devised over the three year project? The targeted approach could require more work to ensure that the uptake is sufficient to meet the targets as self referrals which would have been taken in the previous scheme may now be outside the scheme (see 6).

Proposal 2 – Partnership Working

The Department proposes to work in partnership with local councils to target households most at risk of fuel poverty and to improve the energy efficiency of their homes. Council staff will conduct an initial home visit to assess both the eligibility and requirements for the householders under the scheme. The Housing Executive's network of Grant Offices will work closely with the householder and a local installer of the householder's choice to deliver the energy efficiency improvement measures to the house.

How much do you agree with this proposal? (please tick one option)

Strongly agree ☐

Agree ☒

Unsure ☐

Disagree ☐

Strongly disagree ☐

Don't know ☐

Comments

The partnership approach has proven to be a good way of co-ordinating the scheme. However, it is essential that the responsibilities for each partner including Key Performance Indicators are captured in a Service Level Agreement and monitored. Responsibility for communication is important, in terms of informing the households in targeted areas, dealing with queries and potential complaints of those outside the targeted areas. Over the three year period will there be changes to the NIHE which could affect their ability to deliver? The wider issues of co-ordination of all schemes needs to be considered.

Proposal 3 – Private Rented

The Warm Homes Scheme was open to applications from owner occupiers and private tenants. Private tenancies currently make up 17% of the housing sector and the Northern Ireland House Condition Survey 2011 reports that 49% of householders in "Privately rented and others" housing were in fuel poverty. Since 2001 the Warm Homes Scheme has improved the energy efficiency of over 19,000 privately rented homes. The Department is committed to continue to improve the energy efficiency of low income tenants who live in privately rented accommodation. However, the Department believes that private landlords have a responsibility to ensure that the properties they are letting have adequate heating systems and adequate insulation. There is evidence that the Warm Homes Scheme improved the energy efficiency of properties of some landlords with large portfolios, over 50 properties in some cases.

This was never the intention of the scheme. The Department proposes that where an application is made to the Affordable Warmth Scheme by a tenant living in a privately rented property that the landlord must have registered with the Department's Landlord Registration Scheme. The Department also proposes that landlords make a 50% contribution towards the cost of the work.

How much do you agree with the proposal? (please tick one option)

Strongly agree ☐

Agree ☒

Unsure ☐

Disagree ☐

Strongly disagree ☐

Don't know ☐

Comments

To ensure that as many people as possible in fuel poverty are considered by the scheme this sector should be included, as the numbers of properties are significant. However, the 50% contribution could lead to a high drop-out rate if landlords do not want to pay their share. A sliding scale of contribution, based on the number of houses a landlord gets improved, could be investigated which could reduce the possibility of landlords disproportionately benefiting.

Proposal 4 – Eligibility

The Department proposes to change the method of assessing eligibility for the scheme by setting an income qualification threshold instead of using social security benefits as a passport. The University of Ulster's analysis of the first Affordable Warmth pilot "Tackling Fuel Poverty in Northern Ireland, An Area Based Approach to Finding Households Most in Need" (Liddell and McKenzie 2013) concluded that "people were on predominately low incomes, i.e. half of the households surveyed had an income less than £12,000 per annum and two thirds had an income of less than £16,000 per annum. The Department proposes that the household annual income level be set at a modest level which is in line with other Government programmes, such as the level of income for determining eligibility for free school medals (currently £16,190). The Department proposes that this amount may be adjusted depending on the make-up of the household.

How much do you agree with this proposal? (please tick one option)

Strongly agree ☐

Agree ☒

Unsure ☐

Disagree ☐

Strongly disagree ☐

Don't know ☐

Comments

Moving to an income based approach is a positive change and would bring those just above the previous assessment for benefits into the scheme, such as older people. The proposed income threshold of £16,190 is quite low, however, a staggered threshold could be set based on household size and further detail is required on the adjustments suggested. It is important that there is a significant pool of households targeted to ensure that uptake of the scheme is high.

Proposal 5 – Energy Efficiency Measures

The Department proposes to maintain all of the energy efficiency measures available in the existing Warm Homes Scheme. The Department proposes to introduce some additional new measures (see Table 1). The Department proposes to prioritise the measures which most improve the energy efficiency of the home and deliver the highest priority measures within the grant limit.

How much do you agree with the introduction of the new measures on Table 1? (please tick one option)

Strongly agree ☐

Agree ☒

Unsure ☐

Disagree ☐

Strongly disagree ☐

Don't know ☐

Comments

It is positive to have smaller measures such as heating controls and radiator replacement added to the scheme and to see the return of boiler replacements and draught-proofing. We would suggest that boiler replacements be made available not only to those over the age of 65 but to all within the scheme (in particular families with children under the age of 16 and to those with a long-term illness or disability), who are unlikely to be a position to avail of the boiler replacement scheme.

Proposal 6 – Self Referrals

The Department proposes that the new scheme is primarily targeted at households identified by the University of Ulster as being most at risk of fuel poverty. The Department seeks views on whether the scheme should continue to include some element of self referral from households not in the areas targeted by councils.

How much do you agree with this proposal? (please tick option)

Strongly agree	☐
Agree	☐
Unsure	☒
Disagree	☐
Strongly disagree	☐
Don't know	☐

Comments

Self referral could be a good method of capturing a further pool of people who are fuel poor, although it is contradictory to a targeted approach. The management of these referrals would be important; how would they be assessed? Will they be in an area to be considered in the following year's targeted areas? Is there flexibility to add them to the scheme? What about possible complaints and who deals with the queries that arise from people not in targeted areas? The co-ordination of self referrals needs more detail.

Proposal 7 – Client Contribution

The Department proposes to set a grant limit which will deliver appropriate energy efficiency measures to low income households. However, there may be occasions when the installation of a range of energy efficiency improvement measures in a property will exceed the grant limit. This may include "Hard to Heat" properties with no capacity for cavity wall insulation. Where the cost of installing energy efficiency improvement measures exceeds the grant limit the Department proposes that the householder should be allowed to fund the excess amount.

How much do you agree with this proposal? (please tick one option)

Strongly agree ☐

Agree ☒

Unsure ☐

Disagree ☐

Strongly disagree ☐

Don't know ☐

Comments

As the purpose of the scheme is to target low income households most at risk of fuel poverty, it is unlikely that householders will have surplus income or capital to enable them to contribute towards energy efficiency measures. Having found those most vulnerable to fuel poverty, it is important that the householders receive all the measures required. These may, on occasion, exceed the grant limit but this could be offset by other householders receiving small interventions.

Other Comments

Are there any additional comments or suggestions you wish to make on the proposals in the consultation document?

Comments

Those eligible for Warm Homes are referred to the SSA's "Make the Call". As many householders are hesitant about giving personal information to a Government agency, referring all households in the target area to the voluntary advice sector would ensure that they are offered a full, independent benefits check and that low income, one of the factors of fuel poverty, is addressed.

A degree of "hand-holding" may be required particularly with more vulnerable clients. There needs to be good links between Councils and NIHE Grants Offices; a tracking database would help to identify those who may require additional support to ensure that vulnerable clients do not drop out of the system.

Fuel poverty affects more than 40% of households in Northern Ireland. The proposed Affordable Warmth Scheme and its predecessor, Warm Homes, will play an important role in tackling fuel poverty. It is, therefore, vital that those who have an interest in the issue are given an opportunity to fully respond to this consultation. Limiting the word count on each of the proposals to 75 words means it is very difficult to make a full and informed response.

Affordable Warmth Pilot Scheme

The Committee considered the undernoted report:

"Relevant Background Information

1.1 Members will be aware of the pilot exercise carried out in partnership with the Department for Social Development (DSD) in 2012-2013 where improvements in insulation and other measures were delivered to targeted households.

1.2 The four predetermined areas of the city were pinpointed by the University of Ulster (UUJ) from their fuel poverty database. Eligible persons were offered grants to carry out works to their properties to enhance the energy efficiency of the dwelling and hence reduce their fuel bills. The Building Control Service surveyed 360 properties in four areas across the city as part of the exercise. This resulted in approximately 120 homes receiving free insulation measures and/or boiler services. Additionally data was collected and passed to the Northern Ireland Housing Executive enabling some of those houses to claim further grant aid under the boiler replacement scheme

1.3 As the improvement measures undertaken during the first pilot have proven to be successful, a further pilot has been carried out in 2 other areas of Northern Ireland; the Mid-Ulster cluster of councils (Dungannon, Cookstown and Magherafelt) and Newtownabbey Borough Council.

1.4 The review of this second pilot is currently being finalised and discussions and workshops giving feedback to councils have been held by DSD. Based on the success of this second pilot exercise, the DSD have proposed that the revised scheme be rolled out to all Council areas for a three year programme.

1.5 The revised scheme is as follows:

- **UUJ will identify households which need to be targeted and surveyed and submit the areas and addresses though to each council**

- **The council will carry out these doorstep surveys and provide the information to the DSD and the Northern Ireland Housing Executive (NIHE) to allow consideration of their application**

- **NIHE will carry out technical surveys of the properties and will decide which measures will be installed in the dwellings. They will inform the owner/occupier if their application is approved**

- **The householder will select a local installer to carry out the works.**

1.6 A Building Regulation application (if applicable) for the above mentioned works will be made by the NIHE once occupants have been deemed eligible for grant aid. NIHE will coordinate the works on site and these works will be inspected by the Building Control service in line with their statutory duty.

1.7 Upon receipt of approval of the works on site, the NIHE will make a payment to the installer or the householder. All works and processes will be audited and regular updates on the targets will be reported.

Key Issues

2.1 The project is based on partnership working between councils, DSD and NIHE, with clearly defined roles. The DSD are committed to tackling fuel poverty, and are seeking the assistance of councils on a local level. The scheme proposed is out for public consultation and has been considered as part of the previous committee report on the council's response to that consultation.

2.2 While UUJ will identify properties within the terms of the scheme and in light of the statistical work they have carried out, the council's input is to ensure that surveys are carried out in all areas of the city.

2.3 The targets set for the three year programme are:

2014-2015 – 800 properties improved
2015-2106 – 1000 properties improved
2016-2017 – 1000 properties improved

2.4 The current pilot exercise would indicate that the total number of completed surveys required would be at least 20% greater than the target for improved homes due to owner/occupiers dropping out after the survey has been processed. The number of surveys required to achieve sufficient properties improved for these yearly targets could be over 4000 over the three year period.

2.5 DSD is finalising a Service Level Agreement for the project, which will outline the roles of DSD, NIHE and councils. This has not been provided to councils at this stage, but will include the levels of service required and the targets to be met. Any Agreement will be given to Legal Services for assessment, but, given the timescales involved to get the project initiated, it is proposed that the Committee and the Council authorise the Director of Health and Environmental Services the delegated power to sign the agreement.

2.6 DSD has confirmed that they will provide funding for all staff as required by councils and additionally that all project set up costs would be fully funded. To ensure efficiency of data collection and transfer, DSD are also providing set up costs for councils which will include devices to collect data and a system to allow data to be transferred directly into the NIHE database.

2.7 This has been set at £158K, with the figure based upon the experience from the most recent pilot. Although councils will have flexibility in the staffing model used, the experience of a project manager with additional temporary site staff to carry out the door to door surveys has proved an efficient method of delivery.

3 Resource Implications

Financial

3.1 DSD provides all funding for the physical improvement works to be carried out to the properties. DSD will also provide funding for council's staffing needs, set up costs and IT systems to deliver their part of the project.

3.2 Human Resources

It is proposed to employ a team of temporary staff to help with the implementation of this project. The DSD will provide finance for this resource. Overall management of the project will be carried out within the current service management structure.

3.3 Assets and Other Implications

None

4 Equality Implications

4.1 The Department of Social Development will undertake its own Equality Impact Assessment of any proposed pilots.

5 Recommendations

5.1 The Committee is requested to agree:

a) that the Council enters into a three year Affordable Warmth project (2014-2017) in partnership with the DSD and permits officers to finalise the arrangements with officials from the DSD.

b) that the Director of Health and Environmental Services is given delegated authority to sign off the Service Level Agreement in consultation with Legal Services, based on the arrangements as outlined above and as agreed by Committee."

After discussion, the Committee adopted the recommendations.

Naming of Street

The Committee approved an application relating to the realignment, as part of the Village Regeneration Scheme, of Broadway Parade, which connected Frenchpark Street and Kitchener Street, to which the Royal Mail had offered no objection.

Environmental Health

Addressing Anti-Social Behaviour

The Committee considered the undernoted report:

"1 Relevant Background Information

1.1 The legal definition of Anti-Social Behaviour (ASB) is 'acting in a manner that caused or was likely to cause harassment, alarm or distress to one of more person(s) not of the same household as himself' (Anti-social Behaviour (Northern Ireland) Order 2004).

1.2 Although ASB is not classed as a criminal offence, it is widely accepted as having the potential to have a highly detrimental impact on the quality of life of communities and 36% of all recorded incidents/offences by the PSNI in 2012/2013 in Belfast were classed as anti-social behaviour.

1.3 Experience of ASB across agencies and communities has shown that it can be challenging to class particular types of incidents as ASB as the focus is very much on the perception of the victim(s).

2 Key Issues

2.1 Tackling ASB is not the sole responsibility of one agency; rather, successfully addressing ASB has been underpinned by effective partnership working between statutory agencies and the voluntary and community sector.

Belfast City Council invests significantly in tackling ASB in community safety, particularly in partnership with Belfast (D)PCSPs in the following ways:

Enforcement

2.2 Tackling a wide range of nuisance and ASB related issues is done through the enforcement of the Clean Neighbourhoods and Environment Act (NI) 2011 and related legislation tackling litter, fly posting, graffiti, dogs, noise, statutory nuisance, nuisance alleyways, abandoned/nuisance vehicles and abandoned shopping trolleys. Significant resource is invested in responding and investigating the issues referred to Environmental Health from the public in relation to nuisance and ASB with 11,475 service requests to date in this financial year,

Council also undertakes enforcement of alcohol bye laws, particularly joint enforcement in partnership with the PSNI in communities and at key events with the following results to date in this financial year:

- **Enforcement/Joint Enforcement Operations – 201**
- **Unit of Alcohol Seized – 30,000**
- **Prosecutions taken/pending – 41**
- **Off licenses visited - 87**

ASB Forums

2.3 The Anti-social Behaviour (NI) Order 2004 provides for the sharing of information between councils, NIHE and PSNI when managing cases of ASB. This is managed through ASB Forums which exist on a North, South, East and West Belfast basis with officers from each of the component organisations sharing relevant information about perpetrators of ASB and taking collective responsibility for the management of those cases. A significant amount of time and effort is placed by those agencies at early identification of those at risk of becoming involved in ASB and putting in place interventions to reduce that risk.

2.4 The Department of Justice is currently undertaking a review of ASB Forums across Northern Ireland placing a particular emphasis on improving the partnership working between ASB Forums and Policing and Community Safety Partnerships.

Early Intervention/Prevention

2.5 Early intervention and prevention is widely accepted as the most effective way to reduce the likelihood of someone becoming involved in crime of ASB, indeed, the Northern Ireland Executive is investing significant monies as part of the 'Delivering Social Change Strategy' in projects across Northern Ireland which will intervene early with at-risk young people and families.

2.6 Belfast City Council has itself supported the principles of early intervention/prevention programmes by delivering the Youth Engagement Project (YEP) as part of the current PEACE III Programme. This programme has provided counselling, family support, training and employment support along with individual mentoring by community/voluntary organisations for 50 young people to date at risk of engaging in crime or ASB at interfaces. The programme recently received an extension from SEUPB up until end September 2014 to deliver further support for another 100 young people across the city. The YEP project provides for information sharing across a range of agencies i.e. BCC, PSNI, Youth Justice, Probation Board, Belfast Regeneration Office, BELB and NIHE. The overall value of service provision to at risk young people in Belfast through the YEP project up to end September 2014 is around £750,000

Supporting Communities and Local Delivery

2.7 It is recognised that the statutory agencies cannot tackle ASB effectively individually and that meaningful and supportive partnerships need to be in place with the community.

Staff Resources

2.8 The Council provides for this by providing an area based ASB Officer and Safer Neighbourhood Officer service. There are four ASB Officers working in North, South, East and West Belfast whose primary responsibility is to co-ordinate the practical support to communities in preventing ASB through projects or initiatives, as well as providing services to those who have been victims of ASB. The eight Safer Neighbourhood Officers support this service by providing a more focused service in ASB hotspot areas and supporting communities in resolving low level ASB as well as undertaking enforcement activity.

District Policing and Community Safety Partnerships (D)PCSPs

2.9 The Council supports the provision of (D)PCSPs whose primary focus is to provide integrated service delivery in respect of

reducing crime, ASB and fear of crime as well as supporting confidence in policing.

2.10 Many of the projects and small grants administered by (D)PCSPs have focused on preventing ASB and to date in the 2013/2014 year (D)PCSP's have supported local communities in addressing ASB with around £300,000 of community led services delivery through small grants and procured locally delivered services.

Alleygates

2.11 Tackling ASB effectively can often mean a physical intervention needs to take place either instead of or as well as a project or initiative. The Council has strategically supported this in the form of its Alleygates Project since 2007 and, with the anticipated completion of Phase 3 at the end of April 2014, will have installed 607 alleygates.

Inter-departmental Working

2.12 Members will also be aware of the significant investment of the Council's Parks and Leisure Department in tackling ASB in our parks and open spaces through the Park Wardens Service. Health and Environmental Services Department officers work closely with officers from Parks and Leisure on events and specific projects.

Future ASB Service Delivery

Belfast City Council

2.13 In response to feedback from elected Members and the community, a cross-departmental review of ASB practice and service delivery with the following aims could be beneficial:

- **More co-ordinated and effective responses**
- **To further improve inter-departmental communication**
- **To explore the options for agreed inter-departmental service standards in relation to ASB**
- **To raise awareness among front line service delivery staff within Council of how to respond if they witness or are experiencing crime or ASB**
- **Collaborative responses to problem solving**

Belfast PCSP

2.14 Belfast PCSP also believes that there is a need for improvement in the service provided to communities in the cross agency management of ASB. It intends to commence this work with all

partners in the 2014/2015 year in the form of a strategic review of all work undertaken to tackle ASB across Belfast as well as integrating existing best practice to include the following elements:

- **Stronger focus on supporting victims of ASB**
- **More effective information sharing**
- **Development of cross agency service standards**
- **Focus on early intervention**
- **Collaborative case management to improve accountability and responsibility**
- **Restorative practices**
- **Stronger partnerships with the community sector**
- **Facilitating community led solutions to ASB**

3 Resource Implications

3.1 Within Health and Environmental Services, there is one ASB Officer and two Safer Neighbourhood Officer for each of North, South, East and West Belfast whose primary focus is addressing ASB in partnership with communities.

4 Equality and Good Relations Considerations

4.1 None at present

5 Recommendations

5.1 The Committee is requested to approve an internal review of ASB practice and service delivery within Belfast City Council in consultation with the Parks and Leisure Department.

5.2 The Committee is requested also to note the work of Belfast PCSP in developing an agreed citywide cross agency framework for the effective management of ASB to improve service provision and that further reports will be brought back to this committee updating members of progress."

During discussion, several Members welcomed the proposed reviews to be carried out by the Council and the Belfast Policing and Community Safety Partnership around anti-social behaviour and stressed that the Council needed to work closely with other agencies to address the issue, particularly, in identified hot spots.

The Committee adopted the recommendations and agreed that officers of the Cleansing Services Section be included in the Council's review group. It agreed also that two Members of each of the Political Parties be nominated to serve on that group.

**Health and Environmental Services Committee,
Wednesday, 2nd April, 2014**

Waste Management

Review of arc21 Waste Management Plan

The Committee considered the undernoted report:

"1 Purpose of Report

1.1 To present to the Committee the recent review of the arc21 Waste Management Plan (WMP), including the Strategic Environmental Assessment (SEA) for consideration and approval.

2 Background

2.1 The WMP, which included an update of the SEA, has just completed its public consultation phase and, taking account of submissions arising from this exercise, a final suite of documents has been drafted and approved by the Joint Committee. The documents are now being presented to the councils for their consideration before being submitted to the Department of the Environment (DOE).

3 Key Issues

3.1 Following publication of the DOE's '*Delivering Resource Efficiency*' waste strategy last year, arc21 and the other waste management groups had to promptly conduct a review of their WMPs. As a result, the WMP and associated SEA were reviewed and revised and the proposed format of the revised WMP remains largely unchanged, as has the main strategic aspects.

3.2 The revised WMP acknowledges and recognises the ongoing local government reform process. It is intended that the next review cycle will closely follow the installation and operation of the new councils at the appropriate juncture.

3.3 This revised WMP sets out the arrangement for the management of the following waste streams:

- **Local Authority Collected Municipal Waste (that is the waste collected by or on behalf of District Councils);**
- **Commercial and Industrial Wastes;**
- **Construction, Demolition and Excavation Waste;**
- **Packaging Waste;**
- **Hazardous Waste;**
- **Agricultural Waste;**
- **Mining Waste;**
- **Healthcare Waste; and**
- **Priority and Other Waste Streams.**

3.4 In terms of municipal waste, the WMP has been updated to include the current and proposed collection and management regimes. It also reflects the current status of the Residual Waste Treatment Project (i.e. that it is still in procurement).

3.5 The draft revised Plan was advertised on 9th January, 2014 in the Belfast Telegraph and the Irish News, as well as on the arc21 website and Council websites. Interested stakeholders were invited to submit a response to a consultation survey or by letter or email. They were also afforded the opportunity to meet with arc21, should this have been considered more acceptable to them. The public consultation process closed on the 28th February, 2014.

3.6 A total of eleven formal responses were achieved by the following means:

- **Nine responses were submitted via the electronic survey questionnaire;**
- **One letter response; and**
- **One face to face meeting.**

3.7 Within the survey questionnaire, seven were responding as local residents, one was a representative of a participant in the waste industry and the final was recorded as other stakeholder (with no further details provided). The results of the survey were as follows:

- **All respondents agreed with the principle objectives of the Plan;**
- **All respondents supported the Waste Hierarchy as a priority for action in the review of the Plan;**
- **There were no suggestions for further specific actions which could be undertaken by Councils to encourage waste prevention by householders;**
- **All respondents believed that the actions outlined in the Plan can assist the Councils in meeting the proposed 60% recycling target;**
- **All respondents supported the principle to further reduce landfill by using waste that cannot be practically recycled as a resource to produce energy; and**
- **All respondents supported the overall approach in the accompanying Environmental Report.**

3.8 In terms of the face to face meeting, this was held with Glassdon Recycling on 5th February, 2014. The Glassdon representatives indicated that they were particularly focussed on the approach to the recycling of dry recyclables and glass in particular. They were of the view that a fully comingled system including glass should not be the collection system pursued within arc21 but they suggest an increased network of bring sites as they believe this to be the most cost effective system for the region.

3.9 The letter response received by arc21 was received from a resident residing in the vicinity of the proposed residual waste treatment facility and focussed on issues which are more relevant to a land-use planning application for the site.

3.10 In addition to the above, some observations were received from the DOE and comments were also received from the NIEA with respect to the SEA.

3.11 The various submissions have been considered and appropriate changes are being made to the WMP. These changes are relatively minor in substance with no significant strategic change being proposed.

3.12 However, comments from the NIEA suggested it would be prudent to undertake an appropriate process with a view to being able to transparently demonstrate compliance with the Habitats Directive with due reference to Habitats Regulations Assessments. An appropriate screening exercise has been undertaken and completed.

3.13 The WMP Executive Summary has been forwarded to Members and a full copy of the revised WMP and SEA is available upon request.

4 <u>Resource Implications</u>

<u>Financial Implications</u>

4.1 There are no financial implications directly associated with this report but, depending upon the outcome of the procurement exercise, there will be revenue costs. These will be factored into the Service's budgeting process should the project satisfactorily conclude.

<u>Human Resources</u>

4.2 There are no Human Resources implications associated with this report.

Asset and Other Implications

4.3 There are no other asset implications associated with this report.

5 Equality and Good Relations Implications

5.1 There are no equality or good relations issued associated with this report.

6 Recommendation

6.1 Following endorsement by arc21's Joint Committee, Members are recommended to approve the revised Waste Management Plan and associated Strategic Environmental Assessment for formal submission to DOE for their approval."

The Committee adopted the recommendation.

Chairman

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Licensing Committee

Wednesday, 16th April, 2014

MEETING OF LICENSING COMMITTEE

Members present: Alderman Ekin (Chairman);
Aldermen R. Patterson and Rodgers;
Councillors Attwood, M.E. Campbell, Clarke, Groves, Jones, Keenan, Magee, Mallon, Ó Donnghaile, Reynolds and Spence.

In attendance: Mr. T. Martin, Head of Building Control;
Ms. N. Largey, Solicitor; and
Mr. H. Downey, Democratic Services Officer.

Apologies

Apologies were reported on behalf of Councillors Cunningham and Hutchinson.

Minutes

The minutes of the meeting of 19th March 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 April, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

No declarations of interest were reported.

Non-Delegated Matters

Presentation – Odyssey Trust Company Limited

The Committee was reminded that, at its meeting on 19th March, it had acceded to a request from Mr. R. Fitzpatrick, Chairman of the Odyssey Trust Company, to address a future meeting on issues relating to the 'I am Hardwell' music event which had taken place in the Odyssey Complex on the evening of 9th February. Accordingly, Mr. Fitzpatrick, together with Mr. A. Doyle, General Manager, Odyssey Complex, were admitted to the meeting.

Mr. Fitzpatrick reviewed the circumstances surrounding the event on 9th February and confirmed that the Odyssey Trust Company had, subsequently, organised a meeting of the relevant agencies, including the Council, to identify appropriate actions which could be implemented to prevent a recurrence. Those included working with the relevant organisations to address the problem of alcohol misuse, including on buses travelling to the venue, and formulating a protocol for defining what would be considered to be a 'major event'. In addition, staff would, in future, be deployed to ensure that no

erroneous information was being issued through social media in relation to events and would issue statements on the Trust's behalf, if required.

Mr. Fitzpatrick concluded by stating that the Odyssey Trust Company sought always to ensure that the Complex was viewed as being a family-orientated venue and that it was requesting the Council to take the lead in addressing issues around alcohol misuse across the City.

Mr. Doyle informed the Members that only around 5% of the events which took place each year within the Odyssey Complex required additional planning and pointed out that it compared favourably with other arenas across the United Kingdom in terms of both planning and delivery.

Messrs. Doyle and Fitzpatrick thanked the Committee for receiving them and they retired from the meeting.

During discussion, several Members highlighted the considerable work which was being undertaken by the Council, the Northern Ireland Assembly and other agencies to address issues around alcohol misuse.

After further discussion, the Committee noted the information which had been provided and agreed that a report be submitted to a future meeting providing further details on the extent of that work, including advice around the consumption of alcohol on buses, and outlining ways in which the Council could co-ordinate the work.

Update on Enforcement Proceedings

The Committee was reminded that it had agreed that a report be submitted on a regular basis providing information on the number of legal proceedings, together with the outcomes, which had been initiated by the Council in relation to breaches of the Entertainments Licensing legislation.

The Head of Building Control submitted for the Committee's consideration a summary of prosecutions which had been undertaken since 2009. He pointed out that, despite legal proceedings being instigated, the Building Control Service continued to engage proactively with licensees to resolve the issues identified and to improve their safety procedures. He reminded the Committee that, under the terms of the Local Government Miscellaneous Provisions (Northern Ireland) Order 1985, it must, in considering any application for the grant, renewal or transfer of an Entertainments Licence, have regard to any conviction of an applicant relating to an offence under the Order which had occurred within a five-year period immediately preceding the date on which the application had been made. He confirmed that such applications would continue to be brought to the Committee's attention as part of the application process.

Noted.

Amendment to the Scheme of Delegation to Include Fire Risk Assessments

The Head of Building Control reminded the Members that the Council had, in 2012, agreed to enter into a Memorandum of Understanding with the Board of the Northern Ireland Fire and Rescue Service in order to accept delegated enforcement powers under Article 13(1) of the Fire and Rescue Services (Northern Ireland) Order 2006. He reported that, in order to fulfil the Council's duties under the Memorandum, the Building Control Service was required to audit Fire Risk Assessments for licensed premises which were submitted as part of the licensing application process. Such assessments were undertaken with a view to identifying and reducing hazards and determining the fire safety measures and management policies which were necessary to ensure the safety of patrons, should a fire occur.

He explained that the Building Control Service received each year approximately 350 applications relating to entertainments licensing, only around 15% of which contained the required supporting documentation. It was normal practice for applicants to be given an opportunity to provide any missing documentation up to a maximum of six weeks from the date on which their application had been received, which, for the majority of them, was an effective way of completing the process. However, in circumstances where the documentation had still not been submitted within that timeframe, the Director of Health and Environmental Services could, under the Council's Scheme of Delegation, deem an application refused. He informed the Members that it was now proposed that the Scheme be extended to enable the Director to deem refused applications for Entertainments Licences where a suitable Fire Risk Assessment had not been provided within the established timeframe and he recommended accordingly.

The Committee adopted the recommendation.

Update on Outdoor Events Policy

The Committee considered the undernoted report:

"1 Relevant Background Information

1.1 Members may recall that, at the meeting on 11th December 2013, you agreed that the proposed Outdoor Events Policy be considered at Party Briefings to obtain the views of Members on how they would like the policy to be implemented and managed.

1.2 It was agreed also that, following that process, a draft policy would then be presented to the Committee for its consideration. The proposed policy will seek to streamline the current process for dealing with applications for outdoor entertainment, assist the Committee in its decision-making and enable licensees and promoters to plan for events more effectively.

1.3 As a result of your decision of 11th December, a series of briefings took place over the months of February and March and a summary of those discussions is included in this report.

1.4 At each meeting, Parties were provided with a map which indicated the location of a number of potential concert sites identified by the Service. For those sites, we provided key facts about each site such as size and proximity to residential areas along with details as to who the Service has consulted with in order to assess their suitability. Samples of the documents used in the Party briefings have been forwarded to Members.

1.5 As part of the briefing Members were asked to consider:

1. **Your main concerns with outdoor events and what issues you would like the policy to address**

2. **Areas of the City where you might permit events to operate beyond the standard hours of 11.00 pm (if any)**

3. **If you were concerned with events that operate for more than one or two separate or consecutive days and what you might consider to be an appropriate number of nights**

4. **How we would advertise the availability of these sites and subsequently manage their use.**

2 <u>Key Issues</u>

2.1 During discussions, there was general agreement that it was important for Belfast to remain an attractive option for world class artists to visit. However, whilst this may be the case, you also acknowledged the provision of this facility needs to be balanced against respecting the rights of local residents and the enjoyment of their properties.

2.2 The main issues raised at the briefings related to:

1. **The use of Custom House Square due to the number of consecutive days events are held at the site for such events as Belsonic**

2. **Identifying other potential City Centre sites to create enough options that could be utilised as alternative sites to Custom House Square to alleviate disturbance to residents.**

3. **The excessive consumption of alcohol by persons attending events by bus/coach or car and how they have the ability to consume alcohol while on those vehicles (preloading)**

4. **How best to inform residents about events, especially within their constituencies**

5. **How to make areas remote from city centre more appealing, e.g: Giants Park**

6. **Utilising other potential sites for events within your constituency areas.**

Custom House Square

2.3 The licensee for the site, the Department for Social Development, is keen that the site be fully utilised and promoted as an event space and has advised that the site was approved as an event space which would co-exist with the residential amenities around it.

2.4 Additionally, following consultation with promoters who hold events in Custom House Square and across Belfast they all considered that they would prefer to hold their events in the core city centre, such as Custom House Square, or in close proximity to it.

2.5 Furthermore, those who use the Square have indicated that their concerts are now regarded as annual events on the social calendar which are synonymous with the venue and they are keen to see them remain at the site. They point out that hosting events in Custom House Square contributes to the night time economy and helps make Belfast a popular destination for both tourists and promoters.

City Centre Venues

2.6 Through the briefings it was requested that Officers investigate if other sites in the city centre could be identified to host events such as Belsonic and if these could be used on a rotational basis in order to reduce the impact of nuisance and disturbance to residents in their immediate vicinity.

2.7 However, following research we have been unable to locate other venues within the city centre area that can accommodate a similar audience size to that of Belsonic.

2.8 Potential sites close to the city centre which are available such as Titanic Quarter or Botanic Gardens were discussed with the promoters but they have expressed an unwillingness to relocate from an established event site which works well for their entertainment model.

Preloading - Consumption of Alcohol on Buses

2.9 Members are advised that, despite willingness from promoters, Officers of the Council and the PSNI to address the problem of excessive alcohol consumption there is little or no control over that can be exercised by those planning to attend the event. The promoter can only control matters once patrons attempt to gain entry to the event or when inside.

2.10 There is legislation in place which prohibits the consumption of alcohol on coaches however it is difficult to police and is not enforced in practice by many operators.

2.11 Nevertheless, Officers of the Council are working with other enforcement agencies in order to try and address the problem and exploring options with Legal Services to identify how best to improve regulations in this area.

2.12 Whilst we can attempt to address some of these matters through entertainments licensing powers they do not have the range and scope to create a holistic solution.

Informing residents about events

2.13 Some Members raised the issue of resident's notification about forthcoming events. This is catered for by a standard licence condition requiring the licensee to notify those residents living in the vicinity, as agreed with Council Officers, in a timely manner.

2.14 This was done for all of last year's events and in particular for the large/major events, such as Tennents Vital. The Service also released an article in the Council's City Matters magazine to further raise awareness. Additionally, Officers also liaised with local Community Groups and sent all Elected Members an advice letter about the outdoor events.

How to make areas remote from city centre more appealing

2.15 Members asked how sites, such as Giants Park, could be made more appealing and accessible. Whilst promoters have indicated that Giants Park is not an attractive location to them the matter will be raised with the relevant Department to consider if any improvements could be made in this regard.

Other venues

2.16 Through the briefings Officers were asked to investigate some additional sites to add to the current list of potential outdoor sites. As such we consulted with the relevant owners to find out if they were keen for the sites to be used for events and if they would then consider applying for an Entertainments Licence.

The list of those sites are as follows:

1. **Stormont Grounds**
2. **Victoria Park**
3. **Danny Blanchflower Park**
4. **Writers Square**
5. **Marlborough Park**
6. **King George V Playing Fields**
7. **Strangford Playing Fields**
8. **Windsor Park**
9. **Ravenhill Rugby Ground**

A summary of the discussions for adding the above sites is as follows:

Stormont Grounds

2.17 As this site is Crown Property, it does not fall within the scope of The Local Government (Miscellaneous Provision) (N.I) Order 1985 and, therefore, does not require an Outdoor Entertainments Licence and could not be included within the policy.

Victoria Park, Danny Blanchflower Park, Marlborough Park, King George Park, Strangford Playing Fields

2.18 Like most of the outdoor sites currently covered by an Entertainments Licence, these sites are the responsibility of the Parks and Leisure Department.

2.19 Members are advised that Officers of the Service have worked very closely with the Parks and Leisure Department not only regarding the development of this policy but to also help them identify considerable cost and efficiency savings in the administration of their licence applications.

2.20 Discussion with the Department confirmed that any events held at these venues in recent years did not require an Entertainments Licence nor was this trend likely to change.

2.21 Whilst it may be advantageous to increase the number of sites licensed for entertainment purposes to allow a prospective promoter to request use of the site it was not considered economically viable to spend money on a licence which may never be used.

Windsor Park

2.22 Whilst there are no plans for this site to be utilised as a potential outdoor event space in the near future indications are that the Irish Football Association would be keen to use the redeveloped site for various opportunities, including events.

2.23 Promoters have advised the Service that they would be interested in using the site once it is redeveloped.

Ravenhill Rugby Ground

2.24 Currently, there is not an available window of opportunity to hold an outdoor event at Ravenhill as the time at the end of the season is used to carry out essential maintenance works to the grounds especially the pitch which is key to the hosting of tournaments.

Writers Square

2.25 The Department of Social Development have lodged applications with the Service for both the use of a Marquee and Outdoor Entertainments and these will be placed before you for your consideration in June as part of this policy.

Draft Policy

2.26 Following any further feedback at your meeting, it is the intention to produce a draft policy for approval at your meeting in June. The main purpose of the policy will be to help provide greater certainty to prospective applicants and promoters about the availability of a variety of venues licensed for outdoor entertainment which can be secured in good time to

facilitate their event. It is also expected that the policy will help reduce the workload for the Committee in considering the number of reports relating to outdoor events.

2.27 Along with the draft policy it is also our intention to present a number of outdoor applications for consideration in line with the policy to determine appropriate finish times, frequency of use, sound measures and other conditions which are specifically suitable to each of the sites.

2.28 Further outdoor licence applications will be brought to subsequent meetings for consideration and to complete the development of the policy.

3 Resource Implications

Financial

3.1 None

Human Resources

3.2 None

Assets and other Implications

3.3 None

4 Equality and Good Relations Implications

4.1 There are no equality and good relations issues.

5 Recommendation

5.1 The Committee is requested to note the information contained within this report and to provide any final input prior to the development of the draft policy."

After discussion, during which the Head of Building Control undertook to continue to work to identify potential outdoor venues within the Cathedral Quarter, the Committee noted the information which had been provided and that the draft Outdoor Events Policy would, in due course, be submitted for its approval.

Licensing Committee,
Wednesday, 16th April, 2014

THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE POWERS DELEGATED TO IT BY THE COUNCIL AT ITS MEETING ON 1st MAY, 2007 IN ACCORDANCE WITH STANDING ORDER 46

Licences Issued under Delegated Authority

The Committee noted a list of licensing applications which had been granted under the delegated authority of the Director of Health and Environmental Services.

Application for the Renewal of a Seven-day Annual Entertainments Licence – Teach na Monagh, 2a Monagh Drive

The Committee was advised that an application had been received for the renewal of a Seven-day Annual Entertainments Licence in respect of the above-mentioned premises. The Head of Building Control explained that, under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, the Committee, in considering an application for the grant, renewal or transfer of an Entertainments Licence, must have regard to any convictions of the applicant relating to the Order which had occurred with the five-year period immediately preceding the date on which the application had been made.

He reported that the applicant had, on 29th January, 2013, been convicted at the Belfast Magistrates Court of three offences under the aforementioned Order. Those had related to an inspection of the premises by officers from the Building Control Service whilst entertainment had been taking place which had found that a final exit had been locked at the rear of the premises, a designated emergency escape route had been partially obstructed and the log book which was used to demonstrate that appropriate pre-event safety checks had been carried out had not available at the time of the inspection. As a result, a fine of £800 and costs of £66 had been imposed. He reminded the Committee that, at its meeting on 20th February, 2013, it had, upon being advised of the breaches and the fact that the premises were now being managed satisfactorily, agreed to renew the Entertainments Licence.

In terms of the current application, he explained that no written representations had been received and that the Police Service of Northern Ireland had offered no objection. In addition, no further issues had been identified by the Building Control Service regarding the operation of the premises.

Accordingly, the Committee agreed, in its capacity as Licensing Authority, to grant a renewal of a Seven-day Annual Entertainments Licence in respect of Teach na Monagh, 2a Monagh Drive.

Application for Additional Hours – Belfast Harlequins, 45a Deramore Park

The Head of Building Control submitted for the Committee's consideration a report providing information on an application which had been received from Belfast Harlequins seeking to hold in June a two-day family event within a marquee at the club's

sports grounds. He reported that the club held currently a Marquee Entertainments Licence which permitted entertainment to take place from Monday to Sunday from 11.30 a.m. till 11.00 p.m. within a marquee and that the licensee could, under a condition of the Licence, apply to hold events to a later hour. The premises held also a Seven-Day Annual Indoor Entertainments Licence which permitted entertainment to be provided from Monday to Saturday till 11.00 p.m. and on a Sunday till 10.00 p.m. within the main building on the site.

He informed the Members that the applicant had sought authority to operate till 11.30 p.m. on the night of Saturday, 28th June in order to accommodate a band which would be performing from 9.00 p.m. Since the application related to the extension of hours under an existing Licence condition, rather than varying the Licence, there had been no requirement to initiate the normal public advertisement process. However, the Police Service of Northern Ireland, as a statutory consultee, had been consulted and had offered no objection to the application.

The Head of Building Control reported further that officers from the Service had undertaken a number of inspections of the premises whilst entertainment had been taking place and had identified no issues in terms of health, safety and welfare management. The Council's Environmental Protection Unit had, since the Marquee Entertainments Licence had been renewed in 2013, received no noise complaints and had no issues around the current application. He confirmed that the organisers of the event had written to local residents advising them of the nature of the event and the proposed finishing time and that they would submit to the Council an event management plan, including a background noise survey, which would be assessed in order to ensure that all technical requirements were met.

The Committee agreed, in its capacity as Licensing Authority, that the standard hours on the Marquee Entertainments Licence for Belfast Harlequins be extended to enable entertainment to take place within a marquee till 11.30 p.m. on Saturday, 28th June, 2014, subject to all technical requirements being met to the satisfaction of Council officers.

Application for the Transfer and Renewal of a Seven-day Annual Entertainments Licence – Mynt Nightclub, 2-6 Dunbar Street

The Committee was advised that an application had been received for the transfer and renewal of a Seven-day Annual Entertainments Licence in respect of the above-mentioned premises. The Head of Building Control reported that no objections to the application had been received within the statutory twenty-eight day period. However, a letter had been received outside that timeframe from an anonymous source which had raised issues around the management of the premises and their links to persons or businesses who had, in the past, been the subject of enforcement action by the Council.

He pointed out that, under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, the Committee, when considering an application, must have regard to any representation which had been received within the twenty-eight day statutory period. However, where an objection had been received

outside that period, the Committee could exercise its discretion and consider that objection, although it did not have a duty to do so.

After discussion, the Committee agreed, in view of the relevance of the objection, to exercise its discretion in this instance and to consider the application at a future meeting, to which the applicant would be invited.

Application for the Renewal of a Seven-day Annual Entertainments Licence – M Club, 23-31 Bradbury Place

The Committee noted that an objection which had been submitted in respect of the above-mentioned application had been withdrawn and that the Entertainments Licence would now be issued under the delegated authority of the Director of Health and Environmental Services.

Designating Resolutions for New Street Trading Sites/Variation of Existing Sites

The Committee considered the undernoted report:

"1 Relevant Background Information

1.1 Members will recall that, at your meeting on 22nd January, you granted approval to initiate the statutory process for designating four new Street Trading Sites. These sites have been identified as a result of applications or expressions of interest received from individuals wishing to trade from new sites.

1.2 One of the four sites was at the shop forecourt of 60 Ballysillan Park but this was subsequently withdrawn by the applicant after the January meeting. That was because the landowner of the forecourt had withdrawn their application to the Planning Service to use their land for a hot food van and, as such, the proposal was not pursued.

1.3 The Committee also granted approval to initiate the statutory process for varying the commodities at two sites which had already designated.

1.4 This process included seeking comments from interested parties, including relevant statutory bodies, through public advertisement and consultation.

1.5 The Street Trading Act (N.I.) 2001 requires the Council to make sure that each application is fairly and objectively assessed, that all relevant factors are considered and in doing so, the Council must consult with:

a) The Police Service of Northern Ireland, and

b) The Department for Regional Development Roads Service.

1.6 The Council may also consult other persons as it considers appropriate. Such consultees may include the following:

a) Planning Service.
b) Relevant Belfast City Council Departments.
c) Belfast City Centre Management Company.
d) Nearby Street Trading Licence holders who may be affected.
e) Neighbourhood consultation with local residents, business and commercial premises in the vicinity of the site in respect of which the application has been received.

1.7 Subsequently, the Service has received responses to the applications from a variety of interested parties and individuals. The purpose of this report is to enable the Committee to consider each of the proposals in conjunction with any submissions received and make a decision on whether or not to designate each site.

2 Key Issues

2.1 Each site is listed separately from A to E and indicated with their specific site location. Where appropriate, the commodities are also considered in addition to a synopsis of the comments received during the consultation period. Copies of all the responses have been forwarded to Members. Maps and photographs of each location will be presented to you at your meeting.

2.2 Members should consider if they wish to approve a designating resolution to designate the whole street or part of the street (site/s) where they may allocate street trading pitches, any commodity or service that may be offered and any restriction on the commodity or service that may be provided.

2.3 After considering all of the comments Members may also record any reasonable conditions that should be applied to a subsequent licence. For example, the hours of trade, days of trade, duration of licence, etc.

Site A: Donegall Square North/East Junction outside City Hall

2.4 The proposal is for hot and cold non-alcoholic beverages, confectionery and cold food or similar commodities. The site will operate during the day. The proposed size of the site is 3.1 metres in length and 2 metres in width and is located off the carriageway.

Police Service of Northern Ireland

2.5 The PSNI states that careful consideration needs to be given to the commodities offered, in particular, if tour bus tickets are granted this may present a potential issue. They also note that objections will be presented by Belfast City Centre Management.

DRD Roads Service

2.6 Roads Service has no objection to the site but has requested that the commodity permitted should be restricted to goods which will not encourage vehicles to stop to purchase them.

2.7 It has also requested that the goods permitted should minimise any vehicles required to service the site.

Published 28 day Notice

2.8 No responses were received to the notice.

Other Consultees

DSD City Centre Regeneration Directorate

2.9 The DSD has no comment or objections.

DOE Planning Service

2.10 The Planning Service does not wish to make any representation. They have previously stated that The Planning Order (NI) 1993 allows for licensed street markets and trading for the number of days specified in the Street Trading Licence.

2.11 It has advised that Planning Permission is not normally required if these are adhered to including the stall not becoming a permanent fixture and is removed when not in use.

Belfast City Council Facilities Management Civic HQ

2.12 Facilities Management has concerns about additional litter and state there are issues with young people gathering around the City Hall and they are concerned that the street trading site may attract more young people to gather around City Hall. They are concerned about the quality and standard of any future stall which is licensed as it must be in keeping with the City Hall as a 'Grade A' listed building.

2.13 They also advise that there needs to be the flexibility of removing the site in the event of other events or VIP visits, etc. Also at events that have catering in the grounds of City Hall it would be important that these new sites are flexible as if not and they are able to trade on the boundary of the grounds it would potentially negate these event traders being present.

2.14 Members are advised that there is currently no power contained within the Act to suspend a Designation or a Licence for any period.

Belfast City Council Events

2.15 The Events Unit have concerns regarding this site. They state that if the site is granted pitches must be closed and moved if and when events are being run so they will not interfere with those events.

Belfast City Centre Management and Chamber of Trade and Commerce

2.16 BCCM is opposed to the sale of any commodities that are already widely available within proximity of this location. This includes (but not exclusively) cold food, snacks, confectionery, ice cream, hot and cold non-alcoholic beverages, printed media and souvenirs.

2.17 Within the scope of Donegall Square, Donegall Place, Callender Street and Chichester Street, it is the view of BCCM that this location is already very well serviced in the provision of the aforementioned commodities. Consideration and priority should be given to commodities which would complement the geographical location but not to the detriment of existing traders.

Translink

2.18 No comment received.

Site B: Dublin Road in front of Shaftsbury Square Reformed Presbyterian Church

2.19 The proposal is for hot and cold non-alcoholic beverages, confectionery and cold food or similar commodities. The site will operate during the day. The proposed size of the site is 3.1 metres in length and 2 metres in width and is located off the carriageway.

Police Service of Northern Ireland

2.20 The PSNI has no objection to the proposal.

DRD Roads Service

2.21 The footway immediately in front of the building at this site is not within the public road network and DRD have no objection to the proposed site. However they have suggested that the commodity should be carefully chosen so as not to encourage vehicles to stop to purchase them.

Published 28 day Notice

2.22 No responses were received to the notice.

Other Consultees

DSD City Centre Regeneration Directorate

2.23 The DSD has no comment or objections to the proposal.

DOE Planning Service

2.24 The Planning Service does not wish to make any representation. It has previously stated that The Planning Order (NI) 1993 allows for licensed street markets and trading for the number of days specified in the Street Trading Licence.

2.25 They have advised that Planning Permission is not normally required if these are adhered to including the stall not becoming a permanent fixture and is removed when not in use.

Shaftesbury Square Reformed Presbyterian Church

2.26 The church are opposed to the designation as it is on their property. Although it may appear to be the public footpath the area is unadopted and they have plans to develop this area as

part of a project to provide disabled access to the front of the church.

Belfast City Centre Management and Chamber of Trade and Commerce

2.27 BCCM is opposed to the sale of any commodities that are already widely available within proximity of this geographical location.

2.28 They have suggested that consideration and priority should be given to commodities which would complement the geographical location but not to the detriment of existing traders. They further advise that consideration when determining the nature of the commodity should also be given to sensitivities relating to, and concerns of, local places of worship.

Translink

2.29 No comment received.

Site C: Donegall Square North – front of City Hall gates (additional site)

2.30 The proposal is for the sale of crepes and hot and cold non-alcoholic beverages from a traditional tricycle, the site will operate during the day. The proposed size of the site is 3 metres in length and 1.5 metres in width.

Police Service of Northern Ireland

2.31 The PSNI states that this area is used frequently for events, protests and parades and the addition of this permanent Street Trading site would be problematic. They also note that objections will be presented by Belfast City Centre Management.

DRD Roads Service

2.32 No objection

Published 28 day Notice

2.33 No responses were received to the notice.

Other Consultees

DSD City Centre Regeneration Directorate

2.34 The DSD has no comment or objections to the proposal.

DOE Planning Service

2.35 The Planning Service does not wish to make any representation. They have previously stated that The Planning Order (NI) 1993 allows for licensed street markets and trading for the number of days specified in the Street Trading Licence.

2.36 It has advised that Planning Permission is not normally required if these are adhered to including the stall not becoming a permanent fixture and is removed when not in use.

Belfast City Council Facilities Management Civic HQ

2.37 Facilities Management have concerns about additional litter and state there are issues with young people gathering around the City Hall and they are concerned that the street trading site may attract more young people to gather around City Hall. They are concerned about the quality and standard of any future stall which is licensed as it must be in keeping with the City Hall as a 'Grade A' listed building.

2.38 They also advise that there needs to be the flexibility of removing the site in the event of other events or VIP visits, etc. Also at events that have catering in the grounds of City Hall it would be important that these new sites are flexible as if not and they are able to trade on the boundary of the grounds it would potentially negate these event traders being present.

2.39 Members are advised that there is currently no power contained within the Act to suspend a Designation or a Licence for any period.

Belfast City Council Events

2.40 The Events Unit have concerns regarding this site. They state that if the site is granted pitches must be closed and moved if and when events are being run so they will not interfere with those events.

Belfast City Centre Management and Chamber of Trade and Commerce

2.41 BCCM is opposed to the sale of crepes and hot and cold non-alcoholic beverages from the traditional tricycle. They suggest that Donegall Square is already very well represented by businesses which already provide hot and cold non-alcoholic beverages.

2.42 Within Donegall Square's North, East and West, there are at least 9 premises which currently sell similar products. It is therefore the view of BCCM that this area is very well serviced in the provision of the aforementioned commodities.

Translink

2.43 No comment received.

Site D: Donegall Square North at the front gates of City Hall (variation of commodities)

2.44 The current commodity is the selling of ice cream from a traditional tricycle. The proposal is to include the additional commodities of hot and cold non-alcoholic beverages.

Police Service of Northern Ireland

2.45 The PSNI state that this area is used frequently for events, protests and parades and the continuation of this permanent Street Trading Site would be problematic. They also note that objections will be presented by Belfast City Centre Management.

DRD Roads Service

2.46 The Roads Service has no objection to the proposal.

Published 28 day Notice

2.47 No responses were received to the notice.

Other Consultees

DSD City Centre Regeneration Directorate

2.48 The DSD has no comment or objections to the proposal.

DOE Planning Service

2.49 The Planning Service does not wish to make any representation. It has previously stated that The Planning Order (NI) 1993 allows for licensed street markets and trading for the number of days specified in the Street Trading Licence.

2.50 It has advised that Planning Permission is not normally required if these are adhered to including the stall not becoming a permanent fixture and is removed when not in use.

Belfast City Council Facilities Management Civic HQ

2.51 Facilities Management have concerns about additional litter and state there are issues with young people gathering around the City Hall and they are concerned that the street trading site may attract more young people to gather around City Hall. They are concerned about the quality and standard of any future stall which is licensed as it must be in keeping with the City Hall as a 'Grade A' listed building.

2.52 They also advise that there needs to be the flexibility of removing the site in the event of other events or VIP visits, etc. Also at events that have catering in the grounds of City Hall it would be important that these new sites are flexible as if not and they are able to trade on the boundary of the grounds it would potentially negate these event traders being present.

2.53 Members are advised that there is currently no power contained within the Act to suspend a Designation or a Licence for any period.

Belfast City Council Events

2.54 The Events Unit have concerns regarding this site. They state that if the site is granted pitches must be closed and moved if and when events are being run so they will not interfere with those events.

Belfast City Centre Management and Chamber of Trade and Commerce

2.55 BCCM is opposed to the sale of hot and cold non-alcoholic beverages from the traditional tricycle. They suggest that Donegall Square is already very well represented by businesses which already provide hot and cold non-alcoholic beverages.

2.56 Within Donegall Square's North, East and West, there are at least 9 premises which currently sell hot and cold non-alcoholic beverages. It is therefore the view of BCCM that this area is very well serviced in the provision of the aforementioned commodities.

Site E: Castle Place opposite 'Donegall Arcade' (variation of commodities)

2.57 Current designation allows the Council to determine what commodity is offered, but excludes the sale of hot food and bus tour tickets. The proposal is to allow for the sale of bus tour tickets.

Police Service of Northern Ireland

2.58 The PSNI states that the selling of bus tour tickets is a contentious issue. There is ongoing negotiations between the tour companies and Belfast City Centre Management as to where these vendors should be sited. They have suggested that any extension of commodities to include tour tickets should be deferred until a clear decision is reached from this negotiation process.

DRD Roads Service

2.59 The Roads Service has no objection to the proposal.

Published 28 day Notice

2.60 No responses were received to the notice.

Other Consultees

DSD City Centre Regeneration Directorate

2.61 The DSD has no comment or objections to the proposal.

DOE Planning Service

2.62 The Planning Service does not wish to make any representation. They have previously stated that The Planning Order (NI) 1993 allows for licensed street markets and trading for the number of days specified in the Street Trading Licence.

2.63 They have advised that Planning Permission is not normally required if these are adhered to including the stall not becoming a permanent fixture and is removed when not in use.

Belfast City Centre Management and Chamber of Trade and Commerce

2.64 BCCM is opposed to the sale of bus tour tickets at this location or any other mobile location within Belfast city centre.

Translink

2.65 Translink objects to the sale of bus tour tickets at this location as there is a bus stop for Ulsterbus and Metro services 61, 64, 64b, 96. They believe the congestion that could arise at the stall with the sale of bus tour tickets could impinge on their customers and bus operations.

Decision

2.66 The Committee should now decide whether or not to approve the additional three sites by varying the number of designated sites in the designating resolution and any restriction to be placed on the commodity or service to be provided as part of the designation resolution.

2.67 Members are reminded that once the site becomes designated you will subsequently have to consider any future application received for a street trading licence on the site.

2.68 At that time, you will assess the suitability and quality of the proposal and may decide to grant or refuse a licence within the requirements of the Act. Any licence granted may also be subject to reasonable conditions which can be used to control the commodities being sold, and potential nuisance, etc.

3 Resource Implications

Financial

3.1 The cost of all notices is included in current revenue budgets. The required notice to confirm the designation will cost approximately £5,000 as it must be placed in two newspapers for two consecutive weeks. This requirement is contained in the Street Trading Act (N.I.) 2001. The Council's policy is that all notices are placed in the three main papers.

Human Resources

3.2 The administration of Street Trading Designation applications and the process of consultation can be accommodated by staff within the Service.

Asset and Other Implications

3.3 There are no implications.

4 Equality and Good Relations Considerations

4.1 There are no equality or good relations issues.

5 Recommendations

5.1 Based on the evidence presented regarding the proposed designation of each of the three streets or part thereof (sites A-C) and the variation of commodities for exisiting sites (sites D & E), the Committee is asked to consider each proposal in turn and to decide whether to:

1. **approve a Designating Resolution to designate the whole street or part of the street (site/s) where it may allocate street trading pitches for sites A-C. The Designating Resolution will include the operational date and may stipulate either:**

    - **only specified articles, things or services or classes of specified articles, things or services that may be sold or supplied; or**
    - **specified articles, things or services or classes of specified articles, things or services that are prohibited.**

2. **approve the variation of the Designating Resolution at sites D and E. The Designating Resolution will include the operational date and may stipulate either:**

    - **Only specified articles, things or services or classes of specified articles, things or services that may be sold or supplied; or**
    - **Specified articles, things or services or classes of specified articles, things or services that are prohibited.**

3. **decide not to proceed with any or all of the Designating Resolutions or variations.**

5.2 In addition to making any Designating Resolution, Members may, having considered all comments, record any reasonable conditions that should be applied to a subsequent licence. For example hours of trade, days of trade, duration of licence, etc."

The Committee then proceeded to consider the following locations:

Designation of Sites

Donegall Square North (East Junction outside City Hall)

(Hot and cold non-alcoholic beverages, confectionery and cold food or similar commodities)

The Committee, having considered the comments which had been received, agreed not to designate the above-mentioned site, on the grounds that:

i. the City Hall was a Listed Building and an iconic image of Belfast which needed to be protected;

ii. the front of the City Hall was being used increasingly to stage events and the Street Trading legislation did not provide for the Council to suspend a Designated Site or Street Trading Licence for the duration of those events; and

iii. the area was already well serviced in the type of commodities to be offered for sale.

Dublin Road (in front of Shaftesbury Square Reformed Presbyterian Church)

(Hot and cold non-alcoholic beverages, confectionery and cold food or similar commodities)

The Committee, having taking into account the comments which had been received, agreed not to designate the above-mentioned site, on the grounds that it was located on land which was under the ownership of the Shaftesbury Square Reformed Presbyterian Church.

Donegall Square North (in front of City Hall Gates)

(Sale of crepes and hot and cold non-alcoholic beverages)

The Committee, having considered the comments which had been received, agreed not to designate the above-mentioned site, on the grounds that:

i. the City Hall was a Listed Building and an iconic image of Belfast which needed to be protected;

ii. the front of the City Hall was being used increasingly to stage events and the Street Trading legislation did not provide for the Council to suspend a Designated Site or Street Trading Licence for the duration of those events; and

iii. the area was already well serviced in the type of commodities to be offered for sale.

Variation of Commodities

Donegall Square North (at front gates of City Hall)

The Committee agreed, in view of the fact that the above-mentioned site had been licensed for a number of years, to vary the Designating Resolution to include the sale of hot and cold non-alcoholic beverages, with the Resolution to take effect from 30th June, 2014.

The Committee requested that officers monitor the impact of the presence of this stall upon events taking place at the front of the City Hall and confirmed that it would take any issues into account when considering the renewal of the Licence in April, 2015.

Donegall Square North (at front of City Hall close to its junction with Donegall Square West)

Arising from discussion in the foregoing application, the Head of Building Control confirmed that a Street Trading Licence for the sale of drawings of listed buildings in Belfast, books, pamphlets and postcards at the above-mentioned location had not been renewed since its expiry in November, 2013.

Accordingly, the Committee agreed, given that it had agreed not to designate two additional sites at the front of the City Hall, that consideration be given to rescinding the Designating Resolution for this site and authorised officers to draft a policy for use in assessing future Street Trading applications in the vicinity of the City Hall.

Castle Place (opposite Donegall Arcade)

The Committee agreed to defer consideration of an application for the variation of the Designating Resolution for the above-mentioned site to provide for the sale of bus tour tickets, pending the outcome of a review which had been commissioned by the Development Department into sightseeing coach provision in the City.

Chairman

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Town Planning Committee

Thursday, 3rd April, 2014

MEETING OF TOWN PLANNING COMMITTEE

Members present: Councillor Hanna (Chairman);
The High Sheriff, Councillor L. Patterson,
Aldermen McCoubrey and Rodgers; Councillors Austin, Carson, Cunningham, Curran, Garrett, Haire, Hendron, Hutchinson, McCabe, McCarthy, Mullan, A. Newton, and Webb.

In attendance: Mrs. P. Scarborough, Democratic Services Section; and
Mr. P. Fitzsimons) Divisional
Ms. U. McDonald) Planning Office.

Apologies

Apologies were reported on behalf of Aldermen Campbell and R. Patterson.

Minutes

The minutes of the meetings of 6th and 20th March 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 April, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

No declarations of interest were reported.

Requests for Deputations

It was noted that no requests for deputations had been received.

Routine Correspondence

It was reported that correspondence had been received from various statutory bodies, agencies and other organisations in respect of the undernoted:

- notification from the Roads Service of the removal of a disabled and accessible/blue badge parking bay at 15 Glandore Gardens;

- notification from the Northern Ireland Housing Executive of the operative date for the Vesting Order at Moltke Street;

Copies of the letters, maps and orders relating to the above-mentioned matters were made available at the meeting for the information of the Members.

The Committee noted the information which had been provided.

Historic Buildings Lists

Harding Memorial Primary School,105 Cregagh Road
Willowfield Parish Hall, Cregagh Road

The Committee was advised that notification had been received from the Department of the Environment, in exercise of the powers conferred on it by Article 42 of the Planning (Northern Ireland) Order, 1991, and of every other power enabling it in that behalf, in respect of the inclusion of the above-mentioned buildings within that organisation's list of buildings of special architectural or historic interest.

The Committee noted the information which had been provided.

Z/2013/0728/F
86 Sandown Road

It was reported that correspondence had been received from the Area Planning Manager in respect of an appeal which had been lodged under Article 33 of the Planning (Northern Ireland) Order, 1991, in relation to the erection of two detached houses at the above-mentioned location.

The Area Planning Manager had advised that the Department had recommended that the proposal be refused on the grounds that it was contrary to:

- Policy HB14 of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage, in that the dwelling made a positive material contribution to the character and appearance of the King's Road Conservation Area and no exceptional reason had been demonstrated which justified its demolition;

- Policy BH12 of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage, in that, if permitted, the proposed driveway to house one would have a detrimental impact on trees numbered 2 and 3; and

- Policy BH12 of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage in that, if permitted, the development of house 2 would have a detrimental impact on tree number 7.

The Committee noted the information which had been provided.

**Royal Town Planning Institute
Councillor Training Programme**

The Committee noted the dates for forthcoming Councillor training events in connection with the Local Government Reform and noted also that further information would be provided in due course.

**Northern Ireland Environment Agency:
Second Survey of Historic Buildings 2013-2016**

The Committee was reminded that, at its meeting on 6th February, it had agreed to invite representatives from the Northern Ireland Environment Agency to attend a future meeting to provide an explanation of the Listing process and to provide an overview of the Second Survey work which that organisation was undertaking. It was reported that Mr. A. Turkington and Mr. M. Deery were in attendance and they were admitted to the meeting and welcomed by the Chairman.

Mr. Turkington provided an overview of the areas to be surveyed within year 3 of the Second Survey process. He outlined the reasons for choosing those Wards as being areas with a high level of planning activity; the length of time which had elapsed since the First Survey; and the geographical spread therein. He reported that the Second Survey was being undertaken using criteria which assessed both architectural and historic conditions, together with consideration of the style, proportion, ornamentation, plan form, spatial organisation, structural system, innovatory qualities, alterations that detract or enhance, quality and survival of interiors, setting, group value, age, authenticity, historic importance and associations, authorship and social, cultural or economic importance.

Mr. Turkington explained that, during year 3 of the Second Survey in Belfast, it had been identified that 195 buildings were listed currently, 233 buildings had been surveyed during the first survey but not listed and other buildings were being scoped presently by surveyors. He reminded the Committee that it had been requested previously to nominate any existing unlisted buildings which might be considered for Listing during the forthcoming survey. He outlined the process which had been undertaken during the Second Survey and provided an explanation of the meaning of Listing, together with an update on the assistance which was available from the Northern Ireland Environment Agency to the owners of Listed Buildings. A summary of the conservation areas and Areas of Townscape Character was provided also.

In conclusion, Mr Turkington updated the Committee on the arrangements which would exist after the Reform of Local Government had been completed.

After discussion, during which the representatives of the Northern Ireland Environment Agency clarified a range of matters for the Members in respect of grants funding; the formal appeals process; the overall budget available; and its enforcement powers, the Committee noted the information which had been provided.

Town Planning Committee,
Thursday, 3rd April, 2014

New Planning Applications

The Committee noted a list of new planning applications which had been received by the Planning Service from 11th March until 17th March.

Streamlined Planning Applications – Decisions Issued

The Committee noted a list of decisions which had been issued by the Planning Service between 13th March and 26th March in respect of streamlined planning applications.

Deferred Items Still Under Consideration

A list of deferred items, which were still under consideration by the Planning Office, was noted by the Committee.

THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE POWERS DELEGATED TO IT BY THE COUNCIL

Reconsidered Items

The Committee considered further the undernoted planning applications and adopted the recommendations of the Divisional Planning Manager thereon:

Site and Applicant	Proposal	Divisional Planning Manager's Opinion
444 Ormeau Road, Sarcon	Proposed change of use from a retail outlet to the preparation and sale of freshly baked Italian pizzas for consumption off the premises.	Approval
Adjacent to car park at junction of Ormeau Street and Ormeau Road, C.B.S. Outdoor Ltd.	One, 48 sheet advertising hoarding.	Refusal
55 Ormeau Road C.B.S. Outdoor Ltd.	Two, 96 sheet advertising hoardings.	Refusal
9 Thomas Street, Mr. R. Watters	Change of use from a dwelling to a house in multiple occupation.	Approval

Schedule of Planning Applications

The Committee considered the schedule of planning applications which had been submitted by the Divisional Planning Manager in respect of the Council area and

agreed to adopt the recommendations contained therein with the exception of those referred to below:

Site and Applicant	Proposal	Divisional Planning Manager's Opinion
Site between 135 and 143 Upper Springfield Road, Carncastle Properties Ltd.	The erection of 15, 2 storey dwellings and 4, 2 bedroom apartments and associated siteworks. (Amended proposal: apartments reduced by 2 units and apartment block reduced to 2 storey.) [Deferred at the request of the Committee to enable an office meeting to be held: Criteria 5]	Approval
47 Priory Park, Mr. T. Reynolds	A single storey garage and store to rear of the property, including access off Priory Gardens. [Deferred at the request of the Committee to enable an office meeting to be held: Criteria 4]	Approval
Office Suite 1, Cranmore House, Quality Tailored Homes	Advertisement at first floor level. [Deferred at the request of the Committee to enable an office meeting to be held: Criteria 5]	Refusal

Chairman

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Town Planning Committee

Thursday, 17th April, 2014

MEETING OF TOWN PLANNING COMMITTEE

Members present: Councillor Hanna (Chairman);
Aldermen M. Campbell, R. Patterson and Rodgers;
Councillors Austin, Beattie, Cunningham, Curran, Garrett, Haire, Hendron, McCabe, McCarthy and Newton.

Also attended: Councillor Attwood.

In attendance: Mrs. P. Scarborough, Democratic Services Section; and
Ms. K. Mills) Divisional
Ms. C. Reville) Planning Office.

Apologies

Apologies were reported on behalf of the High Sheriff (Councillor L. Patterson) and Councillors Hutchinson and Mullan.

Declarations of Interest

Councillors Garrett and Haire declared an interest in respect of item 21 on the Schedule of Applications, in that they were both on the Board of the Belfast Harbour Commissioners.

Z/2013/1434/F – Former Visteon Factory, Black's Road

The Committee was reminded that, at its meeting on 6th March, it had agreed to receive deputations from the Fold Housing Association and from the Finaghy Road North/Black's Road Residents in connection with the demolition of the existing buildings and the proposed mixed-use development, comprising of 244 social and private affordable residential units, with access from the Black's Road, including associated public open space/linear park; community centre and class B business units, together with parking and access from the Finaghy Road North, at the above-mentioned location. It was reported that Mr. J. McLean, Chief Executive Officer, Ms. E. Patterson, Director of Housing and Ms. L. Magill, Development Manager of the Fold Housing Association were in attendance and they were admitted to the meeting and welcomed by the Chairman.

Mr. McLean provided an overview of the background to the Fold Housing Association and outlined examples of family housing provision by that organisation within the City. He explained the extent of the development proposal and gave a comparison between the original application, which had received planning approval in September, 2009, and the Fold Housing Association's proposed scheme, which was

under consideration currently and would lead to reduced density and increased open space at the site. Mr. McLean proceeded to outline the employment and future investment opportunities, together with the potential for residential use within the proposed development and he summarised the consultation activities which had taken place to date.

Mr. McLean answered a range of Members' questions in relation to the decontamination of the site, the economic balance of the proposal and the percentage of proposed social as opposed to private housing provision.

The Chairman thanked the representatives from the Fold Housing Association and they then retired from the meeting.

It was reported that Mr. P. Crossan, Mr. R. Rodgers, Mr. C. Duffy, Ms. B. Early and Ms. B. Devlin, representing the Finaghy Road North/Black's Road Residents, were in attendance and they were admitted to the meeting and welcomed by the Chairman.

Mr. Crossan outlined the objections and concerns of the Residents in terms of the proposed permanent loss of the site for economic development; access and transport issues; the layout, siting, design and external appearance of the proposal; and the potential impact on the neighbourhood and the environment. He provided supporting documentation in relation to the Regional Development Strategy 2035; the Draft Belfast Metropolitan Area Plan 2015; clarification of Planning Policy Statement 4 in terms of the retention of zoned land and economic development uses; the planning history on the site and Planning Policy Statement 12 in relation to housing in settlements. Mr. Crossan referred also to the response to a question which was put recently to the Minister for Enterprise, Trade and Investment in terms of the reluctance to lose land which was being used, or was last used, for industry to non-industrial use.

The Chairman thanked the representatives of the Finaghy Road North/Black's Road Residents and they then left the meeting.

The Committee noted the information which had been provided.

Strategic Planning Policy Statement

(Mr. K. Sutherland, Urban Development Manager, attended in connection with this item.)

The Committee considered the undernoted report and endorsed the proposed response to the Department of the Environment which was contained therein.

"1 Relevant Background Information

1.1 The Department of the Environment (DOE) published Draft SPPS for 12 weeks public consultation ending on 29 April 2014.

1.2 The aim of the document is to consolidate the existing Planning Policy Statements (PPSs) (up to 20 documents) with a single Strategic Planning Policy Statement (SPPS) in order to provide a more accessible, shorter, clearer, focused statement of regional policy.

1.3 The DOE aims to publish the final SPPS to correspond with the transfer of planning powers to local councils in April 2015. When published in final form the SPPS must be taken into account by the new 11 councils in the preparation of local development plans (LDP) and is a material consideration in planning decisions.

1.4 This is a key policy document for the future operation of the planning functions by the 11 new councils from April 2015. A summary of the main issues is outlined in Appendix 1 and the Councils proposed draft response to draft SPPS is attached in Appendix 2 for consideration.

2 <u>Key Issues</u>

2.1 <u>New Core Planning Principles</u>

Draft SPPS outlines 8 new core planning principles to underpin delivery of the planning reforms set out in the Planning Act (Northern Ireland) 2011. They are:

- **Furthering Sustainable Development;**
- **Improving Health and Well-being;**
- **Creating and Enhancing Shared Space;**
- **Delivering Spatial Planning;**
- **Observing a Plan-led System;**
- **Supporting Good Design, Positive Place-making and Urban and Rural Stewardship;**
- **Enhancing Stakeholder Engagement and Front-loading; and**
- **Enhancing Local Democracy and Accountability.**

2.2 The recognition given to the need for a clear statement of core planning principles and that they are of fundamental importance to the delivery of planning and the two-tier planning system is broadly welcomed. A number of slight amendments to the wording are suggested in the appended response. The inclusion of noise and air quality management as elements of the Core Planning Principle – Improving Health and Well-being is suppported alongside the recognition of noise impacts as a material planning consideration.

2.3 **<u>New Development Plan System</u>**
The draft SPPS outlines more detail on the new Development Plan system which will be the responsibility of the new councils in April 2015. A two stage approach is suggested which will involve:

- **A Plan Strategy which must set out the Councils objectives in relation to the development and use of land in its district and its strategic polices for the implementation of the objectives; and**
- **A local polices plan after the plan strategy has been adopted which must set out the Councils local polices consistent with the plan strategy.**

2.4 **SPPS will be a critical element in the reformed two-tier planning system. The objective set out in the Ministerial Foreword for documents which *'will set the direction for new councils to bring forward detailed operational policies within future local development plans'* and which will provide *'better clarity and certainty for all users of the reformed planning system'* provides welcome clarity.**

2.5 **<u>Retail Policy</u>**
Draft SPPS does update the Department's approach in relation to retailing and town centres and states that Councils and the Department are required to adopt a "town centre first" approach when considering applications for retail or main town centre uses. The SPPS states that where the impact is considered significantly adverse or the proposed development is judged to be harmful, then it should be refused.

2.6 **However, there is no strategic policy objective for the out of town regional shopping centre at Sprucefield. This is in spite of the fact that the document states, in relation to the status of the SPPS, that it is *'...a statement of the Department's policy on how regionally important land use planning matters should be addressed across Northern Ireland'.***

2.7 **The policy objectives, particularly those in relation to a reaffirmation of the 'town centres first' approach, sequential test and renewed emphasis on demonstrating capacity /quantitative need for additional retailing provide clear guidance. Recognition of the precautionary approach in the Regional Development Strategy 2015 (RDS) is also acknowledged. However, it is suggested that the SPPS takes the opportunity to redress the lack of clarity in respect of Sprucefield's role and so reduce the potential for**

misinterpretation by decision-makers. Lack of clarity on this issue could leave the door open to significant enlargement of Sprucefield – greatly to the detriment of Belfast City Centre, the '*primary retail location in Northern Ireland'* and with significant impacts in other centres.

2.8 <u>Transitional Arrangements</u>
Section 7 of the SPPS sets out the implementation and transitional arrangements for the document. It is noted that the existing Planning Policy Statements, with the exception of PPS 1 General Principles and PPS 5 Retailing and Town Centres, will be retained Consequently until Councils have prepared a "sound" Local Development Plan, they will be required to apply the SPPS as well as the retained policies in the existing PPSs. In the case of any conflict between the final SPPS and the policies retained under the transitional arrangements for the SPPS, the provisions of the SPPS will prevail.

2.9 This could offer considerable scope for uncertainty and legal challenge by affected parties over a substantial 'transitional' period of time. It is noted that that the indicative timeframe for a new LDP is at least 40 months and, hence, that the transitional arrangements could be in place in certain plan areas for at least 5 years and quite possibly much longer. It is therefore critical that 'Detailed Departmental Guidance' should be produced as a matter of urgency to support the planning and local government reform programme and that close consultation should take place with Councils during the development.

2.10 In addtion it is suggested that transitional arrangements should be set out to cover the situation (as applies with the Belfast Metropolitan Area Plan (BMAP)) where a Development Plan may be adopted shortly before or shortly after the transfer of planning powers to the Local Authority.

2.11 <u>Community Plan</u>
The SPPS requires that Councils take account of its current Community Plan in preparing its Plan Strategy and LDP. Clarification is required for the situations where there are no Community Plan in place or where the Community Plans and LDP are being prepared simultaneously.

2.12 The Department has requested that views to draft SPPS are submitted using the interactive online consultation and outlines 36 questions. The draft detailed Council response to

the questions, along with additional comments is outlined in Appendix 2.

3 Resource Implications

3.1 There are no resource implications

4 Equality and Good Relations Considerations

4.1 There are no equality and Good Relations Considerations attached to this report

5 Recommendations

5.1 Members are requested to consider the proposed response to the draft Strategic Planning Policy Statement as set out in Appendix 2 and if appropriate agree a response for submission to the Department of the Environment.

6 Decision Tracking
Response to SPPS to be submitted to the Department of the Environment by 29 April 2014.

7 Key to Abbreviations
BMAP - Belfast Metropolitan Area Plan
DOE - Department of the Environment
LDP - Local Development Plan
PPS - Planning Policy Statement
SPPS - Strategic Planning Policy Statement

8 Documents Attached
Appendix 1 – Summary of Belfast City Council draft response to draft SPPS
Appendix 2 – Draft response to SPPS consultation questions

Appendix 1
Summary of Councils draft response to SPPS

New Core Planning Principles
The Council welcomes the recognition given to the need for a clear statement of core planning principles and considers that they are of fundamental importance to the delivery of planning and the two-tier planning system. A number of slight amendments to the wording are suggested.

The Council welcomes the recognition of managing noise and air quality as elements of the Core Planning Principle – Improving

Health and Well – being. The recognition of noise impacts as a material planning consideration is welcomed.

<u>New Development Plan System</u>
The Council recognises the significance and purpose of the SPPS in the reformed two-tier planning system. The Council fully supports the objective, set out in the Ministerial Foreword for a document which *'will set the direction for new councils to bring forward detailed operational policies within future local development plans'* and which will provide *'better clarity and certainty for all users of the reformed planning system'.*

<u>Retailing Policy</u>
The Council generally welcomes the policy objectives stated in relation to the town centre first approach, sequential test and renewed emphasis on demonstrating capacity/quantitative need for additional retailing.

However, the Council recommends that the SPPS takes the opportunity to redress the lack of clarity in respect of Sprucefield's role and so reduce the potential for misinterpretation by decision-makers. Lack of clarity on this issue could leave the door open to significant enlargement of Sprucefield – greatly to the detriment of Belfast City Centre, the '*primary retail location in Northern Ireland* and with significant impacts in other centres

<u>Transitional Arrangements</u>
Section 7 of the SPPS sets out the implementation and transitional arrangements for the document. It is noted that the existing Planning Policy Statements, with the exception of PPS 1 General Principles and PPS 5 Retailing and Town Centres, will be retained. Consequently until Councils have prepared a "sound" Local Development Plan, they will be required to apply the SPPS as well as the retained policies in the existing PPSs. In the case of any conflict between the final SPPS and the policies retained under the transitional arrangements for the SPPS, the provisions of the SPPS will prevail.

The Council considers that this offers considerable scope for uncertainty and legal challenge by affected parties over a substantial 'transitional' period of time. It is noted that that the indicative timeframe for a new LDP is at least 40 months and, hence, that the transitional arrangements could be in place in certain plan areas for at least 5 years and quite possibly much longer. The Council considers it critical that 'Detailed Departmental Guidance' should be produced as a matter of urgency to support the planning and local government reform programme and that close consultation should take place with Councils on this.

The Council also considers that transitional arrangements should be set out to cover the situation (as applies with the Belfast Metropolitan Area Plan (BMAP)) where a Development Plan may be adopted shortly before or shortly after the transfer of planning powers to the Local Authority.

Community Plan
The SPPS requires that Councils take account of its current Community Plan in preparing its Plan Strategy and LDP. The Council would request clarification relating to the situation where there is no Community Plan in place or where the Community Plan and LDP are being prepared simultaneously.

The Council would make the following additional comments, not in order of priority, on the SPPS:

Limited consultation
The Council considers that the absence of any consultation question on Section 4 'Local Development Plans' and the inclusion of only one question on section 5 'Development Management' unnecessarily limits the consultation process particularly as these sections are critical to the understanding and effective operation of the reformed two-tier planning system.

Documents retained or revoked
The Council considers that the SPPS should provide a comprehensive list of the guidance retained or revoked by the SPPS including the list of the extant provisions of 'A Planning Strategy for Northern Ireland'. The Council considers that the list set out on page 89 of the SPPS should be made comprehensive in the interest of clarity with reference to the RDS, the PSRNI, Development Control Advice Notes, Design Guides, Best Practice Guides and HMO Subject Plans.

Cross-boundary co-operation
The Council considers that the SPPS should set out guidance in relation to the circumstances and mechanisms for strategic planning across Local Plan boundaries. The Council considers that the relationship of cross-boundary co-operation to the 'soundness test', set out in para 4.19 of the SPPS, should be clearly explained. In this context the Council notes the relevance of Articles 17 and 18 in the Planning Act 2011 in relation to the preparation of a joint plan strategy and/or a joint local policies plan.

Enforcement
The Council notes that the DoE has reserve powers to take enforcement action, para 5.19, where it believes a Council has failed

to issue enforcement or stop notices. The Council would request clarification on the enforcement powers of Councils when it considers that another Council should be taking enforcement action e.g. in the case where a wholesale warehouse is selling to the public.

Status of requirements
The Council considers that the SPPS should set out clearly the distinction between those matters which 'must' be done with reference to legislative requirements and those which 'should' be done to deliver an effective and efficient planning system. The Council considers that this would be particularly helpful to ensure that the SPPS provides clarity and certainty for all users of the planning system.

Review of SPPS
The Council notes that the proposed the 5 year review of the SPPS will coincide with the final stage of an LDP and would request clarification on the implications of this for the 'soundness' of the LDP and related draft operational policies.

Code of Conduct
The Council considers that the Councillor's Code of Conduct (para 3.47) should be in place before elected representatives perform planning powers to ensure the proper protection framework for representatives and the integrity of the planning system.

Glossary
The Council considers it essential that the SPPS should include a Glossary to explain key terms including, for example, 'sustainable development' (para 1.1), 'soundness' and 'robust evidence base' (para 4.19), 'public interest' (para 3.46), 'conflict of interest' (para 3.47), 'material considerations' (para 4.1), 'sustainability appraisal' (para 4.22), 'minor change' to plan (para 4.28), 'regionally significant and major developments' (para 5.5), 'performance agreements' (para 5.11), 'pre-determination hearings' (para 5.13), 'officer delegation' (para 5.14) and 'call-in' procedure (para 5.20).

LDP documents
The Council considers that the SPPS should set out, in an appendix, the documents which will comprise a *'Draft Plan Strategy'* and a *'Draft Local Policies Plan'* including all mandatory assessment documents. This would complement the diagram on page 25 of the SPPS.

Call-in procedure and criteria
The Council considers that the SPPS should set out operational guidance with respect to the *'call-in'* procedure (paras 5.20 – 5.21) particularly the criteria which will be used by the Department.

Prematurity
The Council considers that the refusal of planning permission on the grounds of *'prematurity'* where a new LDP is *'under preparation or review'* needs to be clarified. The Council would note the need, in this context, for comment to be made on whether the Department considers that the draft plan or review has to be published before *'prematurity'* can be applied.

References
The Council considers that cross-referencing can make a document difficult and would suggest that the comment above under item (iii) would obviate the need for cross-referencing.

Presentation of document
The Council considers that the document could be made more succinct and user-friendly with the use of operational diagrams and appendices for relevant, supporting information. It is noted that some sections have an over-arching aim whilst others do not. It is considered that a consistent approach should be adopted. The 'Key Documents' included in inserts are incomplete, misleading and, it is considered, should be omitted.

Conflict between SPPS and retained policies: the Council considers that para 7.7 has significant implications for the LDP and development management processes and would request clarification on the critical issue of how a 'conflict' would be defined and determined. The Council considers that uncertainty in this important area could readily lead to legal challenges.

Detailed guidance
The Council considers that the list of guidance being considered by the Department, to support planning and local government reform, should be included in an Appendix to the SPPS in the interest of clarity for local authorities.

Presumption in favour
The Council considers that the presumption in favour noted, in different ways, in paras 3.34 and 5.33 of the SPPS could be more clearly expressed at the start of the SPPS.

Overall conclusion: the Council recognises the significance and purpose of the SPPS in the reformed two-tier planning system. The

Council fully supports the objective, set out in the Ministerial Foreword for a document which *'will set the direction for new councils to bring forward detailed operational policies within future local development plans'* and which will provide *'better clarity and certainty for all users of the reformed planning system'.* The Council considers that the SPPS should be much more succinct and that the use of appendices and diagrams would be of significant help in this regard. The Council is committed to working with the Department to ensure that the final SPPS successfully meets these fundamental objectives and that the reformed two-tier planning system operates effectively for the benefit of the city and the region as a whole.

Appendix 2

A STRATEGIC PLANNING POLICY STATEMENT FOR NORTHERN IRELAND (DRAFT SPPS)

DRAFT RESPONSE TO THE PUBLIC CONSULTATION DRAFT SPPS from BELFAST CITY COUNCIL

GENERAL CONSULTATION QUESTIONS

Consultation Question 1 The Purpose of Planning

Do you think the purpose of planning set out in this SPPS is appropriate for Northern Ireland?

The Council considers that the overall purpose of planning as set out in para 1.1 of the draft SPPS is, in general, appropriate for Northern Ireland but that it should be amended, in the interest of clarity and to appropriately reflect the 2011 Act, to read as follows:

'The purpose of the planning system is to secure the orderly and consistent development and use of land in the public interest, with the objective of furthering sustainable development, creating quality places and improving well-being'.

The Council considers that the inclusion of the term 'public interest' in the definition is important as the planning system does not exist to protect the private interest of one person or body against another. In addition, the Council considers that the addition of the terms 'use' and 'creating quality places' ensures that the definition of the purpose of planning recognises and addresses

the integrated economic, social and environmental aspects of planning.

The Council notes that the purpose of planning set out in the Ministerial Foreword differs from that set out in para 1.1 and would request that the amended definition is used consistently throughout the SPSS to avoid any misunderstanding.

The Council considers that para 1.4, which addresses the two-tier planning system and democratic accountability would be better placed instead within Section 3 'Core Planning Principles' where one of the suggested core planning principles is 'Enhancing Local Democracy and Accountability'.

Consultation Question 2 Core Planning Principles

Do you think the Department has identified suitable core planning principles for the reformed two tier planning system?

The Council notes that para 3.2 sets out 8 core planning principles which, as the Ministerial Foreword states, seek to *'underpin delivery of the reformed two-tier planning system from April 2015'.* The Council welcomes the recognition given to the need for a clear statement of core planning principles and considers that a clear set of core planning principles are of fundamental importance to the delivery of planning and the two-tier planning system.

In relation to the 8 core planning principles, the Council would make the following general comments:

- **the first two principles are incorporated in the draft SPPS (para 1.1) definition of the purpose of planning. In light of this, the Council would request clarification on whether the two principles are of a higher priority than the remaining 6 principles.**

- **the principles are a combination of planning (principles 1-3) and operational/governance matters (principles 4–8). The Council would suggest that this distinction should be made explicit with direct reference to the operation of the two-tier system.**

- **the principles, as core planning principles, apply to both central and local government and this should be made clear at the outset.**

In relation to the 8 core planning principles set out in the SPPS, the Council considers that these should be expanded to 10 and amended with principles 1-3 reflecting the purpose of planning, principles 4-8 reflecting the delivery of planning through the two-tier system and principles 9-10 reflecting the accountability and responsibility aspects of planning:

Principles - Purpose of Planning

1. **Furthering sustainable development.**
2. **Creating quality places.**
3. **Improving health and well-being.**

Principles - Spatial & Policy Guidance, Development Plans & Management

4. **Providing clear, succinct and up-to-date regional spatial and policy guidance.**
5. **Providing up-to-date Development Plans with regular reviews to ensure the effective operation of a Plan-led system.**
6. **Delivering a positive, pro-active development management service.**
7. **Protecting the integrity of the planning system through effective enforcement.**
8. **Enhancing stakeholder and consultee engagement at pre-application stage.**

Principles - Operational

9. **Enhancing local democracy and accountability with the primary responsibility for planning with Councils.**
10. **Ensuring proportionate oversight, clear operational guidance and appropriate support by Central Government that respects the primary responsibility of Local Authorities for most planning functions.**

Consultation Question 3 Furthering Sustainable Development

Do you think that this is an appropriate approach for this core planning principle?

The Council considers that the approach set out in paras 3.1 – 3.5 of the draft SPPS concisely summarises the approach and that para 3.6 is sufficient to provide an overview comment on climate change. The Council considers that the integration of land use and transport planning is a critical element in planning for sustainable development and should be noted explicitly in para 3.4. The key documents insert should be removed as it is not appropriate or necessary for the SPPS and is, in any case, selective.

Consultation Question 4 Improving Health and Wellbeing

Do you think that this is an appropriate approach for this core planning principle?

The Council considers that the approach set out in paras 3.9 – 3.15 and paras 3.19-3.20 of the draft SPPS concisely summarises the approach. The Council considers that the benefits of walking and cycling routes should be noted in para 3.9. The key documents insert should be removed as it is not appropriate or necessary for the SPPS and is, in any case, selective.

Managing Noise

The SPPS refers to the Draft Consultation document : 'Noise Policy statement for Northern Ireland' (NPSNI) which introduces a new concept of 'effect levels' – however, without further guidance regarding interpretation of these 'effect levels' the draft NPSNI provides limited clarity and may lead to uncertainty by the introduction of the 'effects level' concept. The Chief Environmental Health Officer's Group (CEHOG) are currently preparing a response to the Department on the draft NPSNI. The City Council would request that these comments are considered as part of the consultation on the SPPS.

Paragraph 3.16 of SPPS provides examples of how development plans can reduce the potential for detrimental noise impact. The SPPS advises that where the potential for adverse noise impact is unavoidable, the development plan should seek to mitigate this though the application of appropriate key requirements. The Council would suggest the inclusion of reference(s) to appropriate noise standards/guidance on the level of mitigation that may be necessary to achieve acceptable living conditions.

The Council welcomes the recognition of noise impacts as a material planning consideration as mentioned in paragraph 3.17.

Paragraph 3.18 of the SPPS advises that planning authorities pay due regard to the NPSNI as it will ensure appropriate inter-relationships between planning system and the Environmental Noise Directive. However, the inter-relationships between the Planning System and the Environmental Noise Directive are very limited with relevancy to only a small proportion of the land-mass. Instead of referencing the Environmental Noise Directive, this paragraph could be used to highlight the important distinction between statutory noise nuisance provisions and the protection afforded by planning provisions (i.e. the protection of residential amenity). The important distinction was encompassed within the now superseded GB Planning Policy Statement 23: Planning and Pollution Control – Annex 1: Pollution Control. Paragraph 1.8 of Annex 1 (PPS 23) states:

'Nuisance does not equate to loss of amenity. Significant loss of amenity will often occur at lower levels of emission than would constitute a statutory nuisance. It is therefore important for planning authorities to consider properly, loss of amenity from emissions in the planning process in its wider context and not just from the narrow perspective of statutory nuisance.'

While GB PPS 23 on Planning and Pollution Control has been superseded, paragraph 1.8 (with respect to pollution that causes statutory nuisance) is factual and hence remains valid.

Paragraph 3.23 requires the submission of sufficient information to assess the impact and cumulative impact of developments on air quality. The SPPS also emphasises the need for consultation between the local planning authority and those with responsibility for air quality and pollution control. It is suggested that this concept should also be applied to managing noise impacts.

Air Quality
Belfast City Council welcomes the explicit mention of ambient air quality as an element of one of the Core Planning Principles (Improving Health and Wellbeing).

It is noted that the SPPS mentions the need for planning authorities to consider the location of developments which may give rise to air pollution, and to ensure that other developments are, as far as practicable, not adversely affected by major existing or potential future, sources of air pollution (Paragraph 3.20). The council is supportive of this stance, particularly where the sources of such air pollution can be addressed by local planning policy through development plans and by managing development.

It should be noted however, that within the Belfast Metropolitan Urban Area, the principal ambient air quality pollutants of concern are nitrogen dioxide and particulate matter, both associated principally with road transport. Under the provisions of the Local Government Reform responsibility for transport planning is to remain with the Department for Regional Development. Whilst the Department's Regional Transportation publication 'Ensuring a Sustainable Transport Future: A New Approach to Regional Transportation' contains a strategic objective of reducing air pollution, in actuality, the Department has committed to reducing air pollution wherever possible rather than ensuring that both national air quality objectives and European Limit values are achieved by relevant compliance dates.

Accordingly, it is recommended that the SPPS should include an explanation regarding how forthcoming local development plans should integrate with the aspirations and objectives of Department for Regional Development transport documents such as the Regional Transportation Strategy and local transport plans such as the Belfast Metropolitan Transport Plan in order to ensure a consistent approach and a coherent air quality outcome. Moreover, where a local authority has declared an Air Quality Management Area and published a supporting Air Quality Action Plan, the SPPS should highlight the need for local development plans to complement and have regard to measures and actions contained within the Air Quality Action Plan.

Contaminated land

Section 3 of the Strategic Planning Policy Statement makes mention of range of specific environmental concerns that are to be regarded as material considerations in the determination of planning applications. Belfast City Council would recommend that consideration be given to the explicit inclusion of contaminated land as a key element of the Core Principle "Improving Health and Well-Being" and also its recognition as a material consideration.

The SPPS acknowledges furthering sustainable development as a core planning principle. Within the Northern Ireland Sustainable Development Strategy entitled 'Everyone's Involved', the Executive has committed to the theme of environmental protection in order to break the link between economic growth and environmental degradation through actions that include sustainable land management. Moreover, the 'Regional Development Strategy 2035 – Building a Better Future' contains a specific regional target that 60% of new housing is to be located in appropriate 'brownfield' sites within the urban footprints of settlements greater than 5,000 population. By way of clarity, brownfield land is defined as

'previously developed land' being land that is, or was occupied by a permanent structure within a defined settlement limit. The term may encompass vacant or derelict lands, infill sites, land occupied by redundant or underused buildings, a piece of industrial or commercial property that is abandoned or underused and often environmentally contaminated.

Within Northern Ireland, the principal legislative tool for the introduction of a contaminated land regime is Part III of the Waste and Contaminated land (Northern Ireland) Order 1997. The aim of the legislation is to deal with the legacy of historical environmentally contaminated land through the 'polluter pays' principle. The legislation has been designed therefore to ensure that, where possible, those who have polluted land pay for its remediation so that it is suitable for use and presents no risk to either human health or to the environment. Although the Order was enacted in 1997, Part III has not yet been commenced.

Nonetheless, in its role as a statutory consultee to DOE Planning, Belfast City Council has been addressing the risk to human health from contaminated land through the imposition of planning conditions based upon the hierarchy and provisions of the United Kingdom Environment Agency's 'Contaminated Land Report 11 - Model Procedures for the Management of Land Contamination' and a range of supporting guidance documents.

Given that Belfast's historic industrial growth was based around linen, heavy engineering, tobacco and shipbuilding industries, it is considered that the City is likely to have greatest number of environmentally contaminated brownfield sites within Northern Ireland that may have to be remediated prior to redevelopment and reuse. Moreover, it should be recognised that land contamination can have a potentially detrimental impact on the economic case for redeveloping brownfield sites in terms of addressing ground contamination and incorporating appropriate mitigation measures into the infrastructure of buildings. In this regard, it is considered that pre-application discussions between the local authority and developers are likely to be particularly useful in order to indentify and highlight contaminated land concerns at an early stage of the development process.

The Council's Environmental Health Service currently acts in the role of statutory consultee to the Department on potential land contamination issues. When consulted on an individual application, the Council makes recommendations to the Department on possible land contamination issues with respect to its remit of the protection of public health. In particular the Council advises the Department if the site is suitable for its new use taking account of

ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation.

The Council would request that land contamination is established as a material consideration so we can continue to advise the new planning authority following the transfer to Local Authorities in April 2015.

Consultation Question 5 Creating & Enhancing Shared Space

Do you think that this is an appropriate approach for this core planning principle?

The Council considers, in light of the Council response to Consultation Question 2 on 'core planning principles', that creating and enhancing shared space is a critical objective within the overall core planning principle of 'Creating Quality Places'. The Council welcomes the requirement (para 3.28 of the SPPS), that LDPs should take account of any 'good relations' policies that are set out within a Local Community Plan. The Council considers that 'good relations' should be at the heart of local area planning and that the Council can facilitate the following elements in how the City can progress in its use of space:

- **transforming contested space;**
- **securing shared city space;**
- **developing shared cultural space; and**
- **building shared organisational space.**

In this context, the Council would highlight the critical role of vibrant and attractive city and town centres in providing shared space and the related importance of 'connectivity' and 'accessibility' to ensure access for all. The key documents insert should be removed as it is not appropriate or necessary for the SPPS and is, in any case, selective.

Consultation Question 6 Delivering Spatial Planning

Do you think that this is an appropriate approach for this core planning principle?

The Council considers, in light of the Council response to Consultation Question 2 on 'core planning principles', that this principle should be amended to state 'Providing clear, succinct and up-to-date regional spatial and policy guidance'. The Council considers that this reflects the structure of the two-tier planning system and highlights the importance of regional guidance as a basis for the delivery of effective spatial planning. The Council considers that the approach stated in the draft SPPS fails to recognise the over-arching role of the Community Plan which will be outcome-focused and which will provide a framework for other strategies and plans. In addition, the Council considers that it would be helpful to include direct reference in this section of the SPPS to the following:

- **the status and role of the DRD in the reformed two-tier planning system;**
- **the role and purpose of the Regional Development Strategy 2035 (RDS); and**
- **the relationship between the RDS, the Community Plan and the Local Development Plan in relation to the delivery of spatial planning.**

The Council recognises that the delivery of effective spatial planning will involve cross-boundary co-operation and, therefore, the SPPS should set out the mechanism to address this important, strategic matter.

Consultation Question 7 Observing a Plan-led System

Do you think that this is an appropriate approach for this core planning principle?

The Council considers, in light of the Council response to Consultation Question 2 on 'core planning principles', that this principle should be amended to state 'Providing up-to-date Development Plans with regular review to ensure the operation of an effective Plan-led system'. In this context, the Council considers that this section should also address the subjects of material considerations, the weight to be applied to material considerations and the meaning of the phrase 'have regard to' (para 3.34).

In addition, the Council considers that this section should address the critical matter of 'prejudice and prematurity' in relation to Development Plans under preparation and, importantly, the status of the Belfast Metropolitan Area Plan 2015 which is awaiting Executive clearance prior to adoption.

Consultation Question 8 Supporting Good Design, Positive Place-Making and Urban and Rural Stewardship

Do you think that this is an appropriate approach for this core planning principle?

The Council considers, in light of the Council response to Consultation Question 2 on 'core planning principles', that this principle is included within the first two core planning principles titled 'Furthering Sustainable Development' and 'Creating Quality Places'.

The Council welcomes the emphasis on design, place-making and stewardship but considers that further explanation should be provided on the circumstances when planning permission might be refused 'solely on design grounds' (para 3.35). The Council considers that the items listed in paras 3.36 and 3.37 are helpful guidance but contain considerable jargon (e.g. 'animation', 'sustainable transport hierarchy' and 'going local') which should be replaced in the interest of making the document more readable. The key documents insert should be removed as it is not appropriate or necessary for the SPPS and is, in any case, clearly selective.

Consultation Question 9 Enhancing Stakeholder Engagement and Front-Loading

Do you think that this is an appropriate approach for this core planning principle?

The Council notes the reference to 'Front-Loading' but considers that this phrase should be replaced with 'at pre-application stage'. In this context, the Council considers that the SPPS should note the critical importance of consultees providing timely and considered substantive responses on pre-application matters and planning applications to ensure effective Development Management.

The Council recognises the importance and value of a Statement of Community Involvement (SCI) and would highlight the importance of operational guidance being available on this in advance of the transfer of planning powers to ensure that it fulfils its purpose. The Council notes that the Planning Act (Northern Ireland) 2011 uses the term 'Statement of Community Involvement' but considers that the supporting text should note that the term 'community' is a broad term which involves a wide range of agencies and communities.

Consultation Question 10 Enhancing Local Democratic Accountability

Do you think that this is an appropriate approach for this core planning principle?

The Council considers, in light of the Council response to Consultation Question 2 on 'core planning principles', that this principle should be amended to state 'Enhancing local democracy and accountability with the primary responsibility for planning with Councils'.

The Council recognises the importance of a transparent and fair planning system and, in this context, the Council considers that the term 'trade-offs' (para 3.46) is inappropriate and should be replaced with 'balanced decision-making in the public interest'. The Council considers that clarity is needed in relation to the 'call-in' procedure whereby the planning decision will be taken by Central Government rather than the local authority. The Council notes the 'Caborn' Principles which were stated in England in June 1999 and updated in October 2012 which provide helpful guidance on the call-in process and criteria. The Council considers that the 'call-in' power should be only used very selectively and that particular caution is needed in this area to avoid interfering and/or undermining the responsibility of the local authority and damaging public confidence in local democratic accountability.

Consultation Question 11 Decision-taking Principles and Practices

Do you consider the decision-taking principles and processes outlined above are appropriate for a reformed two-tier planning system?

The Council would highlight its response to Consultation Question 2 on 'core planning principles' and considers that the amended 10 core planning principles proposed by the Council cover three

important elements of the reformed two-tier planning system namely:

- **the purpose of planning;**
- **guidance and development planning/management; and**
- **the operation of the system.**

However, the Council considers that there is a critical need for operational guidance to ensure the proper interpretation and application of the principles and practices. The absence of appropriate operational guidance will result in uncertainty, for both applicants and decision-takers, and may lead to time-consuming legal disputes.

Consultation Question 12 Archaeology and Built Heritage

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Archaeology and Built Heritage?

The Council considers that the 3 policy objectives, set out in para 6.3, do not reflect the existing planning approach which includes:

- **the presumption in favour of the physical preservation in situ of archaeological remains of regional importance and their settings;**
- **the presumption in favour of the preservation of World Heritage sites;**
- **the control and positive management of change in Conservation Areas to contribute to sustainable economic development; and**
- **the use of a criteria-based approach (where all the criteria are to be met) in relation to Conservation Areas.**

The Council considers that there is potential for confusion and conflict to arise between the 'all criteria to be met' approach (e.g. for demolition or new development in a Conservation Area) set out in the existing PPS 6 and the 'should' approach set out in the proposed SPPS in the interim period before an LDP is in place.

The Council considers that the SPPS appears to conflict rather than reflect existing policy in providing greater flexibility. The Council considers, in relation to listed buildings, that the listing process, some of which is contracted out, needs to be of consistent quality and that policies relating to Archaeology and Built Heritage need to be consistently interpreted and applied.

The Council notes the comment, in para 6.16 of the SPPS, that councils are encouraged to facilitate the sympathetic conversion and re-use of non-listed vernacular buildings and would request clarification on the mechanism for this. In particular, the Council would request clarification as to whether it is simply an aspirational statement and on what grounds a refusal for a replacement proposal might be based.

Consultation Question 13 Coastal Development

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Coastal Development?

The Council considers that the second bullet point relating to 'facilitate development in coastal locations within coastal settlements' should be qualified with the addition of the following statement 'and 'protect from development those parts of the coast within coastal settlements which are important in terms of their amenity or nature conservation value'. This additional wording seeks to reduce the potential for misunderstanding and conflict between the existing policy context and the SPPS.

The Council notes that there is an error in the wording of the third sentence which is incomplete. The Council notes that para 6.34 requires Marine Plans to be in conformity with LDPs. The Council notes the out-of-date nature of a number of Area Plans and would request clarification for the situation where there is a conflict between the emerging LDP and a Marine Plan including which document should take priority.

Consultation Question 14 Control of Outdoor Advertisements

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on the Control of Outdoor Advertisements?

The Council considers that the addition of the statement (para 6.48) 'and contribute positively to the appearance of the environment' is a higher 'enhancement' test which differs from the existing PPS 17 test relating to 'respect for amenity in the context of the general characteristics of the locality'. The Council considers that this 'enhancement' test is inappropriate.

Consultation Question 15 Development in the Countryside

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Development in the Countryside?

The Council considers that the existing planning policy approach, set out in PPS 21, includes an acceptable 'in principle' approach (based on types of residential and non-residential development) and an 'over-riding reasons' exceptional approach for other types of development. The Council considers that the SPPS should reflect the policy objective of avoiding over-development of the countryside and the related problems of suburban sprawl, habitat loss, adverse impact on water quality and adverse cumulative impact of single dwellings.

The Council notes that there is a very brief section on decision-making and considers that the SPPS offers significant flexibility as compared to PPS 21. The Council notes the potential for significant differences in interpretation of policy and the possibility for 11 different countryside policy interpretation /development approaches which rely on the SPPS for justification but which are in conflict with the existing planning policy approach.

The Council notes that LDPs are expected to include an 'environmental assets appraisal' and a 'landscape assessment' (para 6.60). It is considered that these should be within the context of a 'Countryside Assessment' which would also include a 'Development Pressure Analysis' and a 'Settlement Appraisal'.

The Council notes that the structure of paras 6.61-6.63 could be amended so that the references to DRCs are addressed in one section.

Consultation Question 16 Economic Development, Industry and Commerce

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Economic Development, Industry and Commerce?

The Council considers that the SPPS should clarify if there is a difference between the terms *'generous supply of land'* and *'ample supply'* (paras 6.72 and 6.73 respectively). The Council considers that the SPPS should also address the matter of the redevelopment of previously developed sites in the countryside and major new development in the countryside.

The Council notes that the SPPS does not, in its policy objectives, address the policy of the retention of land for economic development uses or the loss of un-zoned land in existing B2, B3 and B4 uses to other uses. The Council considers that this represents a significant difference between the existing planning policy approach and that the SPPS adopts a significantly more flexible approach. The Council notes the significant difference between the SPPS and Policies PED 1 and PED 8 of PPS 4 relating respectively to B1 uses and development incompatible with economic development uses.

Consultation Question 17 Flooding

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Flood Risk as expressed in PPS 15 Revised (Draft) Planning and Flood Risk?

The Council considers that the 'presumption against development in areas directly at risk from flooding or where it would increase the risk of flooding', contained in the existing PPS 15, is not fully reflected in the SPPS which refers to 'prevent inappropriate development' (para 6.92). This could readily be interpreted as a lesser test which could lead to confusion.

The Council welcomes the reference in para 6.144 of the SPPS to the condition, management and maintenance regimes of reservoirs and suggests that regard should be paid, in the drafting of the final SPPS, to the legislation currently being developed relating to the management of reservoirs. The Council does not understand the rationale for placing a large part of the policy in Figure 1 when this

approach is not applied elsewhere in the SPPS. The Council notes that the key documents list is highly selective e.g. there is no reference to Strategic Flood Risk Maps.

Consultation Question 18 Housing in Settlements

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, existing planning policy on Housing?

The Council notes that existing policy (PPS 12 'Housing in Settlements', para 32) differentiates between settlements under and above 5,000 population with respect to regional targets for housing growth within existing urban areas. No such distinction is made in the SPPS. The Council considers that the footnotes 38-42 require a significant amount of cross-referencing which is unhelpful in a document of this nature.

The Council requests that the SPPS should make reference to HMOs, the delivery mechanism for social housing, housing land supply periods in LDPs and Design Concept Statements and Masterplans. The Council would request that clarification is provided in relation to the status of the RDS Housing Growth Indicators and the flexibility which an LDP can incorporate within the 'soundness' test.

Consultation Question 19 Minerals

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Minerals?

The Council considers that the SPPS does not fully reflect the existing planning policy approach in relation to the safety and amenity of occupants of developments in close proximity to mineral workings. The Council considers, in relation to para 6.144 dealing with the restoration of sites that have been used for mineral extraction, that there could be a case for ensuring restoration through contributions to a fund which commences when the actual operations commence rather than when operations have ceased with reliance solely on the operator.

The Council would also query whether there may be a case for taking into account, in the consideration of any new proposal, the previous restoration performance of an operator. The Council considers that the SPPS gives the environment less priority than

the Planning Strategy for Rural Northern Ireland (PSRNI) where a balanced approach is adopted. The Council notes that para 6.141 of the SPPS is the same as Policy MIN 6 of the PSRNI with the important difference that it does not state that mineral developments near other developments would have conditions applied to mitigate against disturbance.

Consultation Question 20 Natural Heritage

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Natural Heritage?

The Council considers that the SPPS reflects the existing planning policy context but considers that there is an element of duplication between the first and fifth bullet point in para 6.147 of the SPPS in relation to the conservation, enhancement and restoration of the region's natural heritage.

The Council notes the difference between the criteria-based approach of Policy NH 6 in PPS 5 which differs from the more general and flexible approach in the SPPS. The Council considers that the SPPS should make a clearer and stronger reference to the importance of protecting trees and woodlands and, in this context, the role of Tree Preservation Orders and fines. Reference should be made to the importance of trees and woodlands, in both urban and rural areas, in relation to wildlife habitats, green corridors, visual amenity and the need for positive management.

In addition, the SPPS policy should note the important objective of minimising the adverse impacts on natural heritage where a conflict of interest is unavoidable in the public interest and the associated use of planning conditions and planning agreements.

Consultation Question 21 Open Space, Sport and Outdoor Recreation

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Open Space, Sport and Outdoor Recreation?

The Council considers that the SPPS does not fully reflect the clear 'presumption against' the loss of open space as set out in Policy OS 1 of PPS 8. The Council notes the importance of this

'presumption against' approach especially in urban areas within the context of more housing in urban areas.

The Council considers that the SPPS fails to reflect the three important 'exceptions' test (set out in Policy OS 1 of PPS 6) with respect to 'substantial community benefits', 'alternative provision' and the '10% release' to allow retention and enhancement of open space. The Council considers that this 'exceptions' policy, in the existing planning policy approach, is of benefit as it provides flexibility in the public interest. The Council considers that reference should be made, in para 6.177 of the SPPS, to the important role of open space in providing formal and informal recreation opportunities and the resultant health benefits for communities.

The Council agrees, in principle, with the policy objectives for open space, sport and outdoor recreation set out in para 6.178 of the SPPS and would request that the objective relating to the provision of open space in new residential developments should be highlighted to ensure proper implementation.

The Council notes that there is no reference to play within the policy objectives even though PPS 8 Policy OS2 has a requirement for the provision of an equipped children's' play area in developments of 100 units or more of 5 hectares or more. The Council would request that this Policy OS2 requirement is explicitly stated in the SPPS. In addition, the Council notes that the existing PPS 8 provides an exceptions arrangement where there is an existing play area within 400m. The Council considers that, if this exceptions arrangement is to be provided in the final SPPS, it is essential that consideration is given to the accessibility of the existing play area, any potential noise or nuisance effects of increased use, any need for upgrading to meet the increased use, financial contributions from the relevant developer and the need for planning conditions.

The Council strongly welcomes the references to linkages between zoned development areas and existing or zoned open space and the need for suitable management and maintenance mechanisms to be in place.

The Council notes the statement in para 6.186 of the SPPS that sports stadiums can be 'outside of a settlement' but only where 'clear criteria' are established which can justify a departure from normal policy. The Council would recommend that a secondary choice could be the edge of existing settlements if no site is available within a settlement. The Council considers that this

would be preferable to open countryside as already noted in Policy OS4 of PPS 8.

Consultation Question 22 Renewable Energy

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Renewable Energy?

The Council considers that the SPPS should make reference to de-commissioning and restoration to reflect the existing planning policy context which is an important element in the existing planning policy approach. The Council notes the difference between the criteria-based approach in Policy RE 1 of PPS 18, with a range of economic, environmental and social material considerations, included and the more general approach of the SPPS.

The Council would request clarification on the status of the important guidance documents 'Best Practice Guidance to PPS 18' and 'Wind Energy Development in Northern Ireland's Landscapes'. The Council considers that the statement in para 6.194 of the SPPS that 'Councils, or as the case may be the Department should carefully consider all development proposals....' should be clarified particularly in relation to whether or not it represents a more restrictive, precautionary approach. The Council would also note, in any case, that a basic principle of development management would be that all applications are carefully considered.

Consultation Question 23 Telecommunications, Public Services and Utilities

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Telecommunications, Public Services and Utilities?

The Council notes that the SPPS excludes one of the five policy objectives in the existing PPS 10 relating to facilitating the continuing development of telecommunications infrastructure in an efficient and effective manner. The Council considers that it would be appropriate to include a policy objective which recognises the importance of the telecommunications industry to the economy.

The Council considers that the SPPS offers more flexibility in relation to the effects of telecommunications and the information to be provided with an application and considers that this should not be at the expense of maintaining residential amenity. The Council considers that para 6.209 should also refer to gas pipelines.

The Council considers that the status of the document 'Control of Development in Airport Public Safety Zones' should be clarified in para 6.207 of the SPPS.

Consultation Question 24 Tourism

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Tourism?

The Council notes that the policy objectives stated in para 6.124 of the SPPS are the same as those set out in PPS 16. However, the Council notes that Policies TSM 1-8 in the existing PPS 16 contain a number of significant planning considerations including *a 'cumulative impact' test in relation to assessing impact on tourism assets*. The Council considers that the *'cumulative impact'* test is an important element in the existing planning policy approach and that, in its absence, there is considerable scope for a conflict between the SPPS and PPS 16.

Consultation Question 25 -31 Town Centres & Retailing (New Strategic Policy)

1.0 General comments on the New Strategic Policy for Town Centres & Retailing

The Council generally welcomes the policy objectives stated, particularly in relation to a reaffirmation of the 'town centres first' approach, sequential test and renewed emphasis on demonstrating capacity/quantitative need for additional retailing. Recognition of the precautionary approach in the Regional Development Strategy 2035 (RDS) is also acknowledged. However, as is explained below, the precautionary approach needs to be overtly linked to a number of key strategic retail matters which the Council considers have not been addressed in the draft SPPS. These are outlined below.

1.1 No policy for out of town regional shopping centre

The SPPS is silent on stating a strategic policy objective for the out of town regional shopping centre at Sprucefield. This is in spite of the fact that the document states, in relation to the status of the SPPS, that it is *'...a statement of the Department's policy on how regionally important land use planning matters should be addressed across Northern Ireland'*

Inspection of the RDS indicates that reference to the out of town regional shopping centre is made under Strategic Framework Guidance 1 (SPG1). It seeks to *'Promote urban economic development at key locations throughout the BMUA and ensure sufficient land is available for jobs'.* In amplification of this guidance the RDS avers that '*Sprucefield will continue to retain its status as a regional out-of-town shopping centre*.'S3.41, p54, RDS 2035

This single sentence is the only reference to the out of town regional shopping centre in the RDS. It is of greater concern that the draft SPPS makes no mention of regional centres at all, let alone the out of town one at Sprucefield.

While the RDS has maintained the status of Sprucefield as an out of town regional centre, in spite of overwhelming calls for its declassification as a retail park at the last review of the RDS, no one knows what this single sentence designation confers in terms of its role. This deficiency in retail regional policy was acknowledged at the inquiry into the Belfast Metropolitan Area Plan 2015 (BMAP) when the Planning Appeals Commission (PAC) made the following pertinent observation:

**'*We consider that the Department should decide at a regional level what the future status and role of Sprucefield should be and devise clear and unambiguous policy to enable it to fulfil that role*.'
(Source: Paragraph 6.4.8 of the PAC Report into Retail Issues, BMAP Inquiry)**

Against the background of this impartial recommendation, the SPPS has a golden opportunity to redress the lack of clarity in respect of Sprucefield's role and so reduce the potential for misinterpretation by decision-makers. Lack of clarity on this issue could leave the door open to significant enlargement of Sprucefield –greatly to the detriment of Belfast City Centre, the '*primary retail location in Northern Ireland'* and other city/town centres.

1.2 No stated precautionary approach for regionally significant applications

Related to the above, the draft SPPS is equally silent on a policy objective for regionally significant retail applications. This silence is all the more notable given that the term is explicitly referred to throughout draft SPPS.

Overall, the Council maintains that it will be difficult for the SPPS to respect the precautionary approach adopted by the RDS if it is not overtly linked to new strategic retail policy that deals with proposals of regional significance.

Response to specific consultation questions on New Strategic Policy

Q25
Do you think a 'town centres first' / sequential test is the appropriate policy approach for the location of future retail and other main town centre uses in Northern Ireland?

Yes. However, as noted above, it should be augmented by a related policy objective that expressly recognises the need to adopt a precautionary approach to the assessment of large retail proposals (see recommendations later in Section 4.0).

2.1 Local Development Plans

Q26
'*Do you agree that councils should undertake an assessment of need or capacity for retail and other main town centre uses to inform local development plans*?

The Council is fully supportive of the requirement to base plan preparation and decision-taking on robust and up-to-date evidence. However, with the very real prospect that the new Councils could 'compete' against each other to attract investment. As a result some Local Development Plans (LDPs) could be overly optimistic in their retail floorspace forecasts so as to enhance their appeal for new shopping development.

In order to help support effective policy and reduce this risk the Department should seek to standardise the methodology and data used in relation to catchment estimation, rate of population growth, expenditure and turnover. This can be achieved via recommendations outlined in the Department's Binding Report at Stage 2 of the LDP preparation process.

Retail indices can also be updated by the Department in the form of periodical circulars. Following on from the above point, shopper catchments are not constrained by local government boundaries.

This is particularly the case with regional retail centres, such as Belfast and Derry/Londonderry and cross border locations such as Newry and Enniskillen.

Future retail floor space projections for a particular LDP may therefore be based on an overlapping trade area that spans one or more Districts and this can result in duplication and overestimation of retail requirements. In order to prevent against this the Department may find it beneficial to direct two or more Councils to prepare a Joint Retail Strategy and Joint Retail Policies Plan, as provided for in the Planning Act (NI) 2011.

Q27
Do you think that councils should prepare town centre health checks as described?

Yes, but experience has demonstrated that the main focus of health checks is on vacancy rates, rental values and footfall levels. These factors need to be weighted in terms of their relevance and importance.

Furthermore, as with work involved in undertaking a capacity analysis, carrying out regular health checks has resource implications for the Council and this outlay needs to be recognised by the Department.

Q28
Do you think a 'call for sites' consultation is an appropriate mechanism to assist with site allocations in a local development plan?

In theory this would appear a useful exercise. In practice, however, it could prove to be counterproductive with the potential to generate outlandish, speculative proposals in out-of-centre locations. The introduction and guidance would have to be carefully managed.

There should be an agreed protocol outlining the prerequisites for consideration of sites within any associated guidance. This would require information relating to confirmation of ownership, indicative proposals, community consultation with neighbouring residents, evidence of expressions of interest, etc. The submission of such information would help demonstrate a seriousness of intent by landowners/developers.

Q29
Do you agree that 300m from a town centre boundary is an appropriate threshold for a site to be considered as edge of centre?

This threshold figure is taken from the GL Hearn Report (a retail research report commissioned by the DOE) which states that it applies to 'other jurisdictions'. However, mindful of the desire to facilitate synergy between town centres and edge of centre locations and to promote shopping trips by foot, the existing 200m yardstick in PPS 5 would seem a more appropriate distance.

Decision-taking

Q30
Do you think 2,500 sq metres (gross) is the appropriate threshold for requiring a proportionate retail impact assessment?

Again this figure is based on the GL Hearn Report which quotes it as the default threshold in GB. However, it is questionable whether this threshold should equally apply across N.I given that the average number of shoppers in a given area (i.e population density) is less than a third of that in England.

According to PPS 5 the figure of 2,500 gross sq.m. is the minimum size threshold for a superstore operated by the likes of Tesco, ASDA, etc. Also, based on the 2009 Planning Reform consultation paper, a slightly higher figure of 3,000 gross sq.m. was quoted for regionally significant planning applications.

In the light of the above, the Council considers that the 2,500 gross sq.m. threshold for submission of a Retail Impact Assessment (RIA) is too high. It is roughly equivalent to two discount stores combined. The existing1,000 gross sq.m. threshold is quite adequate as it allows sizeable foodstores to be captured for assessment. Importantly, this RIA submission threshold must be universally applied across the Council areas, otherwise some authorities may unilaterally increase it in an attempt to distort policy objectives and attract investment interest at the expense of other areas.

In this regard, the discretion by LDPs to adjust the threshold, as alluded to in para 6.235 of the draft SPPS, should not be outlined as an option.

Q31

Do you agree with the factors to be addressed as part of a retail impact assessment?

While agreeing with the broad aim of the factors to be addressed the Council considers them somewhat repetitive and unclear. Within this context, the following comments can be made:

- **Accurate data on turnover levels only exists in the form of Company averages for multiple retailers. Outside of this narrow listing, there are no authoritative sources of information on turnover. Given the question-marks surrounding its reliability and soundness, the term 'turnover' should not therefore feature in the decision-taking wording of the factors listed in draft SPPS.**

- **Also, the requirement to demonstrate a quantitative need /capacity to accommodate a proposal is not cited as a factor, despite it being referred to in the same introductory paragraph (i.e. para 6.235 of draft SPPS). It must be recognised that the findings of a capacity analysis, which is based on verifiable population projections and expenditure growth, are more statistically robust than the results of a retail impact assessment, which is based on uncorroborated turnover figures.**

- **The qualitative dimension to retail proposals is not cited as a factor for assessment, in terms of how a proposal can increase competition and choice for shoppers in the catchment.**

- **The final factor relating to impact on job creation is not considered necessary because it is already enshrined in the core planning principle entitled 'Furthering Sustainable Development', which relates to the economy, society and environment.**

Taking into account the above points it is suggested that the six factors listed in para 6.235 of draft SPPS could be replaced by two factors below:

- **The quantitative and qualitative impact of the proposal, both singly and cumulatively, on the town centre as a whole, including its convenience goods and comparison goods shopping function.**

- **The compliance of the proposal with the local development plan retail strategy, in relation to the projected capacity for**

additional shopping and its implications for existing committed and planned public and private sector investment in the town centre.

Notwithstanding the above suggested wording, the Department is requested to revisit the criteria in PPS 5 and draft PPS 5 for guidance in crafting the specific wording of these factors. Also, given the up-to-date wording of the 2012 Retail Planning Guidelines in the Republic of Ireland, which borrows heavily from UK policy wording, consideration of its contents may also be useful guide to revision.

Implications of New Strategic Policy for Belfast City Council

The implications of supporting draft SPPS in its current format need to be fully understood. The implications are highlighted below:

Inability of Belfast to fulfil its role under SFG3

As far as Belfast City Centre is concerned, Strategic Framework Guidance 3 (SFG3) of the RDS clearly seeks to '*Enhance the role of Belfast City Centre as the regional capital and focus of administration, commerce, specialised services and cultural amenities.*' P56, RDS

However, the ability of Belfast City Centre to fulfil its role under SFG3 will be hindered by the absence of regional policy guidance for Sprucefield and regionally significant retail applications.

Retail proposals at Sprucefield are restricted by the retail strategy and policies in BMAP. Once local government is reformed and planning powers are devolved, the new Councils will prepare their own LDP. There is the potential that in the absence of guidance at regional level, the existing safeguards in BMAP could be removed in any new LDPs. Even though such action would contravene the precautionary approach espoused by the RDS, it is envisaged that the very status of Sprucefield as an out of centre regional shopping centre could enable a new LDP to satisfy the soundness test (paras 4.19-4.21) in this regard. Also, the weight attached to the contents of the new LDP in respect of deciding upon subsequent proposals in this out town regional centre will also be underwritten by the SPPS core principle of 'Observing a Plan-Led approach'.

While the Department is empowered to intervene and direct a Council to modify its LDP under the 2011 Planning Act, it is unlikely to do this if no SPPS policy exists on which to justify this direction. As a result, in the absence of regional policy for Sprucefield in the

SPPS, the proposed replacement of BMAP (and other Plans) with new LDPs will reintroduce uncertainty surrounding its role and introduce uncertainty for future investment proposals in Belfast.

Any resulting unrestricted retail policy at Sprucefield within a new LDP could effectively undermine the 'town centre first' SPPS policy objective for Belfast City Centre, as the primary regional centre in Northern Ireland.

Transitional arrangements

Once RPA takes place in March 2015 there will be a period of transition during which the new LDP will undergo the process of superseding BMAP. The indicative timeframe for LDP preparation anticipates that it will be approximately three years and four months before full adoption.

While the SPPS may well be in place, the accompanying '*operational policies tailored to local circumstances'* (para 7.6, draft SPPS) in the LDPs will not be forthcoming until at least July 2018. Moreover, unlike other forms of development addressed in draft SPPS, the new strategic retail policy has not the safety net of back-up guidance in an up to date current PPS.

The Department is therefore requested to confirm that operational retail policies in BMAP will remain in force as transitional arrangements until they are fully replaced by the new LDPs.

Resources

The draft SPPS clearly places an onus on the Councils to undertake significant retail research in order to substantiate its retail strategy and policies. The Department should be aware that this has considerable resource implications for the Council in terms of manpower and expertise. In respect of the latter, the Department is advised to maintain its own specialist unit on retailing as a centralised source of advice for councils on regional policy and retail data.

Recommendations

Cognisant of the implications above, the following recommendations are made in addition to the Council's responses to the specific consultation questions (Q25-Q31).

- **Introduce another strategic policy objective to underline the precautionary approach to retail proposals of major and regional importance. This could read as follows:**

Adopt a precautionary approach to the consideration of major and regionally significant retail proposals, including those for the out of town regional shopping centre.

This would help ensure that the SPPS is consistent with the RDS 2035 which states the following in terms of supporting and strengthening the distinctive role of Belfast City Centre as the primary retail location in Northern Ireland.

'A precautionary approach needs to be continued in relation to future major retail development proposals based on the likely risk of out of centre shopping developments having an adverse impact on the city centre shopping area' Para 3.46, p.56. RDS 2035.

- **Prepare detailed operational guidance for the retail component of the SPPS as a matter of priority. Importantly, this should include central government guidance from which to identify the hierarchy of centres in LDPs (as per para 6.226). This typology should identify the profile and typical size of centres ranging from the regional centre to the local centre. Otherwise, there is the very real prospect that potentially harmful developments could exceed the retail function expected of a given location e.g. a superstore proposed for a designated local centre.**

- **Provide a proper definition for NIs only out of town regional shopping centre as part of this typology of retail centres. Otherwise, in the absence of such clarification, the new LDP for the area in which it is located will seek cross channel guidance. In England and Wales regional shopping centres are described as 'Out-of-centre shopping centres which are generally over 50,000 square metres gross retail area, typically comprising a wide variety of comparison goods stores.' (PPS 6, Annex A). It is doubtful whether such an unrestricted definition is appropriate for an out of town regional centre in NI.**

Clarification on the role of Sprucefield will also help correct the inherent contradiction between the RDS and BMAP, which sees the RDS (p54) retaining the status of Sprucefield as an <u>out-of-town</u> regional shopping centre and BMAP conversely including it within the settlement limit of Lisburn. It would also help inform the next review of the RDS.

- **Formulate a glossary of terms that properly defines items such as 'bulky comparison goods'. While BMAP has maintained the bulky comparison goods restriction and the minimum unit size safeguard for N.I's only out of town shopping centre there is no definition in regional policy of what actually constitutes 'bulky comparison goods'.**

- **Finally, in order to ensure a consistent approach to the formulation of retail strategies and retail polices in the greater Belfast area, the SPPS should point to the benefits to be accrued from the collective preparation of a Joint submission by Councils in this regard. This would include the 5 new councils of Belfast, Lisburn and Castlereagh, Antrim and Newtownabbey, North Down and Ards, and Mid and East Anrtrim. This is particularly warranted given the up to date nature of the retail strategies and retail polices stated in draft BMAP.**

<u>Conclusion</u>

With the advent of RPA and the devolution of planning powers it is imperative that the appropriate policy monitoring arrangements are incorporated into the retail strategies and policies of the new planning system. This is particularly warranted given the far-reaching determination powers of the DOE Minister on regionally significant planning applications and 'call-in' applications. It is also justified on the grounds that objectors will continue to have no right to a planning appeal against a planning decision.

While the Council welcomes the reinforcement of the 'town centre first' approach to strategic retail policy, it believes that this approach will be undermined by the lack of a complementary strategic retail direction for Sprucefield and a related precautionary policy objective for regionally significant applications.

Consultation Question 32 Transportation

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Transportation?

The Council considers that the SPPS fails to incorporate the critical overall objective of integrating land use planning and transport in the policy objectives and the associated objectives of changing travel culture and reducing the need to travel, especially by private car

The SPPS indicates that new transport schemes including major proposals for road, rail and public transport provision, and cycle/pedestrian networks or planned improvements to the transport network should be identified in local development plans (Paragraph 6.241). It is recommended that the SPPS should provide greater clarity on the proposed mechanism and procedure for integrating transport plans within local development plans, particularly where the local authority may have reservations about transport planning proposals. Moreover, it is considered that the SPPS should include greater explanation of the anticipated consultation relationship with the Department for Regional Development where the Department is required to appraise transport assessments and travel plans designed to mitigate adverse consequences of developments.

In relation to disused transport routes (Paragraph 6.241), the Council would argue that their protection is not a matter for consideration as in any case such routes should be protected for use as walking/cycling routes either permanently or until a new restoration proposal is in place.

Consultation Question 33 Waste Management

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Waste Management?

The Council considers that the SPPS reflects and updates the existing planning policy approach set out in PPS 11 but would note that this topic does not necessarily relate to LDP boundaries. The Council welcomes the requirement, set out in para 6.251 of the SPPS, that councils should assess the likely extent of waste management facilities for the plan area and identify specific sites. The Council would request that reference is made to the importance

of local Waste Management Plans (for Belfast this would be the arc21 WMP) as well as the revised Waste Management Strategy for Northern Ireland. The Council would request clarification as to whether the SPPS will require LDPs to safeguard existing waste management facilities.

The Council welcomes the presumption in favour of waste collection and treatment facilities, as set out in para 6.253 of the SPPS, where need has been identified and would highlight the critical role of planning in facilitating the provision of the appropriate infrastructure to allow national and local waste targets to be met.

In relation to the considerations for the determination of planning applications, para 6.254 of the SPPS, the Council would request clarification on whether these will include the waste hierarchy (waste prevention, reuse, recycling before energy recovery and landfill). The Council considers that the SPPS should require the LDP and development management to consider the waste hierarchy and note the need for waste to be minimised during construction and to be reused and reclaimed. The Council would also request clarification as to whether any additional consideration will be given to the added benefit which certain waste treatment plants, such as energy from waste or combined heat and power facilities, could offer local communities.

The Council welcomes the 'precautionary' principle, noted in para 6.255 of the SPPS, but would request further comment and clarification on the relationship of this principle to the treatment of hazardous waste and the 'proximity principle'. The Council notes the comments relating to development in the vicinity of waste management facilities in para 6.256 of the SPPS, and would request that this protective approach should be extended to ensure that any development adjacent to waste facilities should not jeopardise the possibility of any future expansion of the facility.

At a wider level, the Council would request that all future residential, commercial and industrial development should be designed to provide for waste separation and collection with appropriate provision for waste storage, recycling and collection in new developments. In this context, the Council notes the relevance of the Council's 'Waste Storage Guidance' which provides a wide range of information on issues such as storage capacity, siting, access and design.

Consultation Question 34 Implementation and Transitional Arrangements

Do you agree that transitional arrangements as described above are required in the short to medium term?

The Council recognises the need for sound transitional arrangements to be in place in the interest of continuity in planning policy for taking planning decisions and to allow Councils time to bring forward the LDP with operational policies for their own areas. The Council notes that they are to apply the retained operational policies contained within the documents listed on page 89 of the SPPS. However, the Council considers that the following SPPS statement (para 7.7), 'In the case of any conflict between this SPPS once published in final form and any policies retained under the transitional arrangements the provisions of the SPPS will prevail', offers considerable scope for uncertainty and legal challenge by affected parties over a substantial 'transitional' period of time.

The Council notes that the indicative timeframe for a new LDP (Figure 1 of SPPS) is at least 40 months and, hence, that the transitional arrangements could be in place in certain plan areas for at least 5 years and quite possibly much longer. The Council considers it critical that 'Detailed Departmental Guidance' (para 7.8) should be produced as a matter of urgency to support the planning and local government reform programme and that close consultation should take place with Councils on this.

The Council considers that transitional arrangements should be set out to cover the situation (as applies with the BMAP) where a Development Plan may be adopted shortly before or shortly after the transfer of planning powers to the Local Authority.

The Council notes that under 'Documents retained under Transitional arrangements' it is stated that Policy TEL 2 of PPS 11 is cancelled. As there is no TEL 2 within PPS 11, the Council would request clarification on whether TEL 2 of PPS 10 or WMP 2 of PPS 11 has been cancelled.

Consultation Question 35 Other SPPS Comments

Do you have any other comments on the SPPS?

The Council would make the following additional comments, not in order of priority, on the SPPS:

(i) **limited consultation: the Council considers that the absence of any consultation question on Section 4 'Local Development Plans' and the inclusion of only one question on section 5 'Development Management' unnecessarily limits the consultation process particularly as these sections are critical to the understanding and effective operation of the reformed two-tier planning system.**

(ii) **Community Plan: para 4.8 of the SPPS requires that Councils take account of its current Community Plan in preparing its Plan Strategy and LDP. The Council would request clarification relating to the situation where there is no Community Plan in place or where the Community Plan and LDP are being prepared simultaneously.**

(iii) **documents retained or revoked: the Council considers that the SPPS should provide a comprehensive list of the guidance retained or revoked by the SPPS including the list of the extant provisions of 'A Planning Strategy for Northern Ireland'. The Council considers that the list set out on page 89 of the SPPS should be made comprehensive in the interest of clarity with reference to the RDS, the PSRNI, Development Control Advice Notes, Design Guides, Best Practice Guides and HMO Subject Plans.**

(iv) **cross-boundary co-operation: the Council considers that the SPPS should set out guidance in relation to the circumstances and mechanisms for strategic planning across Local Plan boundaries. The Council considers that the relationship of cross-boundary co-operation to the 'soundness test', set out in para 4.19 of the SPPS, should be clearly explained. In this context the Council notes the relevance of Articles 17 and 18 in the Planning Act 2011 in relation to the preparation of a joint plan strategy and/or a joint local policies plan.**

(v) **enforcement: the Council notes that the DoE has reserve powers to take enforcement action, para 5.19, where it believes a Council has failed to issue enforcement or stop notices. The Council would request clarification on the enforcement powers of Councils when it considers that another Council should be taking enforcement action e.g. in the case where a wholesale warehouse is selling to the public.**

(vi) **status of requirements: the Council considers that the SPPS should set out clearly the distinction between those matters which 'must' be done with reference to legislative requirements and those which 'should' be done to deliver an effective and efficient planning system. The Council considers that this would be particularly helpful to ensure that the SPPS provides clarity and certainty for all users of the planning system.**

(vii) **review of SPPS: the Council notes that the proposed the 5 year review of the SPPS will coincide with the final stage of an LDP and would request clarification on the implications of this for the 'soundness' of the LDP and related draft operational policies.**

(viii) **Code of Conduct: the Council considers that the Councillor's Code of Conduct (para 3.47) should be in place before elected representatives perform planning powers to ensure the proper protection framework for representatives and the integrity of the planning system.**

(ix) **glossary: the Council considers it essential that the SPPS should include a Glossary to explain key terms including, for example, 'sustainable development' (para 1.1), 'soundness' and 'robust evidence base' (para 4.19), 'public interest' (para 3.46), 'conflict of interest' (para 3.47), 'material considerations' (para 4.1), 'sustainability appraisal' (para 4.22), 'minor change' to plan (para 4.28), 'regionally significant and major developments' (para 5.5), 'performance agreements' (para 5.11), 'pre-determination hearings' (para 5.13), 'officer delegation' (para 5.14) and 'call-in' procedure (para 5.20).**

(x) **LDP documents: the Council considers that the SPPS should set out, in an appendix, the documents which will comprise a *'Draft Plan Strategy'* and a *'Draft Local Policies Plan'* including all mandatory assessment documents. This would complement the diagram on page 25 of the SPPS.**

(xi) **call-in procedure and criteria: the Council considers that the SPPS should set out operational guidance with respect to the *'call-in'* procedure (paras 5.20 – 5.21) particularly the criteria which will be used by the Department.**

(xii) **prematurity: the Council considers that the refusal of planning permission on the grounds of *'prematurity'* where a new LDP is *'under preparation or review'* needs to be clarified. The Council would note the need, in this context, for comment to be made on whether the Department considers that the draft plan or review has to be published before *'prematurity'* can be applied.**

(xiii) **references: the Council considers that cross-referencing can make a document difficult and would suggest that the comment above under item (iii) would obviate the need for cross-referencing.**

(xiv) **footnotes: the use of footnotes is not consistent in the SPPS and their use does not make the SPPS user-friendly.**

(xv) **presentation of document: the Council considers that the document could be made more succinct and user-friendly with the use of operational diagrams and appendices for relevant, supporting information. It is noted that some sections have an over-arching aim whilst others do not. It is considered that a consistent approach should be adopted. The 'Key Documents' included in inserts are incomplete, misleading and, it is considered, should be omitted.**

(xvi) **terminology: the SPPS includes terminology which can be taken to represent a significant change of approach e.g. an existing PPS may state planning permission will 'not be permitted' whereas the SPPS may state planning permission 'should not' be permitted. The Council considers that such terminology should be consistent between the PPS and the SPPS to avoid misunderstanding and misinterpretation.**

(xvii) **PPS criteria-based approach: a large number of PPSs adopt a criteria-based approach which is not included in the SPPS. The Council considers that clarification is required on this important difference and, specifically, whether it represents a conflict when the SPPS is published in final form.**

(xviii) **conflict between SPPS and retained policies: the Council considers that para 7.7 has significant implications for the LDP and development management processes and would request clarification on the critical issue of how a 'conflict' would be defined and determined. The Council considers that uncertainty in this important area could readily lead to legal challenges.**

(xix) **detailed guidance: the Council considers that the list of guidance being considered by the Department, to support planning and local government reform, should be included in an Appendix to the SPPS in the interest of clarity for local authorities.**

(xx) **presumption in favour: the Council considers that the presumption in favour noted, in different ways, in paras 3.34 and 5.33 of the SPPS could be more clearly expressed at the start of the SPPS.**

(xxi) **overall conclusion: the Council recognises the significance and purpose of the SPPS in the reformed two-tier planning system. The Council fully supports the objective, set out in the Ministerial Foreword for a document which *'will set the direction for new councils to bring forward detailed operational policies within future local development plans'* and which will provide *'better clarity and certainty for all users of the reformed planning system'.* The Council considers that the SPPS should be much more succinct and that the use of appendices and diagrams would be of**

significant help in this regard. The Council is committed to working with the Department to ensure that the final SPPS successfully meets these fundamental objectives and that the reformed two-tier planning system operates effectively for the benefit of the city and the region as a whole.

Consultation Question 36 Interactive Digital Engagement

Do you consider that the provision of the interactive digital consultation document has been a successful initiative?

The Council considers that the digital consultation is a helpful initiative."

Routine Correspondence

It was reported that correspondence had been received from various statutory bodies, agencies and other organisations in respect of the undernoted:

An acknowledgement from the Strategic Planning Division in respect of the Committee's response in relation to the George Best Belfast City Airport Planning Agreement Modification Process.

Notification from the Planning Appeals Commission advising that an appeal against an enforcement notice had been received in relation to an alleged unauthorised erection of a lean-to extension to the rear of premises on land at 169 to 173 Antrim Road.

An acknowledgement from the Roads Service in relation to the request from the Committee for the removal of the yellow line on the Crumlin Road at the former Court House.

Copies of the letters, maps and orders relating to the above-mentioned matters were made available at the meeting for the information of the Members.

The Committee noted the information which had been provided.

Z/2010/0767/F
Orchard House Nursing Home

It was reported that correspondence had been received from the Area Planning Office in relation to the above-mentioned matter which had indicated that, having considered all the relevant factors, the Planning Service remained of the opinion that the application, in respect of a proposed extension and alterations to the nursing home to increase occupancy from 36 bedrooms to 46 bedrooms and ancillary accommodation with external car parking and landscaping, including temporary opening of former access onto the road for use during the construction, was acceptable and that a decision to approve would be issued within the near future.

Arising from the discussion in that regard, the Planning Service undertook to notify the Committee of incidents in the future when further representations were received and considered in relation to specific cases.

Noted.

Requests for Deputations

It was noted that no requests for deputations had been received.

New Planning Applications

The Committee noted a list of new planning applications which had been received by the Planning Service from 25th March until 7th April.

Deferred Items Still Under Consideration

A list of deferred items, which were still under consideration by the Planning Office, was noted by the Committee.

Streamlined Planning Applications – Decisions Issued

The Committee noted a list of decisions which had been issued by the Planning Service between 26th March and 10th April in respect of streamlined planning applications.

Schedule of Applications – Applications Withdrawn

At the request of the applicants, the undernoted items were withdrawn from the schedule:

Site and Applicant	Proposal	Divisional Planning Manager's Opinion
374 to 378 Newtownards Road, Mr. Lynch	Demolition of existing commercial buildings and construction of mixed use development comprising of ground floor retail space and 14 apartments.	Refusal
Site bounded by Clifton Street, Oaklee Homes Group Limited	Residential development consisting of 4 semi-detached houses and 6 apartments.	Approval

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At the request of the Planning Service, the undernoted item was withdrawn from the schedule:

Site and Applicant	Proposal	Divisional Planning Manager's Opinion
Mountainhill Youth Club, 146 Ligoniel Road, Belfast Education and Library Board	Proposal for a new pitch and floodlighting and replacement of existing retaining wall.	Approval

THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE POWERS DELEGATED TO IT BY THE COUNCIL

Reconsidered Items

The Committee considered further the undernoted planning applications and adopted the recommendations of the Divisional Planning Manager thereon:

Site and Applicant	Proposal	Divisional Planning Manager's Opinion
20 Knockburn Park, Mr. M. McCurry	The demolition of an existing double garage and the erection of a detached dwelling, together with alterations to existing road access.	Approval
19 Myrtlefield Park, Mr. B. Kennedy	Conversion and extension of the existing detached dwelling into four apartments, including landscaping and parking.	Approval
Land to rear of 26 to 30 Belmont Avenue, Mr. S. McCusker	The erection of one, detached dwelling.	Approval

Schedule of Planning Applications

The Committee considered the schedule of planning applications which had been submitted by the Divisional Planning Manager in respect of the Council area and agreed to adopt the recommendations contained therein with the exception of those referred to below:

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Site and Applicant	Proposal	Divisional Planning Manager's Opinion
Young Men's Christian Association, Lagan Meadows, Belfast Education and Library Board	A new, 14 class primary school, new childcare centre, extension to existing pavilion, provision of additional ancillary administrative, multi-purpose sports and changing facilities' buildings and new 3rd generation sports pitch, complete with floodlighting. [Deferred at the request of the Committee to enable an office meeting to be held: Criteria 5.]	Refusal
286 Cliftonville Road, Mr. J. J. Magee	Change of use from a beauticians to a hot food takeaway. [Deferred at the request of the Committee to enable an office meeting to be held: Criteria 5.]	Refusal
52 to 54 Boucher Crescent, Datura Enterprises Limited	Change of use of the existing 2 storey, vacant office building to a bulky goods retail use, including a café, with new extension to rear and lobby entrance, associated elevation changes, new entrance from Boucher Place to supplement the existing entrance from Boucher Crescent, provision of car parking and associated operational development. [Deferred at the request of the Committee to enable an office meeting to be held: Criteria 5.]	Approval
37 to 43b Upper Lisburn Road, R. P. P. Architects	Residential development of 16 units of semi-detached and terraced houses, with associated roads and landscaping. [Deferred at the request of the Committee to enable an office meeting to be held: Criteria 4 and 5.]	Approval

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448a to 450 Shore Road, Hagan Homes Limited	Conversion of the existing first floor premises to 2 apartments. [Deferred at the request of the Committee to enable an office meeting to be held: Criteria 5.]	Refusal
Falls Park, 513 Falls Road, Gregory Architects	Proposed changing pavilion and 3rd generation pitch with associated perimeter fencing, floodlighting and additional car parking facilities. [Deferred at the request of the Committee to enable an office meeting to be held: Criteria 4.]	Approval
2 Ventry Street, Mr. M. Huang	Change of use to a hot food takeaway. [Deferred at the request of the Committee to enable an office meeting to be held: Criteria 5.]	Approval

Chairman