

# Strategic Policy and Resources Committee

Friday, 19th September, 2014

## MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE

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

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

### Apologies

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

### Minutes

The minutes of the meeting of 20th August 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 September.

### Declarations of Interest

No declarations of interest were reported.

### Compassionate City Charter for Belfast

The Committee considered the undernoted report:

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

**1.1 At the September 2014 Council meeting a Motion was brought by Councillor Curran and seconded by Councillor Kyle that ‘this Council agrees to become a Charter for Compassion Partner which seeks to endorse the following principles of the Charter for Compassion:**

**1.2 The principle of compassion lies at the heart of all religious, ethical and spiritual traditions, calling us always to treat all others as we wish to be treated ourselves. Compassion impels**

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**us to work tirelessly to alleviate the suffering of our fellow creatures, to dethrone ourselves from the centre of our world and put another there, and to honor the inviolable sanctity of every single human being, treating everybody, without exception, with absolute justice, equity and respect.**

**It is also necessary in both public and private life to refrain consistently and empathically from inflicting pain. To act or speak violently out of spite, chauvinism, or self-interest, to impoverish, exploit or deny basic rights to anybody, and to incite hatred by denigrating others—even our enemies—is a denial of our common humanity. We acknowledge that we have failed to live compassionately and that some have even increased the sum of human misery in the name of religion.**

**We therefore call upon all men and women ~ to restore compassion to the centre of morality and religion ~ to return to the ancient principle that any interpretation of scripture that breeds violence, hatred or disdain is illegitimate ~ to ensure that youth are given accurate and respectful information about other traditions, religions and cultures ~ to encourage a positive appreciation of cultural and religious diversity ~ to cultivate an informed empathy with the suffering of all human beings—even those regarded as enemies.**

**We urgently need to make compassion a clear, luminous and dynamic force in our polarized world. Rooted in a principled determination to transcend selfishness, compassion can break down political, dogmatic, ideological and religious boundaries. Born of our deep interdependence, compassion is essential to human relationships and to a fulfilled humanity. It is the path to enlightenment, and indispensable to the creation of a just economy and a peaceful global community.**

**The council will commit to exploring how the charter will translate into a tangible plan for compassionate action among our citizens and communities, and how it can be best used to promote understanding our unique city context."**

- 1.3 In accordance with Standing Order 11(e), the Motion was referred to the Strategic Policy & Resources Committee.**
- 1.4 This global campaign is to raise awareness of the benefits of compassionate actions.**
- 1.5 Its purpose is to encourage city leadership from around the world to create and bring together efforts towards increasing compassion through local initiatives, policy and projects.**

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**1.6 As of July 2014 organising campaigns are taking place in over 240 communities worldwide.**

**2 Key Issues**

**2.1 The Belfast Compassionate City Charter is an established charity and the Board members are: Frank Liddy, Chair; Mary McManus, Treasurer - East Belfast Community Development Association; Heather McGregor, Secretary – QUB; Rev Bill Shaw Presbyterian Church in Ireland; John Paul Lederach, Professor of Practice for International Peace building at University of Notre Dame.**

**2.2 Should Council endorse the Charter, it would be envisaged that a high profile public signing of the Charter will take place in City Hall. An action plan will be developed by the Charity to initially commence having the charter available for signing. World Cafe conversations with communities in the four corners of the city will then follow. These events will take place during autumn/winter.**

**2.3 The results of the cafe conversations will be collated and it is envisaged that a conference will be held in Spring 2015 to disseminate the feedback and future planning.**

**2.4 Elected Members from each of the areas will be advised in advance when the community conversations will take place.**

**2.5 The role of the Council in all the activities associated with the roll out of the Compassionate City Charter will be to support the work of the Board and endorse the principles that underpin the aims of the Charter.**

**3 Resource Implications**

**A budget has not been set aside for this work.**

**4 Equality and Good Relations Implications**

**None**

**5 Recommendations**

**The Committee is requested to note the contents of the report and**

- (i) agree to adopt the principles that underpin the aims of the Charter**
- (ii) agree to support the work of the Board.”**

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The Committee adopted the recommendations.

**Family Friendly Car Parking**

The Committee was reminded that the Council and the Shadow Council at their meetings in September had referred the following Notice of Motion to the Strategic Policy and Resources Committee and the Transition Committee respectively:

*“This Council, mindful of the need to create a more family friendly City, will make provision within all car parks that it controls for family designated parking spaces.”*

The Director of Property and Projects reported that, in order to adopt an agreed position, arrangements would be made to paint a parent/child logo in appropriate car parking spaces as had recently been the trend in some supermarket car parks. The exercise would be undertaken in two parts, firstly on the Council’s existing car parks and later on any car parks transferring post 2015 following Local Government Reform. He pointed out that there were no specific family friendly space standards for bay size or the number of such spaces required. Discussions would, therefore, be held with the managers of leisure centres and other facilities to determine numbers and sizes appropriate to the clientele of the various facilities.

He explained that, as a guide, the Department of the Environment guidance, “Access for All” required a minimum normal size bay size of 2.4 x 4.8 metres and 3.8 x 6.6 metres for disabled badge holders. Even then allowances were made for differing parking layouts, that is, parallel, herringbone or in line and tended to be site specific on the details of layouts. The first step was then to obtain details of the car parks, agree on the number and size of family friendly car park bays per site, agree budgets and then undertake the work. This would be added to the current asset and maintenance management plans which were ongoing as part of the Local Government Reform and the most cost effective solution would be implemented.

The Committee approved the suggested actions in relation to family friendly car parking.

**Investment Programme**

**Super-connected Belfast Update**

The Director of Finance and Resources submitted for the Committee’s consideration the undernoted report:

**“1. Relevant Background Information**

**1.1 The Super-connected Belfast programme of work comprises three strands:**

- 1. Belfast Connection Voucher scheme**
- 2. Public Sector Wi-Fi Hotspots**

### 3. Metro-Wireless project

1.2 This report provides updates on the first two strands of the programme and outlines recent significant developments relating to the Metro-Wireless project.

#### 2. Key Issues

##### 2.1 Belfast Connection Voucher Scheme

The Belfast Connection Voucher Scheme (BCVS) allows small businesses and social enterprises within the new Belfast City Council boundary area to apply for grants of up to £3,000, to obtain high-speed broadband connections.

2.1 The Belfast Connection Voucher team is well established in Digital Services and supports the administration of the Voucher scheme for both Belfast and Derry City councils. An update of the current project status is outlined in the table below.

##### 2.3

<b>Belfast Voucher Scheme (as of 4th September 2014)</b>	
Applications received	679
Vouchers Issued	289
Vouchers value	£752,782

2.4 Voucher recipients have indicated that they expect to create 600 jobs and grow their businesses by over £30million in the next 3 years. Examples of two major applications in progress include:

- Townsend Business Park – 39 applications at a value of £115,000
- Conway Mill – 15-20 businesses

2.5 Following a comprehensive review of the Voucher scheme across all participating cities, the Department of Culture Media & Sport (DCMS) are now projecting that whilst there is strong evidence to show the vouchers concept is gaining momentum, voucher take-up will not reach initial predictions.

2.6 To ensure maximum take-up DCMS is now undertaking further work to streamline the scheme to enable suppliers and SMEs in all 22 cities to maximise the number of businesses benefitting, with changes expected to be put in place in September. DCMS are also launching a marketing campaign across all cities which will support our own demand stimulation activities.

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**2.7** The experience of the Voucher team suggests that direct engagement with businesses is the most successful way of driving up voucher applications. Feedback from early engagement with local companies also suggests that businesses require support to help them maximise the potential of the infrastructure. To this end 15 demand stimulation seminars are to take place across the city. The schedule is as follows:

**2.8**

<b>Date</b>	<b>Time</b>	<b>Area</b>	<b>Location</b>
25th Sep	Breakfast	City Centre	City Hall
30th Sep	Lunch	City Centre	The MAC
2nd Oct	Evening	City Centre	The MAC
2nd Oct	Breakfast	West	Workwest
9th Oct	Lunch	West	Workwest
15th Oct	Evening	West	BMC – Springfield Campus
6th Nov	Breakfast	East	Skainos
13th Nov	Lunch	East	Skainos
19th Nov	Evening	East	Skainos
8th Jan	Breakfast	North	Belfast Castle
15th Jan	Lunch	North	Belfast Castle
21st Jan	Evening	North	Belfast Castle
5th Feb	Breakfast	South	Malone House
12th Feb	Lunch	South	Malone House
18th Feb	Evening	South	Malone House

- 2.9 The schedule of seminars has been carefully planned with telecoms suppliers to ensure they correspond with, supplier roll out plans, areas of current demand and to minimise disruption as a result of physical works. The Voucher Team is planning to hold 3 seminars at each location, morning, lunchtime and evening, on different days to provide the maximum opportunity for businesses to attend.
- 2.10 With the support of the Lord Mayor and members, the profile of these demand stimulation seminars can be raised to levels that would ensure we connect with as many businesses as possible. The Lord Mayor will launch the seminars in the City Hall on the 25th September and members are encouraged to promote the seminars within their individual constituencies and beyond.
- 2.1 Seminar content will include:
- a general overview of the scheme (Super-connected Belfast Team),
  - explaining how improved connectivity can make business more efficient (local case studies),
  - and, how improved connectivity can drive job creation and economic growth (expert speakers).
- 2.12 It is forecast that each event will be have an average attendance of 35 equating to 525 attendees across all of the seminars. It is also anticipated that approximately 250-350 businesses will benefit from the vouchers as a result of the events. Should this be achieved, it would deliver almost £1 million of financial support to local businesses.
- 2.13 Public Sector Wi-Fi Hotspots  
The Public Sector Hotspots strand of the Super-connected Belfast programme aims to fund the installation of wireless/Wi-Fi equipment into buildings regularly visited by

members of the public. The funding covers broadband connections and equipment, wiring and the cost of installation.

**2.13 Public buildings eligible for funding must meet the following criteria:**

- Hotspots will only be provided within public buildings (owned or long-leased, and occupied by the Council or other public bodies).
- The funding is limited to capital works only with an obligation on the Council and its partners (NICS) to operate the service for a minimum of 2 years and to cover all annual revenue costs.
- The scheme will cover the capital costs of wireless connectivity within buildings, cabling and where necessary the telecoms connection to the building.
- Public Wi-Fi connectivity is primarily for members of the public, however, staff or other groups within a building may also make use of the connectivity if there is spare capacity.

**2.14 In total 120 buildings have been identified for inclusion and a list of these has been circulated. The list is made up of 109 Council buildings and 11 NICS buildings.**

**2.15 The Public Building Hotspot procurement is underway. The tender closed on the 29th August. Six submissions were received and it is anticipated that the successful supplier will be selected by mid-September.**

**2.16 Metro Bus Wi-Fi**

The Super-connected Belfast team are also actively working to ring-fence DCMS funding to facilitate the installation of Wi-Fi on the Translink Metro bus fleet. Following positive legal opinion on State Aid the project team are awaiting confirmation from Translink that they can meet the criteria stipulated by DCMS, namely:

- that the project can be delivered by March 2015,
- does not require State aid clearance,

- and has a clear and sustainable business case as required by HMT Green Book requirements for ensuring value for money.

A decision on whether this addition will be included will be made by the end of September. The estimated cost of the work is £600k and the operating costs will be met by Translink.

**2.17 Metro-Wireless**

The Metro Wireless concession contract, which aimed to deliver a city centre wireless zone, has experienced unexpected difficulties. Consequently we must now reconsider our approach to delivering this strand of the Super-connected programme.

**2.18** Five Telecoms Providers originally applied to take part in the procurement exercise and four successfully met our pre-qualification criteria. However, three of the four pre-qualified organisations withdrew from the procurement during the competitive dialogue process, indicating they were unable to develop a viable commercial business case to sustain a city centre Metro-wireless rollout.

**2.19** The remaining supplier (GOWEX) presented a highly attractive proposal which met the aspirations of the Council to have a sustainable widespread Wi-Fi offering in the city centre. The supplier also presented a number of impressive case studies of successful high profile city centre Wi-Fi projects which included, New York, Paris and San Francisco. Regrettably, Gowex has experienced widely publicised financial difficulties which have invalidated their pre-qualification status.

**2.20** It is now proposed that the Council takes ownership of the delivery of this project and procure and implement a city centre Wi-Fi service using funding already allocated within our capital programme. The European commission considers that public funding to a single recipient of up to €200,000 (£160,000) over a 3 year period, has a negligible impact on trade and competition, and does not require State Aid notification. Therefore, the Council is free to establish its own city centre Wi-Fi zone within these constraints.

**2.21** Initial market research with telecoms suppliers indicates strong interest in a Council funded Wi-Fi network, where Wi-Fi cells are located in areas of high footfall like the grounds of the City Hall. By focussing the installation of Wi-Fi cells on public buildings and by making use of ducting that has

already been installed as part of the 'Streets Ahead' initiative a significant Wi-Fi zone concentrated on the city centre can still be delivered. It should be noted that if this approach is successful at the end of the three year period another €200,000 can be invested to extend the original Wi-Fi zone.

**3. Resource Implications**

**3.1** The Super-connected Project Team will continue to manage the three strands of the programme and the Belfast Voucher team will administer voucher applications for Belfast and Derry.

**3.2** **Belfast Connection Voucher Scheme**  
Allocated funding of £9.8M will remain with DCMS and will be released based on the take-up of vouchers.

**3.3** **Public Sector Wi-Fi Hotspots**  
£1.35M has been earmarked for this strand based on the building list estimates submitted and funding for Translink Wi-Fi.

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	<b>Capital costs</b>	<b>Revenue costs</b>
BCC (109 buildings)	£400,000	£180,000 (BCC annual revenue)

- 3.4 **Metro-Wireless**  
€200,000 (£160,000) over a 3 year period can be allocated to this project without requiring State Aid notification.
4. **Equality and Good Relations Implications**  
N/A
5. **Recommendations**
- 5.1 Members are asked to support the series of demand-stimulation seminars that will take place across the city.
- 5.2 Members are also asked to approve the initiation of a council led city centre Wi-Fi project.”

The Committee adopted the recommendations.

**Social Clauses Review and Policy for Consultation**

The Committee considered the undernoted report:

“1.0 **Purpose of report**

- 1.1 The purpose of this report is to:
- Update members on progress to date with the inclusion of social clauses in council contracts using the interim policy position of CIFNI criterion
  - Seek members feedback and direction on a draft council policy
  - Agree to the extent of data capture for compliance verification
  - Agree a partnership approach to the development of a third party delivery model for social clauses associated with employment

2.0 **Relevant Background Information**

- 2.1 As part of the £150 million Investment Programme (IP), members asked for the introduction, where appropriate, of social clauses and community benefit clauses into council tenders. On 4 July 2012, the Northern Ireland Assembly passed legislation that enables Councils to take account of certain non-commercial matters in the award of public works

contracts. Such criteria were previously considered as ineligible.

- 2.2 The legislation introduced in July 2012 now enables councils to consider the use of social clauses as contractual conditions, requiring contractors, for example, to provide employment opportunities for the unemployed. These conditions must be incorporated in such a way that they do not infringe the general principles of EU law and also ensure that they remain compliant equality obligations.
- 2.3 The adoption of social clauses within the Northern Ireland public sector has primarily focused on delivering employability-related benefits. These are through the provision of apprenticeships and employment/work placements for students and the long-term unemployed. Whilst social clauses with an employability focus have been most high profile to date, a wider range of commercial, environmental and community-focused clauses exist.
- 2.4 Minimum standards for social clauses within construction works contracts have been agreed by CIFNI (Construction Industry Forum for Northern Ireland) and CPD. (Central Procurement Directorate) Similar standards are being developed for construction services as well as for goods and services contracts. To be legally admissible these clauses must be relevant to the subject matter of the contract
- 2.5 Whilst these standards are a useful benchmark, they don't necessarily maximise the economic return, nor do they allow for local economic and social conditions to be taken into account.
- 2.6 Members will also be aware that two motions in Council were adopted which impact on the development of the Councils policy formation. These were the inclusion of the living wage as a contract condition and a motion targeting the long term unemployed ('Real Jobs' motion). . Appendix A contains the wording of these motions.

### **3.0 Progress To Date**

- 3.1 At the 23 October 2013 meeting of the Strategic Policy & Resources Committee, members were advised that this work had commenced. As an interim measure, they agreed that all council contracts with minimum labour values of £250,000 and contract duration of 6 months would be screened for the inclusion of social clauses. In the absence of a social clause

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policy, members also agreed to adopt the minimum social clause standards as agreed by CPD and CIFNI.

- 3.2 All internally administered council tenders are now screened against the agreed criteria and in conjunction with Legal Services, Economic Initiatives and agreement with other stakeholders, such as funders, to consider incorporating appropriate contract clauses seeking social benefit.**
- 3.3 Appendix B outlines those current contracts which have been captured by the agreed criteria. In total there are 11 contracts with Social Clauses included and a further 8 tender opportunities identified with the programme of tenders and capital works programme for their inclusion. Both the works contracts at Woodvale and Dunville Parks had provision for social clauses but as these were applied respectively and were voluntary thus had only limited success.**
- 3.4 Experience to date has identified the importance of engaging with local businesses and residents to support social clause delivery and maximise local benefit. For example to facilitate delivery of the social clauses for the Girdwood Community Hub project, extensive engagement has taken place with local community groups and training providers to promote employment and work placement opportunities available through this contract. Working through the Girdwood Community Forum a subgroup has been created to provide a conduit between council, the appointed contractors and community representatives to engage and inform residents and businesses of employment and supply chain opportunities arising through the social clauses. This engagement included the other non council contractors on this site and provides a joined up approach for social clause delivery across the Girdwood Park site. Although somewhat effective to date, this approach is very resource intensive and would be a challenge to deliver, at this level/ scale, in considering the number of contracts expected to be delivered in the forthcoming months across the capital programme.**
- 3.5 Ongoing work is taking place with Department of Culture, Arts and Leisure (DCAL) regarding the social clauses included within the Windsor Park and Casement Park Stadia developments. Council is working in partnership with DCAL and Department of Employment and Learning (DEL) to engage with local communities and businesses to increase their accessibility to employment and supply chain opportunities arising from the social clauses in these projects. In addition officers have been working with DCAL officials on both Olympia and Andersonstown contracts incorporating, as part**

of the funding condition, an agreed set of social clauses. Whilst these clauses are broadly aligned to those adopted by council, the most notable difference requires contractors to employ new apprentices, in addition to a 5% of workforce industry standard agreed by industry and CPD. As outlined below clauses relating to apprenticeships present specific challenges for council.

#### **4.0 Key Issues**

**4.1 Experience to date of integrating social clauses into council contracts has identified a number of challenges for council, these include:**

- **The integration of social clauses within council contracts requires legal consideration on a per contract basis.**

**To minimise risk of non-compliance, significant resources will be required to support contractors to deliver upon these clauses in order to manage this risk.**

- **To effectively manage social clause delivery, resources will also be required to collect performance data and then collate this information to provide an overview of the collective impact of the clauses.**
- **The most frequently used social clauses are employability related, with options available to employ the long term unemployed, apprenticeships and/or student placements amongst others.**

**4.2 The nature of these types of clauses provide challenges for council including:**

- 1. The scale of council contracts in terms of value and duration may make it impracticable for suppliers to deliver longer-term employability benefits such as apprenticeships, the duration of which is expected to be longer than the timescale of the council's contract.**
- 2. Social clauses, are restricted to the timescale of the contract to which they apply, creating potentially unsustainable employment. Whilst Council can try to encourage Contractors to provide sustainable employment, this cannot be enforced or managed by council post contract delivery.**
- 3. Resources are available through DEL to assist contractors to source long term unemployed people**

for employment opportunities, work placements or apprenticeships. However this is an advisory and signposting service only; it is still the responsibility of the contractor to find the candidates to fulfil employment related social clause requirements, which is unsatisfactory for number of reasons. Without a coherent policy position across the public sector in terms of a pipeline of projects and serious economic development support to source, skill and support people needing jobs, the impact of social clause will be piecemeal and limited.

- 4.3 Experience has shown through the development of the Girdwood social clauses that policy and contractual clauses should only be regarded as a means to an end, as it is more important that all the stakeholders including the contractors embrace the spirit of the policy.
- 4.4 The draft policy for consultation, see Appendix C, attempts to capture an evolving understanding of what it is possible to achieve within current council resources. It allows for the continuation of the existing industry standard criteria and will be accompanied by a guidance document which is still to be drafted. The policy is intended to lay a foundation for a more progressive solution as both the industry and the council attunes itself. It has attempted to capture the IP commitments as well as the subsequent motions adopted by the council by targeting long term unemployed and creating apprenticeships.
- 4.5 On 6 January 2014 a notice of motion was adopted by Council calling for a 'real jobs' contract clause. Specifically it asked that:

*'The 'Real Jobs' clause will guarantee ring fenced, fully paid jobs and apprenticeships for the long-term unemployed (12+ months).'*

This has been captured within the policy in the form of employment weeks for the long term unemployed as it prevents unscrupulous contractors creating 'one day' jobs. It is constrained by being only applicable for the duration of that specific contract.

- 4.6 Following the adoption of the 'living wage' motion officers held discussions with CEF. Their view is the impact of the Living Wage motion is unlikely to impact on construction contracts as allowances already exceed the Living Wage. However when we attempted to apply these to service contracts we have been advised following European case law tests that legal opinion

suggests that the Living Wage may not always be legally permissible, because in certain circumstances it could be seen to disadvantage Contractors from other member states.

## **5.0 Monitoring and Reporting**

Clauses have the potential to span a number of areas including employability, promotion of supply chain opportunities, environmental benefits and/or project specific community and regeneration benefits. Therefore the data collection issues alone mean that there is a need to consider how this information is gathered on a contract by contract basis and then brought together to give an overview of the collective impact of the clauses. To minimise the risk of non-compliance, a streamlined reporting process needs to be established through which contractors would report upon progress against social clause requirements. Members should be aware that there is no existing capacity within current staff resources to undertake this dedicated role and this would need to be addressed.

- 5.1** A reporting template is available through CIFNI and this has been used by the council. This template requires contractors to report against social clause requirements on a monthly /quarterly basis in order to validate contractual obligations. The existing template requires the reporting of personal data on the individuals benefiting from employability-related clauses. Due to the transfer of personal data, this may have data protection implications for council.
- 5.2** It is proposed that some amendments would be made to the template to simplify the information requested from the contractor, removing the need to capture personal data. Instead, the postcode of the apprentice/work placement candidate would be recorded, as well as the number of weeks employment/work placement weeks achieved.
- 5.3** This will help confirm how many apprentices/work placements were from the council area. It would also ensure that the wider social clause requirements in terms of apprentice/work placement numbers and duration of employment were available for recording. In order to provide assurances to the council that there was no double counting, we intend to ask contractors to provide the last three digits of the candidate's national insurance number and we could compare these across all the reports received. However it will not be possible to use the DEL verification process to check the information.

**6.0 Potential Collaborative Model for Apprenticeships**

- 6.1** Alluded to previously the Council is limited in what it can achieve when acting on this matter in isolation from others with similar contract clauses. Potential exists to work in partnership with others in the city leading key investment projects such as the University of Ulster Belfast campus development and SIB, to create a pool of public sector contracts with social clauses included. Collectively the scale and duration of these individual contracts, would create the potential for much larger economic returns and would accommodate longer term employment opportunities such as apprenticeships.
- 6.2** Good practice examples, See Appendix D, highlights that these third party models, which feed off a collective pipeline of contracts, has been successful in both Greater Manchester and Liverpool. In both these examples social enterprises act as a delivery vehicle for the fulfilment of the contractual obligations for contractors, across a number of contracts from a range of public sector organisations. This particular model which has operated under a different legislative framework for some time has additional advantages in that it can quite legitimately be focused at a local level.
- 6.3** The set up costs of such a model are not insignificant and would be required to be shared amongst those wishing to avail of it. Whilst there have been some discussions with the relevant organisations no firm commitment has been given to the collaborative apprenticeship model. Likewise, any potential operator of such a scheme would need to be assured of a pipeline of opportunities to order to make the commitment to recruiting the apprentices and ensuring that they would be able to complete their full apprenticeship programme.
- 6.4** Corporate Management Team is in discussion with the Chief Executive of Centre of Economic and Social Inclusion as well as the Director of skills Employment at New Economy Manchester to:
- Identify how other local authorities in the UK have played an active role in local employability and skills strategies
  - Understand how other local authorities have moved away from multiple delivery agents towards a more targeted and streamlined approach
  - Understand how economic competitiveness can be maximised while ensuring that those further from the

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**labour market have the opportunity to build their skills  
and avail of employment opportunities**

**A further report will be brought back to members.”**

After discussion, the Committee adopted the recommendations and noted a request for a Party Briefing on the matter by the Social Democratic and Labour Party.

**Democratic Services and Governance**

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

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

<b>Organisation/ Body</b>	<b>Event/Date - Number of Delegates/Guests</b>	<b>Request</b>	<b>Comments</b>	<b>Recommendation</b>
International House Belfast	International World House Organisation Directors' Conference Dinner  25th April, 2015  Approximately 120 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 meeting 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
Falls Youth Providers	Falls Youth Awards  25th November, 2014  Approximately 250 attending	The use of the City Hall and the provision of hospitality in the form of tea, coffee and biscuits	This event aims to highlight the achievements of young people in the city and to promote the talent which exists among the award recipients. Awards will be presented to recognise success in areas such as education, sport, training, citizenship, leadership, participation and	The use of the City Hall and the provision of hospitality in the form of tea, coffee and biscuits  Approximate cost £625

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			<p>arts and culture.</p> <p>This event would contribute to the Council's Key Themes of 'City leadership, strong, fair and together' and 'Better support for people and communities' and in addition would contribute to the Council's thematic area of Children and Young People.</p>	
<p>Belfast Education and Library Board – Inclusion and Diversity Team</p>	<p>Inclusion and Diversity Team – Showcase Event and Prize-giving</p> <p>15th December, 2014</p> <p>Approximately 150 attending</p>	<p>The use of the City Hall</p>	<p>This event aims to highlight the achievements of the diverse groups living in the city who often feel marginalised and excluded. It will seek to provide the opportunity for communities to become more inclusive and integrated while promoting diversity within the Cities growing multi-cultural population.</p> <p>This event would contribute to the Council's Key Themes of 'City leadership, strong, fair and together' and 'Better support for people and communities'.</p>	<p>The use of the City Hall</p>

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<p>The Scout Association</p>	<p>Queen's Scout Award and Chief Scout's Award Certificate Presentation 25th March, 2015 Approximately 450 attending</p>	<p>The use of the City Hall and the provision of hospitality in the form of tea, coffee and biscuits</p>	<p>This event aims to recognise the achievements of young people who have successfully demonstrated the determination and persistence required to achieve their personal best in terms of effort, commitment and self-reliance.</p> <p>This event would contribute to the Council's Key Themes of 'City Leadership, Strong, Fair and Together', and 'Better support for people and communities'</p>	<p>It should be pointed out that this organisation has been granted use of the City Hall and the provision of hospitality for a similar event on 9th January, 2015. Given the costs involved the organisation has agreed to meet the charges for their hospitality, therefore it is recommended that the use of the City Hall be granted.</p>
<p>Young Enterprise Northern Ireland</p>	<p>Young Enterprise Northern Ireland Innovation Awards 7th May, 2015 Approximately 400 attending</p>	<p>The use of the City Hall and the provision of hospitality in the form of tea, coffee and biscuits</p>	<p>This event will celebrate the achievements of a cross-section of young people from the community, many of whom have learning and physical disabilities. The programme provides the opportunity to showcase the unique talents of the participants while clearly communicating that a lack of academic success does not equate to failure.</p> <p>This event would contribute to the Council's key themes 'City Leadership - strong, fair, together' and of 'Better support for</p>	<p>The use of the City Hall and the provision of hospitality in the form of tea, coffee and biscuits</p> <p>Approximate cost of £1,000</p>

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			people and communities' and in addition would contribute to the Council's thematic area of Children and Young People.	
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The Committee adopted the recommendations and noted that a report on a review on the Use of the City Hall policy would be submitted in October.

**Use of iPads**

The Committee was reminded that, at its meeting on 21st September, 2012, it had considered a report which had outlined a business case for the introduction of iPads for Members. At that meeting the Committee had agreed:

- to the provision of iPads and associated software to Members;
- to the "Terms of Use" for the allocation of iPads;
- that Digital Services schedule a procurement programme, training and distribution of iPads to Members and a demonstration of the technology; and
- to continue with a dual system of paper reports and iPads from November, 2012 till the end of March, 2013.

The Democratic Services Manager reported that, during that period, the programme had been successfully rolled out, with Members being provided with iPads and appropriate training. At that time, a number of Members had indicated that they would be content to rely on the iPad for the provision of electronic papers and to cease to receive paper copies of reports from 1st April, 2013. However, due to a number of technical difficulties, it had been decided to continue with the dual issue of papers to ensure that the iPad "modern.gov" app had been fully tested for resilience and robustness. During the intervening period, the app had proved to be effective and the Council was now in a position to cease the printing and issuing of paper copies of Committee reports. Further training would be provided on the operation of the iPad generally and on the app specifically for any Member who requested that. That might include:

- (1) ensuring that the most up-to-date version of the Modern.Gov app is installed;
- (2) demonstrating good practice so that minutes and reports were downloaded in advance of meetings to ensure that papers could be accessed in situations where Wi-Fi was unavailable;

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- (3) showing how documents could be bookmarked, annotated and searched; and
- (4) in addition, a guidance note on the use of the iPad app would be issued to all Members.

The Committee agreed that, for those Members who had received an iPad from the Council, the printing of paper copies of Committee and Working Group reports would cease with effect from 1st November, 2014; and for the Council minute book with effect from 1st January, 2015.

**Finance/Value-for-Money**

**Minutes of Meeting of the Audit Panel**

The Committee approved and adopted the minutes of the meeting of the Audit Panel of 16th September.

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

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

**Voluntary and Community Sectors –  
Pricing Rates for the Use of Council Facilities**

The Committee was reminded that, at its meeting on 22nd August, it had agreed that a report be submitted to its next meeting in relation to the undernoted Notice of Motion which had been referred to it by the Council on 1st July, 2014:

*“This Council recognises the good work of the voluntary and community sectors across Belfast and agrees, in recognition of the valuable contribution made to the well-being of the City, to seek to formulate a policy which would enable such groups to avail of the use of Council facilities by establishing a preferential pricing rate for both sectors.”*

The Director of Finance and Resources reported that, as part of the Service Convergence work being undertaken by the Council in preparation for Local Government Reform, the current pricing schedules, including discount arrangements for charities, community and voluntary organisations were being captured for facilities in the new boundary area. As part of the transition plan proposals, a pricing policy, including discounts, would be presented to the Shadow Council for consideration.

The Committee noted that the consideration of a preferential policy which recognised the good work of the voluntary and community sectors across Belfast would be undertaken as part of the Pricing Policy Service Convergence work which must be completed and agreed by the Shadow Council before 1st April, 2015.

**Request to Participate in Cinemagic Initiative**

The Director of Organisational Development reported that the Council had been requested to participate and part fund a Cinemagic initiative aimed at addressing the under representation of women in politics. The project, to which the Northern Ireland Assembly had already agreed to be a partner, would involve twenty-four young women, aged between 16 and 24 years, being given the opportunity to attend a week long intensive filming course with industry experts to create a short film. The aim of the film would be to:

- inspire a new generation of young women to become leaders in the political arena;
- educate other young women on the political decision making process in Northern Ireland; and
- highlight the current barriers to young women in politics and suggested solutions.

The initiative would be launched by Cinemagic as part of its acclaimed festival in November, 2014. Filming would take place in February, 2015 and the films would be screened on International Women's Day in March, 2015 in the City Hall.

The Director explained that this year's theme for International Women's Day "Equality for Women is Progress for All" stressed the vital role of women as agents of development. One of the most effective ways to do that was to put women at the heart of the political process. The young women would be challenged to make a short film to inspire a new generation of young women to step up and become leaders in the most influential arena in the world – the political arena, covering one of the following issues affecting young women today:

- Domestic Violence
- Mental Health and Wellbeing
- Drug/Alcohol Abuse
- Equal Pay
- Single parent families/child care
- Negative effect of social media
- Employment opportunities (STEM).

The under representation of women in politics was a key theme in the Council's Gender Action Plan, therefore, the proposed project linked directly to the aims of the Plan. Cinemagic would manage the media and communications issues and that would be carried out in association with both partners. The total budget required for the delivery of the initiative was £13,000 to be jointly funded by the Council and the Northern Ireland Assembly. Participation in the project had been considered by the Women's Steering Group and that Group had recommended that the Committee agreed to the funding request of £6,500. The funding proposal would meet the Council's criteria

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for special expenditure under Section 37 of the Local Government Finance (Northern Ireland) Act, 2011.

It was

Resolved – That the Committee agrees to approve expenditure of £6,500 for the aforementioned event 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.

**Forthriver Innovation Centre Operator Procurement**

The Committee was reminded that the Forthriver Innovation Centre was a 55,000 square feet capital build project, with 35,000 square feet nett lettable space located off the Springfield Road. The capital build cost of the Innovation Centre was estimated at £9.1 million, with up to 75% of eligible costs to be provided by Invest NI and the European Regional Development Fund (ERDF) programme funding. A letter of offer from Invest NI for its contribution was expected imminently.

The quantifiable outputs for the project (in line with the indicative funding letter of offer) included the support of approximately 221 jobs in the ongoing operation of the Centre; the delivery of a suite of collaborative, specific, exemplar business support within the Centre; and five collaborative networks to be supported from 2016 onwards. The Director of Development reported that, in parallel with the capital programme and planning application, officers were preparing documents to commence a competitive dialogue procurement process for the centre operator. The operator's roles would include the following:

- to proactively manage the day-to-day and strategic activities of the centre;
- to support the creation of employment opportunities and act as a catalyst for the further economic development and regeneration of the area;
- to support more business starts to help existing businesses grow and become more productive;
- to achieve the maximum occupancy levels;
- to maintain an attractive and innovative environment to encourage businesses to establish at the Centre;
- to maximise potential tenancy income, while fixing rates which were attractive to the target market; and

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- to provide appropriate levels of assurances to the Council regarding the financial performance of the Centre, in line with Council requirements and those set out in the letter of offer.

It was proposed that the tendering exercise for the operator contract would be carried out using the competitive dialogue method of procurement. That would allow the Council to engage with potential operators to maximise the benefits that could be derived from the contract. The competitive dialogue process would inform a contract for services, through which a list of services would be established and the operator would provide costs for the delivery of each. The process would allow, in particular, a discussion with potential operators regarding the potential regeneration impact of their service delivery, taking account of the need to support economic and social regeneration in the area. The process was likely to take from nine till twelve months to complete, depending on the number of interested operators.

He pointed out that no expenditure would be incurred on either the operator contract or the build contract until the letter of offer was in place from Invest NI.

Accordingly, the Committee agreed to:

- approve the procurement of the operator contract for the Innovation Centre using the competitive dialogue process, subject to the receipt of the letter of offer from Invest NI; and
- to grant delegated authority to the Director of Development to approve the most economically advantageous tender for the contract, subject to a form of contract being drawn up by Legal Services.

**Asset Management**

**Leases, Licences and Disposals**

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

**“1 Relevant Background Information**

**(i) Entrances to City Cemetery/Falls Park and Cavehill Country Park – Environmental Improvements**

- 1.1 At its meetings on 14 August 2014 and 11 September 2014 the Parks and Leisure Committee approved the carrying out of Environmental Improvement works by the Department of Social Development (DSD) at all three Falls Road entrances to the City Cemetery/Falls Park and at the Carr's Glen entrance to Cavehill Country Park. DSD are 100% funding the capital works with the Council to carry out any future maintenance which the Council considers appropriate. The combined**

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estimated capital cost of the schemes is £337,000 (split £273K at City Cemetery/Falls Park and £64K at Cavehill Country Park).

**(ii) Contractor's Licence at Clifton Street Graveyard**

- 1.2 Clifton Street Graveyard dates from the late 18<sup>th</sup> century and is of historic significance. Boundary walls at the cemetery are Listed by NIEA. Portions of the Listed walls immediately adjoin the gable wall of private commercial premises at 13/15 Antrim Road. The owner of the commercial premises wishes to carry out repair works to the gable of her property and, to facilitate this, is seeking approval to erect scaffolding on the Council's land within Clifton Street Graveyard.**
- 1.3 A building contractor has been engaged by the owner of 13/15 Antrim Road to carry out repairs to the gable and other elements of her property. The works are planned to last approximately 2 to 3 weeks and the contractor has sought a facility to allow the installation and retention of scaffolding for the duration of the works.**
- 1.4 The contractor plans to construct scaffolding from the Antrim Road side of the boundary and bring scaffolding elements on to the Council's land from there. No materials or vehicles will be brought along the access paths/roads within the Graveyard.**
- 1.5 This scaffolding will be erected independently of the boundary and other Listed walls and will not bear upon these walls. The contractor will also be required to satisfy the Council he has complied with any NIEA requirements in relation to carrying out works in the vicinity of Listed structures.**

**(iii) Cherryvale Gate Lodge – Proposed Change of Use and Grant of Rights to Services**

- 1.6 The Gate Lodge at Cherryvale Playing Fields was sold by the Council in 1998 by way of a 999 year lease which, among other things, restricted use of the property to residential purposes. The current owner of the property has sought a lifting of this restriction to allow use of the property for office and/or residential purposes. To accommodate the change of use a Deed of Variation is proposed and the Deed will also sweep up some detailed issues related to the installation of utility services which cross the Council's adjoining land.**
- 1.7 A report, a copy of which has been circulated, was received by the Parks and Leisure Committee on 11 September 2014. The report sets out the proposed changes, for incorporation in a**

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proposed Deed of Variation, subject to the approval of the Strategic Policy and Resources Committee. The Director of Property and Projects will provide a verbal update on the outcome of the Parks and Leisure Committee in this regard.

(iii) **Proposed disposal land at Balmoral Industrial Estate**

- 1.8 The site at 29-33 Boucher Road, shown outlined red on the plan attached at Appendix 4 and known as plot 18 Balmoral, was sold by the Council to Kennedy & Morrison by way of a 999 year lease in August 1972. The Kennedy & Morrison interest is now held by Eldora Ltd. This plot forms part of Balmoral Industrial Estate where the Council is still the Head Landlord for the most of the Estate. The majority of the sites are held under 125 year leases with ground rents which are subject to review every 5 years. This particular site was however one of the initial sites disposed of within the Estate by way of a 999 year Lease. The area of land was retained by the Council for a proposed road scheme; the scheme did not proceed and the land is surplus to Council's requirements. Eldora Ltd have recently approached the Council seeking to acquire the site shaded green on the attached plan.

**2 Key Issues**

(i) **Entrances to City Cemetery/Falls Park and Cavehill Country Park – Environmental Improvements**

- 2.1 The reports to Parks and Leisure Committee note the requirements for Licence Agreements at each location to regulate access to the sites by DSD contractors. In accordance with Standing Orders the approval of the Strategic Policy and Resources Committee is required to the grant of Licences of this nature. A Licence Fee is not appropriate in these cases on account of the capital investments/enhancement of the respective Council property assets being carried out by the Licensee.

(ii) **Contractor's Licence at Clifton Street Graveyard**

- 2.2 The purpose of the proposed Licence Agreement between the contractor and the Council is to allow the erection of scaffolding within the Council's property and to set out the responsibilities and liabilities of the parties.
- 2.3 One of the reasons for the proposed works is believed to be the presence of ivy growing up the gable wall at 13/15 Antrim Road. This ivy may originate on Council owned land, although this presently remains uncertain. Parks and Leisure personnel

have however agreed to treat any ivy identified on the Council's side of the site boundary. In view of the circumstances it is not proposed to charge the contractor the Licence Fee which would normally accompany the grant of such permissions to contractors. However Members may wish to note that part of the purpose of levying such a fee is to discourage contractors from remaining on site any longer than is required to expeditiously complete necessary works. In view of this it has been agreed with the contractor in this case that the envisaged period of the works (up to 3 weeks) would not be subject to a Licence Fee but that any period thereafter would be subject to a fee of £50 per week.

- 2.4 The Council will retain a right to terminate the Licence if the presence of the scaffolding results in anti-social behaviour within the graveyard.**

**(iii) Cherryvale Gate Lodge – Proposed Change of Use and Grant of Rights to Services**

- 2.5 The proposed variation to the permitted use of the gate lodge, for offices and/or residential purposes remains consistent with the use of the immediately adjoining Council land at Cherryvale Playing Fields. It is considered the value of the property for office purposes does not exceed its value for residential purposes and thus no premium is being sought from the current owner.**

- 2.6 In relation to regularisation of rights associated with utility services across the Council's adjoining land, there is benefit to both the Council and the gate lodge owner from the proposed arrangements. In any case their omission from the original lease is likely to have simply been a minor oversight.**

**(iv) Proposed disposal land at Balmoral Industrial Estate**

- 2.7 Part of the Eldora Ltd site at plot 18 adjoining the site shaded green has become infested with Japanese knotweed. The Eldora Ltd is in the process of removing and treating the Japanese knotweed. As part of those works Eldora Limited would like to incorporate the lands shaded green into their site.**

- 2.8 Due to the location of this small site between the back of the footpath and the Eldora site there would be no demand from any other party for this area of land. Officers have therefore agreed, subject to Council consent, to sell this area of land to Eldora Ltd for £4000.**

**3 Resource Implications**

**Finance and Assets**

**(i) Entrances to City Cemetery/Falls Park and Cavehill Country Park – Environmental Improvements**

- Potential additional revenue costs of £1000 per annum, related to additional electricity consumption at Falls Park due to new lighting installations. Any other additional maintenance costs at either location are likely to be minimal and in any case remain at the Council's discretion. All works are to be completed by March 2015 to ensure no financial liability for the capital schemes transfers to the Council post 1 April 2015.
- The works will improve the appearance of the various entrances and will make the assets more visually attractive. The capital works at City Cemetery/Falls Park include re-surfacing of parts of the adjoining Roads Service footways and the works at Cavehill Country Park include some improvements on adjoining land owned by the Belfast Education and Library Board. The responsibility for seeking agreement from these adjoining land owners lies with DSD.

**3.2 (ii) Contractor's Licence at Clifton Street Graveyard**

- A Licence Fee of £50 per week would become payable if the proposed works extend beyond the envisaged 3 weeks duration.
- The Licence Agreement would require the contractor to reinstate any damage caused as a result of his use.

**3.3 (iii) Cherryvale Gate Lodge – Proposed Change of Use and Grant of Rights to Services**

- No financial implications arise from this report.
- The Leaseholders and the Council will mutually benefit in relation to the proposed formalised arrangements associated with provision of utility services. The Leaseholder would benefit from the flexibility the proposed change of use would bring and the Council would retain safeguards in the Lease in

relation to the future compatibility of any future development with the surrounding Playing Fields.

**3.4 (iv) Proposed disposal land at Balmoral Industrial Estate**

- The sale of this area of land will generate a receipt of £4000 for the Council.
- The sale will have no impact on retained Council assets at Balmoral Industrial Estate.

**Human Resources**

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

**4 Recommendations**

It is recommended that Members agree:

**4.1 (i) Entrances to City Cemetery/Falls Park and Cavehill Country Park – Environmental Improvements**

To grant relevant Licence Agreements to DSD to regulate access by DSD contractors onto Council land to carry out agreed Environmental Improvement works at the entrances to Falls Park and Cavehill Country Park, in accordance with the plans submitted to the Parks and Leisure Committee and if DSD have proceeded in advance of Council approval to require DSD to complete such Licences at the earliest opportunity.

**4.2 (ii) Contractor's Licence at Clifton Street Graveyard**

To authorise the provision of access onto Council land at Clifton Street Graveyard to enable the construction and use of scaffolding for approximately 3 weeks to facilitate the carrying out of works to the gable wall of 13/15 Antrim Road, subject to the terms outlined in this report being incorporated in an appropriate Licence Agreement to be drawn up by the Town Solicitor.

**4.3 (iii) Cherryvale Gate Lodge – Proposed Change of Use and Grant of Rights to Services**

To ratify the decision of the Parks and Leisure Committee, that is:

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- 1. Authorise the proposed alteration of the User clause in the Lease dated 18 March 1998 to allow use of the premises for residential and/or office purposes.**
- 2. Authorise the formalisation of arrangements in relation to the grant of rights to the Leaseholder and the Council, as set out in the Parks and Leisure Committee report, in relation to utility services at 670 Ravenhill Road/ Cherryvale Playing Fields.**
- 3. Authorise the proposed change of User and Grant of Rights be incorporated within a Deed of Variation to be drawn up by the Town Solicitor with each side bearing their own legal costs.**

**4.4 (iv) Proposed disposal land at Balmoral Industrial Estate**

**Members are asked to approve the sale of the area of land to Eldora Ltd for £4000.”**

The Committee adopted the recommendations.

**Duncrue Industrial Estate: Proposed Marketing of Former Car Compound/Option Site Lands**

The Director of Property and Projects advised the Committee that the Duncrue Industrial Estate contained 46 sites which were leased from the Council by way of long leases, usually 125 years, subject to the payment of reviewable ground rents. The rents receivable from that Estate represented a valuable income stream for the Council, with an estimated rental income of circa £1,329,000 in 2014/15. There were also a large number of people employed within the estate across a variety of sectors and the various businesses located there provided a valuable source of rates income. The leases within the Estate were proactively managed by the Estates Management Unit to ensure rent reviews and lease terms were adhered to and optimised for the benefit of the Council.

The Director explained that, whilst the majority of the Council's land within the Duncrue Industrial Estate had been let and developed, there remained one area of land that was undeveloped. That comprised a site adjacent to the Council's operational depot at Duncrue Complex which was previously used as a car compound as part of a joint Council and Driver and Vehicle Agency "Operation Clean Up" initiative. In addition, it joined another area of land fronting onto the Dargan Road which was previously held under an option as part of a lease of a larger site. That option had expired and the site had reverted to the Council. The option site was not currently used for any purpose.

He pointed out that the former car compound had subsequently been occupied on a temporary basis by the Community Safety and by Waste Management for project related bin storage and the assembly and storage of salt/grit and more recently a stockpile of sand bags in relation to the recent flooding in East Belfast. The combined site, which had frontage onto the Dargan Road, extended to 2.73 acres.

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At its meeting on 20th March, 2009 the committee had noted the appropriation of the former car compound site from the Health and Environmental Services Committee for inclusion within the Corporate Landbank. The former option site lands were also held by the Committee. Subsequently, at its meeting on 21st May, the Committee had agreed to bring forward various sites, including the above-mentioned site to a “market ready” stage, in order to progress disposal when the market improved or if any advantageous proposals were presented.

Accordingly, it was recommended that the Committee agrees that the land at the former car compound and the option site on the Dargan Road be advertised to let on the open market on the basis of a 125 year lease, subject to five-yearly rent reviews and subject to a further report being submitted to the Committee in due course for approval to the terms of any proposed letting.

The Committee adopted the recommendation.

**Gasworks: Review of Service Charge**

The Committee considered the undernoted report:

**“1 Relevant Background Information**

- 1.1 Members will be aware that sites within the Gasworks Business Park are leased out by the Council to developers by way of long leases and subject to payment of equity rents to the Council. In turn the developers have sublet the completed developments to a wide range of occupiers and the Council benefits from these sub lettings by virtue of receipt of an agreed % of the occupational rents. The Gasworks provides a significant income stream to the Council (£988,227 estimated income for 2014/15) and employs a large number of people across a range of business sectors. The completed developments also provide a valuable source of rates income.**
- 1.2 By way of lease agreements between the Council and the various developer Landlords, the Council are legally obliged to provide services aimed at maintaining the quality environment created within the Estate. Council recover costs from individual developers through the annual service charge on a ‘not for profit not for loss’ basis. Estate occupiers pay a building service charge (payable to their developer/landlord) in addition to the Estate service charge payable to Council. For a variety of reasons the annual service charge costs in the Gasworks Estate have increased significantly over the past few years.**
- 1.3 Whilst occupation levels of buildings located within the Gasworks are fairly high, there nevertheless remain vacancies**

across the Estate. Landlords and lettings agents have highlighted the high services charges as having a negative impact on the ability to secure sub tenants to the vacant units. There is therefore a need to remain competitive in the market place in terms of the level of service charge as compared against other properties. Any reduction in the service charge costs should help attract and secure tenants. This in turn will benefit the Council whose equity rent could potentially increase as a result of new lettings.

- 1.4 Various developers have recently approached the Council requesting a review of the services provided to the Gasworks Estate with the aim of identifying cost saving measures. The two services specifically identified and which add a considerable proportion (73%) of the overall service charge budget of £176,000 per annum are external security (£73,000 pa) and the shuttle bus service (£56,000 pa).

## **2 Key Issues**

### **Shuttle Bus**

- 2.1 At its meeting on 15th February 2006 the Strategic Policy & Resources Committee approved the introduction of a shuttle bus service from the Gasworks to the city centre. It was intended as a one year pilot scheme. The Committee agreed that the shuttle bus service would operate for a period of one year between the city centre and the Gasworks site at a cost of £40,000 per annum. The service was initially operated by Translink and the cost for the pilot period was split on the basis of 50% via the annual service charge paid by the tenants with the remaining 50% payable by the Council. However the full cost of the service has subsequently been paid in full through the service charge. The contract was most recently re-tendered during summer 2013 and was awarded to Dial A Bus on a one year basis at a cost of £56,000 pa payable in full through the Service Charge
- 2.2 The bus operates at intervals of 20mins between the hours of 7am and 6pm Monday – Friday. Whilst the bus service is generally well utilised by some of the sub-tenants, not all businesses within the Gasworks make use of the service. On a regular basis it is understood to be utilised by local residents and shoppers as a free bus service to travel into town. Occupiers at the Gasworks have made representations to the Council that they feel this is unfair to the tenant companies who are subsidising the service. However, it is not possible to police this service in terms of identifying who is actually it.

- 2.3 Consultation with developer landlords within the Gasworks indicates that the majority are supportive of the proposal to withdraw the shuttle bus service on the basis that it is a non essential service and inflicts a punitive charge to those businesses which do not make use of the service. Piloted initially as an incentive to attract tenants to the Gasworks, the site is now a well established business park and incentives such as a free bus could be deemed as no longer necessary. The general consensus was that the journey into the city centre on foot is not so great that there is a necessity to provide a shuttle bus service.
- 2.4 It is recognised that the cessation of the bus service will cause some inconvenience to those who make use of the service, however the Council provided no undertaking that the shuttle bus would be provided on a permanent basis. The bus has been in operation for 8 years and given that the current contract is due to end on 30th November 2014, this presents an opportunity to make significant savings in the Gasworks Service Charge by not renewing the contract from December 2014.
- 2.5 Officers have met with the bus operator to advise that the contract may potentially not be renewed as a result of a cost saving exercise. However, as a gesture of goodwill and to allow for communication of the change to the service it is proposed that the service would continue until 31st March 2015 which will tie in with the end of the service charge year.

### Security

- 2.1 Security at the Gasworks is currently undertaken by an external security company, G4S on a 24/7 basis within the Estate. The contract is part of the Council's wider security contract. The main duties of security are patrolling the site, directing visitors, nightly closure of the gateway at railway bridge, reporting incidents of anti social behaviour and key holding.
- 2.2 Following consultation with each of the developer landlords as part of the Gasworks Service Charge review, they are supportive of the proposal to withdraw the security service between the hours of 7am and 7pm. Some of the sub-tenants have their own form of security either in the form of a static security guard attached to their own building or via security alarms. The provision of a 24/7 security guard service paid for in full through the service charge is perceived to be an additional unnecessary expense particular to those tenants who already have security arrangements in place.

- 2.3 In light of the relatively low number of incidents at the Gasworks to date that required the intervention of security and the limited powers available to security personnel in terms of detaining and arrest, it would support the view that there is no requirement for a 24/7 security presence on the Estate. With this in mind, it is recommended that the security service between the hours of 7am and 7pm is withdrawn. The Council will retain the security guard service between the hours of 7pm and 7am to provide an out of hours security service and to open up and close the gates to the Gasworks as per the current arrangement. It is worth noting that there is directional signage at the entrance and throughout the Estate. The Council intend to maintain a link with the Council's security provider on a call out basis should a situation arise that warrants a security presence. However, in the event of an emergency situation the first point of contact would be the PSNI.
- 2.4 Officers have been in discussions with the security firm G4S and both parties are in agreement that the withdrawal of the service can be justified. The Council's intention would be to conduct a withdrawal of the 7am-7pm security guard service on a 3 month trial basis from 1st Oct – 31st December 2014 with a view to it becoming a permanent withdrawal between the hours of 7am – 7pm as of 1st January should no issues of concern arise during the trial period. It is also proposed to retain the services of Eventsec security during the school summer holiday period which tends to lead to an increase in anti social behaviour around the water feature. The Council's Security Manager is satisfied that the reduction in the extent of the service poses no major risk to the Estate.

### **3 Resource Implications**

#### **3.1 Financial**

The withdrawal of the shuttle bus and the reduction in the security service will reduce the service charge costs payable by the tenants at the Gasworks and will ensure that the Gasworks is competitively placed against competing business locations in the marketplace. Any reduction in the service charge costs should help attract and secure tenants, which in turn will benefit the Council whose equity rent could potentially increase as a result of new lettings. There will be no financial loss incurred by the Council in securing reductions in the Service Charges as they are paid in full by the tenants.

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**3.2 Human Resources  
Estates & Legal Services staff resource.**

**3.3 Asset & Other Implications  
A reduction in service provision should not impair the quality environment created in the Gasworks Estate. The Council's Security manager is satisfied that the reduction in the security service poses no major risk to the Estate.**

**4 Recommendations**

**4.1 Committee is recommended to approve:**

**(a) That the shuttle bus service at the Gasworks is not renewed when it expires on 30th November 2014 and that a short extension of the contract to 31st March 2015 is agreed.**

**(b) Withdrawal of the external security guard service between the hours of 7am and 7pm on a trial basis from 1st October – 31st December 2014 with a view to permanent withdrawal during these hours from 1st January should the trial prove successful.”**

The Committee adopted the recommendations.

**Proposed Disposal of Seapark Drive  
former Civic Amenity Site**

The Committee was reminded that, at its meeting on 24th January, 2008, it had declared the former Civic Amenity Site at Seapark Drive surplus to Council requirements and had granted approval to placing the property on the open market. Subsequently, it had been placed on the market in June, 2008 by estate agents acting on the instructions of Belfast City Council. The property was situated adjacent to the Northwood Linear Park in North Belfast and comprised small storage units and a service yard on a site area of 0.061 acres. It had remained on the market ever since and despite a continuous market strategy, it had attracted little interest.

The Director of Property and Projects reported that a recent cash offer of £32,000 had been received from the Managing Director of Fairco McIlhagga Limited, a local glass and glazing company, based on the Ravenhill Road, Belfast. The proposed use was in connection with his business, that is, the storage and fabrication of windows, doors and conservatories. The agent had recommended acceptance of the offer as in the current economic climate it compared favourably with similar premises which had recently been sold.

The Committee granted approval to the sale of the property for £32,000 as outlined, with the detailed terms and conditions to be agreed with the Estates Manager and Legal Services.

**Procurement of the Lord Mayor's Official Vehicle**

The Committee considered the undernoted report:

**“1 Relevant Background Information**

- 1.1 Members may recall that a decision was taken by the Committee in December 2013 and ratified at Council in January 2014 to begin the process of obtaining a replacement for the Lord Mayor's official vehicle.
- 1.2 It was also agreed at that time to modify and enhance the traditional procurement approach to be used in respect of this procurement exercise as follows:-
- 1.3
  - tenders to be sought on the basis of both outright purchase and leasing; *and*
  - tenders to be sought for the supply of both a traditional prestigious saloon car and also an SUV-type vehicle.
- 1.4 This approach will ensure that the Council has a wider choice of vehicle and more pricing options available, and will thus ensure a value-for-money outcome. Vehicle specifications have been prepared by the Fleet Manager for both vehicle types, and the procurement documentation is being finalised at present.
- 1.5 During consultative discussions it has been suggested that this asset should also have additional features, including a mobile wi-fi capability and in-car entertainment facilities to assist the Lord Mayor in carrying out the functions of the role while in transit.
- 1.6 The Fleet Manager has therefore developed the necessary specifications in liaison with the Procurement Unit, but it is proposed that these additional features be sought only as optional extras and priced separately, rather than be included as part of the basic specification. The Council would not therefore be committed to incurring the costs associated with these additional features if these are felt to be prohibitive or inappropriate.
- 1.7 In the context of this procurement exercise it would also be the intention to dispose of the existing Peugeot car currently used as a back-up vehicle, and to retain the existing BMW in service as the back-up car for such further period as is deemed feasible and appropriate by the Fleet Manager before disposing of it.

**2 Key Issues**

- 2.1 It is the intention to proceed with the relevant procurement exercise as soon as possible, subject to the Committee noting and endorsing the proposed approach as set out above.**

**3 Resource Implications**

- 3.1 The acquisition of a high-specification car for the Lord Mayor's official use will normally involve a significant capital outlay in the order of £70,000 for outright purchase (depending on the specification adopted). The costs associated with leasing have not yet been assessed, but the tender submissions will be evaluated on a whole-life cost basis in order to ensure that the most economically advantageous financial option is chosen.**
- 3.2 Provision has been made in the capital expenditure budgets for this procurement.**

**4 Equality and Good Relations Screening**

- 4.1 There are no direct equality or good relations implications arising from this report.**

**5 Recommendations**

- 5.1 It is recommended that the Committee:-**
- a) notes and endorses the replacement of the Lord Mayor's official vehicle on the basis set out above; *and***
  - b) grants approval under the subsisting Scheme of Delegation for the evaluation and acceptance of tenders to be delegated to the Director of Property and Projects."**

The Committee adopted the recommendations, subject to the following:

- (1) that the current Lord Mayor's car was not retained as the Lord Mayor's backup vehicle;
- (2) that the tender for the lease/purchase include all three of the civic vehicles;
- (3) that the options in relation to the replacement of the vehicles include the possibility of purchasing/leasing second hand vehicles; and
- (4) that officers investigate the possibility of a business/company sponsoring the replacement of the Lord Mayor's vehicle.

**Fleet Improvement Programme – Progress Report**

The Committee considered the undernoted report:

**“1.0 Purpose**

- 1.1 To update Members on the progress of the Fleet Improvement Programme and make key recommendations as part of the improvement programme.**

**2.0 Background**

- 2.1 The Fleet Improvement Programme is a key element of the Council’s Efficiency Programme generating significant capital and revenue savings for the Council in relation to fleet procurement and operations.**

**3.0 Key Issues**

- 3.1 Fleet Reduction: Following a review of fleet categories a fleet reduction model has been developed which will reduce the size of the Council fleet by 10%. This position will be reviewed post the implementation of the Route Optimisation (RO) and GPS technologies as these systems will provide a clear evidence base to identify further fleet reductions which can be realised.**

- 3.2 Fleet Procurement: A 4 year fleet replacement programme has now developed that will prioritise the most business critical fleet assets whilst ensuring that a robust and VFM fleet remains in operation and the Year 1 procurement exercise is already underway. The replacement programme agreed with departments will be fully aligned to the £6.4million budget available within the Capital Programme.**

**On the 13th Dec 2013 SP&R Committee approved the commencement of a tendering exercise, on both an outright purchase option and on a lease basis, for the replacement of the official vehicle for the Lord Mayor and delegated authority to the Director of Property & Projects, in accordance with the Scheme of Delegation, to accept the most advantageous tender. A separate report on this issue is being presented to Committee today.**

- 3.3 Global Positioning System (GPS) Implementation: A key recommendation of the VFM Review was the implementation of a GPS fleet tracking system in order to improve utilisation, planning and efficiency of the Council’s fleet assets. System research (including high level supplier demonstrations) has**

been undertaken by the Steering Group to determine the specification and requirement by BCC and a specification produced and agreed by all user departments and provision of £250k has been made in the Capital Programme. A procurement exercise for this technology is currently underway.

In terms of staff and trade union consultation several papers have already been presented to JNCC on GPS. The views of the Trade Union Co-ordinators were initially sought and their broad assessment was that the implementation of the system would present no real difficulties in terms of the general principles involved. An external independent Privacy Impact Assessment was also commissioned and it concluded that there were no significant privacy-related issues arising from the use of such a system. A management side draft protocol has been developed by Corporate HR and trade union consultation is currently ongoing.

- 3.4 Review of Route Optimisation and Vehicle Utilisation: Cleansing Services are currently progressing the RO and Vehicle Utilisation project with support from Digital Services. A draft specification has been developed for the procurement of a Route Optimisation System and associated consultancy support and provision has been made within the current capital programme. Once implemented the GPS and RO systems should identify scope for significant reduction from our fleet going forward.**
- 3.5 Livery: A report presented to the Transition Committee on 18th August 2014 and passed by Shadow Council on 9th September 2014 presented by Corporate Communications gained member agreement that the Council should not be rebranded.**

However the VFM Fleet Review recommended that the Council should consider how it livered its vehicles in the future as the current livery had an upfront cost and also restricted disposal prices at the end of the vehicles life. Some initial work has already been already undertaken in this area including completing benchmarking activities with other local authorities (via APSE); researching prices with and without livery with suppliers and testing prices through the most recent procurement process.

It is difficult to accurately assess the potential level of savings that could be realised until a full market testing exercise is conducted against our fleet; however estimates have been made based on the initial analysis work completed. This paper is presenting three options:

1) no change to the current status quo on our current approach to livery;

2) procure all future assets in one colour and apply the BCC decal estimated savings whilst phasing out the older two tone livery as vehicles come out of life - £338k;

3) procure all future assets in one colour and apply the BCC decal estimated savings of - £338k and re-spray all remaining BCC assets in this one colour at an estimated cost of - £707k.

The decision to pursue savings from fleet livery is not just a financial decision and it needs to be assessed against the potential impact on the corporate branding and the wider corporate image.

As we are currently on the verge of procuring a significant number of vehicles with plans to replace almost one fifth of our total fleet over the current 2014/15 financial year (*including the LGR transferring vehicles*) a corporate decision is now required from members on which approach to livery is to be applied to these new vehicles as these procurement exercises are already underway.

Members will be provided with hard copy graphical representations of the proposed livery options at committee for their consideration.

Members are also asked to give their approval to explore the opportunities for utilising our fleet assets as an advertising mechanism with the potential benefits of generating income and to offer the scope for promoting key community messages of benefit to BCC.

#### **4.0 Finance and Human Resource Implications**

##### **4.1 Financial Implications**

The capital and revenue savings associated with the ongoing implementation of the Fleet Improvement Plan will be factored into the 2015/16 budget setting process.

##### **4.2 Human Resource Implications**

At this stage there are no HR implications to be highlighted.

## **5.0 Decision Required**

### **5.1 Members are asked to:**

1. Consider each of the 3 options presented below and agree the approach to future livery that will be applied to the Council fleet:

- a. No change to the current status quo on our current approach to livery;
- b. Procure all future assets in one colour and apply the BCC decal estimated savings whilst phasing out the older two tone livery as vehicles come out of life - £338k
- c. Procure all future assets in one colour and apply the BCC decal estimated savings of - £338k and re-spray all remaining BCC assets in this one colour at an estimated cost of - £707k.

2. To give approval to explore the benefits of advertising on our fleet assets with potential to generate additional income and to promote key community messages of benefit to BCC and approve that a more detailed specific report will be brought back to Members on this issue.”

After discussion, the Committee agreed to adopt option 1b and granted approval to explore the benefits of advertising on the fleet asset.

## **Human Resources**

### **Public Consultation on Zero Hours Contracts**

The Committee considered the undernoted report and agreed with the proposed approach, but that the response should be strengthened:

#### **“1.0 Relevant Background Information**

- 1.1 The Department of Employment and Learning (DEL) has published a public consultation paper relating to zero hours contracts, with a particular emphasis on their use by small and medium-sized enterprises (SMEs).
- 1.2 The Minister for Employment and Learning made a statement in the Assembly on 23 June 2014 to announce the launch of the consultation which will seek evidence on the use of zero hours contracts and invite views on a range of potential actions that the Department could take to ensure that zero hours contracts occupy a positive space in the NI labour market.

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**1.3** The closing date for responses to the consultation is 29 September 2014. Any draft response approved by Strategic Policy and Resources Committee will be submitted by this date as a draft response to be ratified by Council on 1 October 2014.

**2.0** Key issues

**2.1** The Council does not engage anyone on a zero hours contract but does, engage 'casual' workers to cover short-term, ad-hoc or unplanned work; to help during busy times; or to cover short-term sickness, leave or specialist assignments in its front-line, customer facing job roles. The Council's casual workers are formally recruited in line with the LGSC's Code of Procedures on Recruitment and Selection Procedures on the basis of merit. In addition, there is no obligation either on the Council to offer work or on the 'casual' worker to accept such work. The 'casual' worker is not subject to any detriment should she or he be unable to accept the work and there is provision for our casual workers to indicate the days and times when they will be available for work.

**2.2** In essence, the Council's proposed view expressed within the response to the DEL consultation documentation is that:

- where used responsibly, zero hours contracts can support business flexibility to create employment opportunities, particularly in SMEs
- zero hours contracts, may be open to abuse by employers therefore any changes to legislation regarding their use should provide sufficient protection to individuals
- zero hours contracts in which employees are subject to detriment if they decline work, are not reasonable and should not be used
- exclusivity clauses, (clauses prohibiting workers from taking up other employment) if used in zero hours contracts, must be justified by an employer by a legitimate business reason
- the use of exclusivity clauses should be restricted
- the Council would welcome a legal definition of a zero hours contract, as well as more detailed guidance for employers and individuals, including model clauses for zero hours contracts to support employers and in particular SMEs

**3.0** Resource Implications

**3.1** Financial

There are no financial implications contained in this report.

**3.2 Human Resources**

There are no HR implications contained in this report.

**3.3 Asset and Other Implications**

There are no Asset or Other implications contained in this report.

**4.0 Recommendations**

- 4.1 Members are asked to agree the Council's response to DEL's public consultation on zero hours' contracts attached at Appendix one."**

**Question and Answer Booklet: Public Consultation on Zero Hours Contracts**

**Your details**

Your name:

Jill Minne

**If you are responding on behalf of an organisation**

Name of the organisation:

Belfast City Council

Your position within the organisation:

Director of Organisational Development

Address:

Chief Executive's Department  
City Hall  
BELFAST BT1 5GS

Email address:

minnej@belfastcity.gov.uk

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There follows a summary of each of the questions asked in the consultation document along with fields for you to provide responses. You should make yourself aware of the content of Chapter 5 of the consultation document prior to making your submission.

<b>General Questions</b>	
<b>Question 1</b>	<b>Are there circumstances when it is justifiable to include an exclusivity clause in a zero hours contract? If so, please state what these are.</b>
<b>Answer 1</b>	Exclusivity clauses are only acceptable when an employer is able to justify that the clause is in the interest of a legitimate business interest and the employee agrees to it.
<b>Question 2</b>	<b>Do you think that exclusivity contracts should be banned from zero hours contracts? Please state your reasons.</b>
<b>Answer 2</b>	Belfast City Council as an employer does not support the use of exclusivity clauses because they can prevent workers from taking up offers of work from other employers. Any exclusivity contract must be fully justified by an employer .
<b>Question 3</b>	<b>Would banning zero hours contracts or exclusivity clauses create any negative impacts for SMEs?</b>
<b>Answer 3</b>	We recognise that the use of zero hours contracts and exclusivity clauses may be more prevalent within SMEs and therefore there is a potential for a greater impact on SMEs should such a ban be implemented. Properly constructed zero hours contracts, where both parties to the contract enjoy flexibility, can provide advantages, provided these contracts are not open to abuse by employers and that there is a legitimate business justification for any exclusivity clauses.
<b>Question 4</b>	<b>Would you support a restriction on the use of exclusivity clauses in a zero hours contract? For example, banning the use of exclusivity clauses in employment contracts guaranteeing less than a minimum number of hours or a minimum gross pay? If so, could you please suggest what you consider the minimum hours, or minimum gross pay might be set at?</b>
<b>Answer 4</b>	We would support a restriction on exclusivity clauses to reduce the risk of potential misuse by employers .
<b>Question 5</b>	<b>Do you think a ban or restriction on the use of exclusivity clauses in employment contracts would discourage employers from creating jobs? Are there any other unintended consequences of such action that should also be considered?</b>
<b>Answer 5</b>	A ban or restriction on exclusivity clauses would not impact on the creation of jobs within our organisation. We recognise however that this may not be the case for SME's.

<b>Question 6</b>	<b>Do you think the Department should provide more focused guidance on the use of exclusivity clauses, for example setting out commonly accepted circumstances when they are justified and how to ensure both parties are clear on what the clause means? If you answer yes, what information should be included?</b>
<b>Answer 6</b>	If exclusivity clauses are not banned, detailed guidance would be required, particularly for SMEs who may be most affected by changes to the law on zero hours contracts.
<b>Question 7</b>	<b>Would a Code of Practice setting out fair and reasonable use of exclusivity clauses in zero hours contracts (a) help guide employers in their use, and (b) help individuals understand and challenge unfair practices? Please explain your response.</b>
<b>Answer 7</b>	If exclusivity contracts are not banned, a Code of Practice to assist employers, particularly SMEs, and individuals would be welcome. This would be helpful to both parties to a contract to help them understand the employment rights and obligations.
<b>Question 8</b>	<b>Do you think that a worker on a zero hours contract should have an automatic right to guaranteed hours if they have worked a regular pattern and number of hours on a zero hours or non-guaranteed hours contract for a given period (e.g. 12 months)? If so, could you suggest how many hours and how long an employee should have worked in order to trigger the automatic right?</b>
<b>Answer 8</b>	It may be advantageous to introduce an automatic right to guaranteed hours if a worker works a regular pattern on a continuous basis. The suggested period of 12 months would be reasonable. It is difficult to suggest what number of hours would be reasonable as this would be dependent on the circumstances of the business and the type of work in question.
<b>Question 9</b>	<b>Do you think that a worker on a zero hours contract should have an automatic right to request a fixed term contract if they have worked a regular pattern and number of hours on a zero hours or non-guaranteed hours contract for a given period (e.g. 12 months)? If so, could you suggest how many hours and how long an employee should have worked in order to trigger the right to request?</b>
<b>Answer 9</b>	It may be advantageous to introduce an automatic right to a fixed term contract if a worker works a regular pattern on a continuous basis. The suggested period of 12 months would be reasonable. It is difficult to suggest what number of hours would be reasonable and this would be dependent on the circumstances of the business and the type of work in question.

<b>Question 10</b>	<b>Do you think that there would be benefit in introducing a compensatory arrangement similar to that adopted in the Republic of Ireland which would guarantee a minimum payment for workers on zero hours contracts who had an expectation of work, but who were not called to work in a given week? If so, could you suggest 1) what the minimum payment might be based upon; and 2) in what circumstances such a payment might be triggered?</b>
<b>Answer 10</b>	We recognise that there are circumstances in which zero hours contracts could be misused by employers and in such circumstances a compensatory arrangement might offer a deterrent to such misuse. This however would not be necessary for properly constituted zero hours contracts which genuinely offer flexibility to both parties to the contract.
<b>Question 11</b>	<b>Should a worker on zero hours contracts have the option to move to an annualised hours contract?</b>
<b>Answer 11</b>	We recognise that there are circumstances in which a zero hours contract worker may be subjected to abuse and, in such circumstances the option of moving to an annualised hours contract might mitigate the risk to vulnerable workers. This however would not be necessary for properly constituted zero hours contracts which genuinely offer flexibility to both parties to the contract.
<b>Question 12</b>	<b>We welcome views on whether retaining the current arrangements (or doing nothing) is sufficient and whether taking forward legislation as set out above would undermine business flexibility and individual choice.</b>
<b>Answer 12</b>	Retaining the current arrangements is not sufficient. There needs to be further clarification and guidance for employers on the management of workers on zero hours contracts. .
<b>Question 13</b>	<b>If you have sought employment information, advice, or guidance on zero hours contracts before, (a) where did you receive it from, (b) how helpful was it to you in terms of explaining your position in regard to zero hours contracts, and (c) how could it have been improved?</b>
<b>Answer 13</b>	Advice has been sought from CIPD and ACAS, which was helpful. It would be helpful if there was a definition of the types of zero hours contracts that are available so that a clear distinction can be drawn between contracts which may subject workers to abuse and contracts which genuinely suit the needs of both parties to the arrangement.
<b>Question 14</b>	<b>Do you think that model clauses for zero hours contracts would assist employers in drawing up zero hours contracts, and support employers and individuals to better understand their employment rights and obligations? If you answer yes, what should the key considerations be in producing model clauses?</b>

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<b>Answer 14</b>	Yes. Model 'terms of engagement' would be helpful for both parties. The model clauses should include guidance on the wording to be used around annual leave arrangements and clear obligations for both parties in terms of offering and accepting work.
<b>Question 15</b>	<b>Do you think that existing employment law, combined with greater transparency over the terms of zero hours contracts, is the best way of ensuring individuals on zero hours contracts are making informed choices about the right contract for them to be on?</b>
<b>Answer 15</b>	Yes, a code of practice providing clear explanations of how such contracts can be used fairly would be essential.
<b>Question 16</b>	<b>Do you think there is more employers can do to inform individuals on zero hours contracts what their rights and terms are?</b>
<b>Answer 16</b>	There is potential for employers to misuse zero hours contracts. A clearer understanding of employment rights would be useful to prevent this. We also recognise that larger organisations have access to HR and legal advice and this resource is not always open to SMEs.

**Questions for Employers**

<b>Question 17</b>	<b>If you are an employer, do you use zero hours contracts in your business and if so, for what purpose?</b>
<b>Answer17</b>	<p>The Council has a number of 'casual' workers who are not obliged to accept any work and suffer no detriment if they choose not to accept offers of work, and can indicate to the Council the specific days / times that they are willing to be considered for any work. Such contracts have been offered for many years. Casual workers are recruited in line with the LGSC Code of Procedures on Recruitment and Selection on the basis of merit and paid the same hourly rate of pay in line with that determined by the NJC for Local Government Services plus an additional percentage rate to compensate for untaken annual leave entitlement.</p> <p>This arrangement offers business flexibility and individual choice in front-line jobs in the Council such as casual coaches, casual front of house workers in entertainment venues , casual receptionists and casual leisure attendants in leisure centres etc.</p>
<b>Question 18</b>	<b>Have you offered a job on a zero hours contract basis that includes an exclusivity clause? If so, for what reason?</b>

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<b>Answer 18</b>	No.
<b>Question 19</b>	<b>What is your policy when an individual declines hours of work you offer?</b>
<b>Answer 19</b>	If a 'casual' worker in the Council declines hours of work offered there is no detriment. The 'casual' worker is not obliged to accept any work and the Council is not obliged to offer any work. The 'casual' worker will remain on the list of workers to be offered work if and when work becomes available.
<b>Question 20</b>	<b>Do you employ any individuals on a zero hours contract who work a pattern of regular hours? If so, how many hours a week and for what period of time?</b>
<b>Answer 20</b>	Management monitors the use of casual workers to ensure that such workers are deployed only as and when required to cover short term, specialist or ad hoc work.
<b>Question 21</b>	<b>If you offer additional hours of work, how much notice do you give the individual? If so, how do you make the offer e.g. by telephone?</b>
<b>Answer 21</b>	Management gives as much notice as possible (two weeks where practicable), to enable its 'casual' workers to accept the offer of work and this offer is made via telephone or email.

### Questions for Employees/Workers

<b>Question 22</b>	<b>If you are a worker, have you accepted a job on a zero hours contract basis that has included an exclusivity clause? What was the job and what reason was given for including an exclusivity clause?</b>
<b>Answer 22</b>	Not relevant.
<b>Question 23</b>	<b>If you are employed on a zero hours contract, do you have more than one employer or contract</b>
<b>Answer 23</b>	Not relevant.
<b>Question 24</b>	<b>Has being employed on a zero hours contract helped you to achieve a good balance between your work life and home life? Was this a factor in accepting a job on this basis?</b>
<b>Answer 24</b>	Not relevant.
<b>Question 25</b>	<b>Do you have a choice or say in how many hours or when you will work?</b>
<b>Answer 25</b>	Not relevant.
<b>Question 26</b>	<b>If you work a regular pattern of hours under a zero hours contract, how much notice do you receive if the number of hours decrease or drop off to zero, or increase?</b>
<b>Answer 26</b>	Not relevant.
<b>Question 27</b>	<b>If you have ever declined any hours of work offered to you, did your employer subsequently stop offering you work, or reduce the number of hours offered?</b>
<b>Answer 27</b>	Not relevant.
<b>Question 28</b>	<b>Would you wish to remain on a zero hours contract if a job with guaranteed hours was offered to you?</b>
<b>Answer 28</b>	Not relevant.

### Additional Questions to Address the Issues

<b>Question 29</b>	<b>Are there any issues which you consider that the Department has not addressed in this document, and which would merit further discussion? Please provide detail.</b>
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<b>Answer 29</b>	The issue of zero hours' contracts has been the subject of widespread debate and has generated significant media attention. With no legal definition of what constitutes a zero hours contract, there is confusion between contracts that are not in keeping with best practice (i.e. workers on zero hours' contracts who are obliged to take the shifts that they are offered and suffer a detriment if they do not,) and those which can work to the mutual benefit of employer and employee (i.e. 'casual' workers who are not obliged to accept the work, who suffer no detriment, and who based on their individual choice can decide the specific days / times that they want to be considered for work).
<b>Question 30</b>	<b>Are there any other possible policy options which should be considered to address issues relating to zero hours contracts? If so, please state what these are.</b>
<b>Answer 30</b>	
<b>Question 31</b>	<b>Do zero hours contracts or any of the options explored through this consultation create any negative equality impacts?</b>
<b>Answer 31</b>	A formal equality impact assessment should be conducted to determine this.
<b>Question 32</b>	<b>Do zero hours contracts create any difficulties for employees in accessing benefit entitlements?</b>
<b>Answer 32</b>	There could be potential difficulties for workers accessing benefit entitlements.

**Good Relations and Equality**

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

The Committee approved and adopted the minutes of the meeting of the Good Relations Partnership of 8th September.

**International Men's Day**

The Committee considered the undernoted report:

**"1 Relevant Background Information**

- 1.1 At its meeting on 1 July the Council passed the undernoted notice of motion, which was moved by Alderman R Patterson and seconded by Alderman Robinson.**

**“International Men’s Day**

*This Council recognises that the first ever event in Northern Ireland and Belfast to celebrate International Men’s Day will take place on 19th November and that the theme will be ‘Working Together for Men and Boys’;*

*It welcomes the fact that the day will highlight some serious issues such as domestic violence /abuse, poor educational attainment for some young boys and men, equality, a focus on men’s health and well-being, a celebration of men’s contribution in the workplace, family life and society, discrimination against men, the bullying of men in the workplace, the promotion of men as role models and improving gender relations and gender equality; and*

*It notes that other organisations and individuals from the private sector, the public sector, charities, local celebrities, men, women and children are all taking part to promote this worthy and important event.*

*Accordingly, the Council agrees to consider setting aside funding in order to hold an event at the City Hall in November to celebrate International Men’s Day in a similar way in which it has supported International Women’s Day in previous years.”*

- 1.3 This motion was referred to Strategic Policy and Resources for consideration at its meeting on 22 August 2014. The Committee requested that a report including details and costs be provided to its meeting on 19 September 2014.
- 1.4 Men’s Rights N Ireland has requested that the Council provides £10,000 to organise a one day conference on the theme of “Working together for boys and Men “ to take place on International Men’s Day, 19 November 2014, in City Hall. (The Great Hall I is currently available for the morning only on this day). The intention is to heighten awareness around the extent that domestic violence and abuse is an issue for men, the lack of support that is available for men and the consequences that stem from this lack of support, for example, mental health issues and increasing numbers of suicides.
- 1.5 Alderman Patterson has requested that consideration of this request is given parity with the funding that was previously agreed to support the International Women’s Day public rally every year.

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- 1.6 Annual funding of £6,000 for the International Women's Day public rally was approved by Strategic Policy and Resources Committee at its meeting on 24 January 2014. Alderman Patterson also asked that this request is considered under Section 37 of the Local Government Act.**
- 1.7 Council officers met with Alderman Ruth Patterson and a representative of Men's Right's Northern Ireland, on 5 September 2014 to discuss how the motion could be taken forward.**

**2 Key Issues**

- 2.1 Addressing gender inequality has been a council goal for many years and in 2006 the Women's Steering Group was established to oversee the development and implementation of the Gender Action Plan, the aim of which is to seek to address the under representation of women employed in the Council, particularly in senior roles and the under representation of women in politics.**
- 2.2 In general terms the Council's support for International Women's Day has focused on issues affecting women in the workplace and women in political life as there is ongoing and recent evidence to suggest women are significantly under-represented in elected office; significantly under-represented on public bodies; underrepresented at manager, directors and senior official level; that 80% of part time workers are women, but only 24% of self-employed are women; and there remains a gender pay gap in favour of men.**
- 2.3 It was agreed that the Council's support for the annual International Women's Day public event would demonstrate the Council's acknowledgement of this special day and its commitment to work towards greater equality of opportunity for all women in Belfast.**
- 2.4 The aim of International Men's Day is to focus on men's and boy's health, promote gender equality, celebrate male achievements and contributions, in particular for their contributions to community, family, marriage, and child care and to highlight positive male role models. International Men's Day is an annual international event celebrated on 19 November.**
- 2.5 These aims are aligned to Council priorities around health and well being in the city and raising awareness on the issue of domestic violence and abuse. Work in relation to these issues**

includes the South DPCSP Partnership's support for Men's Advisory Project working to raise awareness of domestic violence and abuse towards men and our ongoing implementation of a Domestic Violence and Abuse policy for both male and female employees. It is recognised that domestic violence and abuse is an issue for men and that awareness needs to be raised.

2.6 The objectives of the proposed event would meet the Council's criteria for special expenditure under Section 37 of the Local Government Act.

2.7 Issues to be considered are :

- Men's Rights Northern Ireland is a recently formed organisation, currently comprised of three men with personal experience of domestic abuse.
- While Men's Rights Northern Ireland has provided information on speakers, and costs that will be incurred, a detailed breakdown of costs would be required.
- Other established men's advocacy groups work across the city to support men who are affected by domestic violence and abuse as well as the mental health, financial and societal issues that stem from it.

2.8 It is proposed therefore that a detailed programme for an event for International Men's Day to raise awareness around the men's issues highlighted in this report is developed by staff from the Good Relations Unit, Health and Environmental Services and Corporate Human Resources with Men's Rights Northern Ireland and other key stakeholders from across the city

2.9 High level indicative costs for a Council lead event would be:

Staging, audio and lighting - £3,000

Catering - £1,500

Video production and promotional materials – £1,500.

It is unlikely that speakers at the event would incur a cost.

3.0 Members are asked to agree funding to a maximum of £6,000 to be made available through Section 37 of the Local Government Act, an amount equal to that provided for the annual International Women's Day public rally.

**3 Resource Implications**

**3.1 Financial**

The Director of Finance and Resources has advised that funding of £6,000 could be met from in year revenue resources and that if approved, the total of approved payments under Section 37 of the Local Government Finance (Northern Ireland) Act 2011 for 2014/15 is within the limit for such payments as advised by the Department of the Environment.

**Human Resources**

A Council led event will require a working group comprising staff from Good Relations, Health and Environmental Services and Human Resources .

**4 Equality Implications**

4.1 There are no equality issues.

**5 Recommendations**

5.1 Members are asked to agree that staff should work with Men's Rights N Ireland and other key stakeholders from cross the city to develop an event for International Men's Day to raise awareness around the men's issues highlighted in this report and that a budget of up to £6,000 is allocated for the event.

It is recommended that the Committee agrees to fund this event and, if agreed, passes the undernoted resolution:

**“That the expenditure 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 its inhabitants of the District, with the Committee being satisfied that the direct benefits so accruing would be commensurate with the payment to be made.”**

The Committee adopted the recommendations.

**Members' Good Relations Event**

The Committee was reminded that the Council's Good Relations Action Plan contained a section on the Decade of Centenaries. In order to provide awareness and

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information to the Members to increase their knowledge of issues relating to the Decade of Centenaries in advance of planning for events surrounding the commemorations of 1916 and beyond, it was proposed that a study visit be undertaken to the south of Ireland.

The Committee was advised that there was a wealth of history within the south, and particularly Dublin, which had had an influence and impact on the way that the history of the island had evolved and developed over the past 100 years. The state visit by Her Majesty, Queen Elizabeth, in 2011 had brought her to a number of the sites associated with the two main divisions on the island. Her visit had included the Garden of Remembrance, Croke Park, Trinity College and the War Memorial at Islandbridge. In addition, the Secretary of State had recently visited the newly installed memorial at Glasnevin Cemetery. As part of the ongoing programme of development around the Decade of Centenaries, it had been suggested that the Council could run an event to bring Members to some of the sites that were visited by Her Majesty in 2011 by way of awareness raising and education. Accordingly, the Committee was requested to consider nominating up to three Members from each party to participate in the visit, which could be undertaken as a day-long excursion or an overnight stay.

After discussion, the Committee recommended that a day-long study visit be undertaken to Dublin and up to three Members from each of the political parties on the Council be authorised to attend.

**Cross-Cutting Issues**

**Smoking Policy**

The Committee agreed to defer consideration of a report on an update to the Council's Smoking Policy to enable further information to be obtained.

Chairman