

Strategic Policy and Resources Committee

Friday, 19th January, 2024

MEETING OF THE STRATEGIC POLICY AND RESOURCES COMMITTEE

HELD IN THE LAVERY ROOM AND
REMOTELY VIA MICROSOFT TEAMS

Members present: Councillor Black (Chairperson);
Alderman McCoubrey; and
Councillors Beattie, Bunting, Cobain, de Faoite,
M. Donnelly, R.M. Donnelly, Ferguson, Garrett,
Hanvey, Long, Maghie, Maskey, I. McLaughlin,
R. McLaughlin, Nelson, Nic Bhranair, Smyth
and Whyte.

In attendance: Mr. J. Walsh, Chief Executive;
Ms. S. McNicholl, Deputy Chief Executive/Director of
Corporate Services;
Ms. N. Largey, Interim City Solicitor/Director of Legal and
Civic Services;
Ms. S. Grimes, Director of Property and Projects;
Ms. C. Reynolds, Director of City Regeneration and
Development;
Mr. D. Sales, Strategic Director of City Operations;
Ms. C. Sheridan, Director of Human Resources;
Mr. J. Tully, Director of City and Organisational Strategy;
Mr. T. Wallace, Director of Finance;
Mr. J. Hanna, Senior Democratic Services Officer.

Apologies

No apologies were reported.

Minutes

The minutes of the meeting of 15th December were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council, at its meeting on 8th January, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

No declarations of interest were recorded.

Restricted Items

The information contained in the reports associated with the following ten items is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Resolved – That the Committee agrees to exclude the members of the press and public from the meeting during discussion of the following ten items as, due to the nature of the items, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (Northern Ireland) 2014.

The Members were also reminded that the content of 'restricted' reports and any discussion which took place during closed session must be treated as 'confidential information' and that no such information should be disclosed to the public as per Paragraph 4.15 of the Code of Conduct.

Presentation by Living with Water Team

The Committee considered a report and associated presentation from the Living with Water Team in relation to a review process which was currently underway on the Strategic Drainage Infrastructure for Belfast, and which was being undertaken due to affordability issues.

After discussion, the Committee

- noted the presentation regarding the review of the LWW programme which was currently underway;
- agreed that the Living with Water Team be invited to present also to both the Planning and the Climate and City Resilience Committees; and
- that the Permanent Secretary for Department of Infrastructure be invited to attend a meeting of the Committee to discuss the review of the programme.

Update on Temporary Contracts and Agency Workers

The Director of Human Resources submitted for the Committee's consideration a report providing an update on the number of employees on temporary contracts and agency assignees engaged by the Council and outlining the steps being taken to reduce the Council's reliance on those two categories.

She reported that, as at 31st December, 2023 staff had been filling posts on a temporary basis, 122 of whom had substantive Council posts to return to when no longer required. The other 90 were fixed term contract employees who did not have a substantive post to return to. Between 1st October and 31st December, 26 staff had joined the Council

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on a temporary contract, with 13 having a substantive post and 13 being on fixed term contracts.

She reported further that 283 agency assignees had been engaged by the Council at 31st December, 29 of whom were seasonal workers. She outlined the cost of employing agency assignees for the three-month period ending on 31st December and pointed out that this did not represent a financial burden, as it was met through departmental underspends.

The Director then stated that the Corporate Contract Manager, who had been in post since February, had established regular compliance and challenge meetings across Departments, with a view to driving down long-term agency usage and that data was being reviewed to assess the potential for creating some permanent flexible roles.

She went on to remind the Committee that the Commercial Team within the Commercial and Procurement Service was working with Corporate HR to provide a comprehensive overview of the 'status quo' in relation to the managed service in place for the provision of temporary agency workers for a diverse range of job roles. In addition, further research into in-house employment agencies, which might be used in other organisations, was ongoing. For example, extensive benchmarking relating to operational models that been established to manage interim and temporary staffing requirements had been conducted. This included several joint ventures that had been established by Commercial Services Group, which was wholly owned by Kent County Council, and a preliminary review of information relation to financial modelling for joint ventures and in-house models. It was anticipated that this exercise would be completed before the end of quarter 4 and presented to the Committee as soon as possible thereafter.

After discussion, the Committee noted the information which had been provided.

Pay and Grading Review

The Committee considered a report which provided details of the proposed new Pay and Grading structure for NJC staff on Belfast City Council Terms and Conditions and seeking Committee approval to make a formal offer to the Trades Unions for this proposed model.

After a lengthy discussion, the Committee agreed:

- that officers evaluate the impact of a further non-consolidated payment to staff on salary scale points 36, 44, 52 and 58, ahead of the Special Strategic Policy and Resources Committee meeting to be held on 26th January; and
- To defer the decision on the Pay and Grading proposals.

Update on Special West Belfast Area Working Group – Neighbourhood Regeneration Fund Stage 2 Development

The Committee approved and adopted the minutes of the meeting of the West Belfast Area Working Group of 11th January, including the following recommendations relating to the Neighbourhood Regeneration Fund:

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- i. To note the update on the Neighbourhood Regeneration Fund;
- ii. To note the information on the Stage 2 projects;
- iii. To recommend to the Strategic Policy and Resources Committee that the following projects be progressed to *Stage 3 - Delivery* in West – Shankill, with the allocations as stated:
 - The ACT Initiative - The ACT Initiative Community Hub and Visitor Centre, £295,000
 - Lower Shankill Community Association – The Road, £210,759
 - Glencairn Community Project – Glencairn Community Hub, £200,000
- iv. To note the Stage 3 process and that the projects and allocations are to be reviewed in 12 months' time; and
- v. To note the approach regarding feedback and support to those groups that are not progressing to Stage 3 – Delivery.

**Revenue Estimates 2024/25 and
Medium-Term Financial Plan**

The Director of Finance submitted for the Committee's consideration a report providing an update on the development of the revenue estimates for 2024/25 and outlining the next steps in the rate setting process.

After discussion, it was

Moved by Councillor Beattie
Seconded by Councillor Long

That the Committee:

1. Agrees the £2m growth proposals as outlined in paragraph 3.3 of the report;
2. Agrees the £1.8m efficiency proposals as outlined in paragraph 3.4 of the report;
3. Agrees to a domestic rate increase of 5.44% for 2024/25;
4. Agrees to recommend the following cash limits for 2024/25 subject to the impact of the decisions made on items 2 and 3 above:
 - a. A cash limit of £54,550,808 for the Strategic Policy and Resources Committee for 2024/25, including £1,270,000 for Belfast Investment Fund and £3,000,000 for City Deal.
 - b. A cash limit of £105,332,936 for the People and Communities Committee for 2024/25.

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- c. A cash limit of £ 21,550,927 for the City Growth and Regeneration Committee for 2024/45.
 - d. A cash limit of £2,344,219 for the Planning Committee for 2024/25.
 - e. A Capital Financing Budget of £22,274,022 for 2024/25.
5. Agrees to a Medium-Term Financial Strategy update in March 2024;
 6. Agrees the next steps to be taken as outlined in paragraph of the report;
 7. Agrees that these decisions (as indicated above) should not be subject to call-in because it would cause an unreasonable delay which would be prejudicial to the Council's and the public's interests in striking the rate by the legislative deadline of 15 February 2024.

On a vote, 18 Members voted for the proposal and none against, with two no votes, and it was declared carried.

North Foreshore Update

The Committee considered a report which provided an update on the current status of the leisure led commercial brief on the North Foreshore by the preferred developer Giant's Park Belfast Limited.

The Committee:

1. Noted that the Master Development Agreement (MDA) had been finalised with Giants Park Belfast Limited (GPBL) and was due to be signed and sealed, along with all supporting documents, by the end of the month. The MDA requires GPBL to deliver the uses identified in their submission within a prescribed timeframe; and
2. Noted that a detailed update outlining the programme would be brought to the Committee next month and that regular updates on progress would be brought into the Strategic Policy and Resources Committee, the Castle, Cavehill and North Foreshore Steering Group and the Area Working Group as appropriate.

Consumer and Product Safety

The Strategic Director of City and Neighbourhood Services submitted a report seeking the Committee's authority to repurpose existing officer roles within the consumer advice service, which had been paused since 2020, to support the Council's enhanced statutory responsibilities in relation to investigating consumer complaints and referrals from statutory bodies and providing advice to consumers and businesses on consumer product safety matters.

The Committee granted the authority sought.

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PEACEPLUS and Shared Island Update

The Director of City and Organisational Strategy submitted for the Committee's consideration a report which provided an update in relation to the current Belfast City Council involvement across the PEACEPLUS and Shared Island funding programmes. The report also outlined proposals in relation to the continued engagement with Members in developing a pipeline of corporate candidate projects for emerging funding opportunities.

The Committee:

- i. noted the update provided in relation to the PEACEPLUS and Shared Island Funding Programmes; and
- ii. agreed that officers continue to circulate relevant funding opportunities with all elected members to disseminate and share with local organisations to help access funding.

Belfast 2024 Update

The Committee considered a report which provided a further update on recent developments and issues previously raised regarding the Belfast 2024 programme. Specifically in relation to the following:

1. Belfast 2024 Marcomms Update
2. Civic Engagement (including Participatory Budgeting and Civic profiling)
3. The Walk Productions – Little Amal license and delivery
4. Belfast 2024 Income Update – Heritage Lottery Fund

After discussion, the Committee:

- Noted the Belfast 2024 updates, that is, Marcomms and Civic Participation and Engagement:
- Granted approval for Walk Productions to bring Little Amal to Belfast 2024 from Belfast to Dublin for up to £225k;
- Noted the update on fundraising for 2024; and
- Agreed that consideration be given to bring forward the launch date for the media campaign for the programme.

Waste Collections – Purpose Built Student Accommodation

The Committee considered a report which sought approval to introduce waste collection at Purpose Built Student Accommodation (PBMSA).

PBMSA was a relatively new phenomenon in the city. As such the legislation which governed the way in which waste was categorised did not explicitly address how to treat

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the waste from such premises. The Council had previously treated this waste as being household waste and therefore did not implement charging.

Given the amount of PBMSA in the city, officers had reviewed the position again to ensure that its position in respect of charging was appropriate and lawful.

The Committee:

- 1) Noted the contents of the report;
- 2) Agreed that the Council would begin charging for collection of waste from Purpose Built Managed Student Accommodation commencing on 1st April 2024; and
- 3) Noted that a further report would be brought to next month's meeting setting out the charging details.

Matters referred back from Council/Motions

Motion – Memorial Wall – Covid 19

The Members were informed that the Standards and Business Committee, at its meeting on 4th January, had considered the following motion which had been received for submission to the Council on 8th January:

"This Council recognises the pain, suffering and loss caused during the Covid-19 pandemic and the trauma of those bereaved and those still suffering with long covid. This Council will facilitate a memorial wall which allows people to remember their loved ones."

The motion had been proposed by Councillor Emmet McDonough-Brown and seconded by Councillor Christine Bower.

As the Strategic Policy and Resources Committee was responsible for managing and maintaining the corporate land bank and city assets, including the City Hall, and for allocating resources based on the corporate and city priorities, the motion was referred, in the first instance, to this Committee.

The Committee agreed that report on potential options and associated costs be submitted to a future meeting.

**Quiet Streets – Rosetta Way; and
Controlled Crossing – Knockbreda Road-
Response from Department for Infrastructure**

The Interim City Solicitor/Director of Legal and Civic Services reminded the Members that the City Growth and Regeneration Committee, at its meeting on 11th October, had noted correspondence which had been received from Mr. Graeme Salmon and from Ms. Julie Harrison, dated 4th May and 29th August respectively, in

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response to the Council's request for a controlled crossing at Knockbreda Road and the creation of a Rosetta Way "Quietway".

The Council, at its meeting on 1st November, in considering the minutes of that meeting, had agreed that a letter be forwarded to the Department for Infrastructure, calling on it to:

- i. initiate the actions required for the delivery of the Rosetta Way "Quietway";
- ii. proceed with the implementation of Quiet Streets/Low Traffic Neighbourhoods and other road safety schemes at a local level, rather than await the outcome of the review of such schemes in England, which had been initiated by the Prime Minister; and
- iii. provide information on the timeline for the completion of the design and audit of the agreed puffin crossing on the Knockbreda Road and proceed to install the crossing as soon as possible thereafter.

The Council had agreed also that the Department be requested to respond to the correspondence which had been forwarded to it on 11th July, following the adoption by the Standards and Business Committee, on 27th June, of a motion on the Standard of Repairs to Roads and Footpaths.

Accordingly, Democratic Services wrote to the Permanent Secretary. A response has been received, on his behalf, from the Divisional Roads Manager, a copy of which was appended to the report.

In his response he advises that currently the limited staff resources for active travel in the Belfast area was focused on the delivery of the Belfast Cycling Network Delivery Plan short term scheme list.

While they were also working closely with councils to better understand their 5 - year greenway programme, there was currently no policy for the introduction of 'Quiet Streets', and they had no plans to consider the implementation of any schemes.

Regarding the controlled crossing on Knockbreda Road, as highlighted in the letter dated 4 May 2023, the Department was now focusing its attention on a crossing situated close to the Knock Eden Park junction on Knockbreda Road and had instructed its consultants to carry out the detailed design and a further safety audit for this location.

He further advised that this had now been received and would be brought before Eastern Divisions approval 'A Group' system, in January 2024. Following that, they would write to Belfast City Council to advise on progress and the effect on adjacent residents, so the Council could carry out its consultation.

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The Committee noted the response and agreed that the Department for Infrastructure be advised that the Council had already consulted with the residents adjacent to the proposed controlled crossing at Knockbreda Road and would not be undertaking any further consultation.

Belfast Agenda/Strategic Issues

Chief Officer Recruitment

The Committee considered a report which sought permission to recruit the posts of Director (Operational) of City and Neighbourhood Services (two posts) and City Solicitor/Director of Legal and Civic Services and for the constitution of the selection panels.

The Committee agreed:

- 1) that the posts of Director (Operational) of City and Neighbourhood Services, (two posts) and City Solicitor/Director of Legal and Civic Services be recruited on a permanent basis and that the selection panels for the posts comprise the Chairperson and the Deputy Chairperson of the Strategic Policy and Resources Committee (or their nominees); and one additional elected member from the Committee from a political party not already represented by the Chair and Deputy Chair; along with the Chief Executive (or his nominee) and a Council Director;
- 2) that Councillor Whyte be appointed as the additional elected member for the City and Neighbourhood posts and Councillor Maghie for the City Solicitor post; and
- 3) that the recruitment of Chief Officer posts would no longer be advertised in the local papers.

Consultation on Non-domestic and Domestic rating measures to support budget sustainability by raising additional revenue

The Director of Finance submitted for the Committee consideration the following report:

“1.0 Purpose of Report or Summary of main Issues

- 1.1 **The purpose of this report is to ask the Committee to approve the draft response to the Consultation on Non-domestic and Domestic rating measures to support budget sustainability by raising additional revenue.**

2.0 Recommendations

2.1 The Committee is asked to:

- (i) consider the draft consultation response which has been submitted as a draft response in-line with the closing date for consultation; and**
- (ii) approve its formal submission, subject to any comments or amendments provided at Committee.**

3.0 Main report

3.1 In September 2023 the Secretary of State for Northern Ireland wrote to Permanent Secretaries of Northern Ireland Departments directing that they launch public consultations on measures to support budget sustainability by raising additional revenue.

3.2 On the 11th of October the Department of Finance published a document setting out the financial context for the revenue raising consultations. This was followed on the 7th of November 2023 with the launch of a 14-week consultation on the revenue raising potential associated with the removal of rating measures. The consultation is seeking views from those who may be directly affected and from the wider body of ratepayers. There are seven proposals for changes to rating measures identified by the Secretary of State:

Domestic sector:

- Maximum Capital Value cap.**
- Early Payment Discount,**
- Landlords Allowance,**

Non-domestic sector:

- Industrial Derating,**
- Non-domestic Vacant Rate relief,**
- Freight Transport relief,**
- Halls of Residence exemption.**

The closing date for this consultation is the 13th of February 2024.

3.4 In addition, the Department is seeking views on four questions relating to the overall fiscal position.

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- **Is there other revenue raising measures that should be considered?**
- **Are there any services/ programmes that should be stopped or reduced to divert funding to more critical services?**
- **Are there public services that could be delivered in a different way?**
- **Are there public services that could be delivered by others (e.g. local government, voluntary and community sector or private sector) or are there are other areas in which greater collaboration could deliver better outcomes?**

3.5 The consultation response has been by David Magor, IRRV, on behalf of the council based on City Council responses in the past, various committee minutes and comments from members at LPS briefings.

3.6 Appendix 1 presents the Councils proposed response to the consultation, incorporating the Notice of Motion approved at SP&R on 15th December 2023 as the response to question one, removal of the £400k cap.

3.7 Appendix 2 and 3 are the consultation documents produced by the Department of Finance.

Financial and Resource Implications

3.8 None

**Equality or Good Relations Implications /
Rural Needs Assessment**

3.9 To be determined by the Department of Finance.”

The Committee:

- (i) considered the draft consultation response [here](#) which has been submitted as a draft response in-line with the closing date for consultation; and
- (ii) approved its formal submission, subject to the amendment to question three in the response to provide that greater powers are available to the department to ensure businesses progress developments and reduce the amount of time properties remain vacant.

Overdose Prevention Facilities

The Committee considered the undernoted report:

“1.0 Purpose of Report or Summary of main Issues

1.1 The purpose of this report is to advise the Committee on the legal considerations in relation to the overdose prevention facilities.

2.0 Recommendations

2.1 The Committee is requested to:

- Note the contents of the report.

3.0 Main report

Background

3.1 At its meeting on March 2023, the Council adopted the following Notice of Motion:

‘This Council supports the establishment of an Overdose Prevention Facility in Belfast. This Council will work with key partners in the community, voluntary and statutory sector to bring together a partnership to advocate for the establishment of an Overdose Prevention Facility (OPC) for the city. With almost 350 drug related deaths in the city from 2017-2021 and over 1,000 needles recovered each month, a facility like this will save lives and reduce the amount of discarded drug debris. There are over 200 Overdose Prevention Facilities in 14 countries across the world.

While we are conscious that the Misuse of Drugs Act 1971 is an inhibitor to the establishment of this service and that it would require some form of special legal dispensation from the Act for the facility to be lawful, it is clear that current policy is not saving lives. In the absence of a local Assembly to deliver reform and innovation that can save vulnerable lives, this Council will act as a civic leader by requesting our City Solicitor and Chief Executive to engage with partners and to lobby Belfast Trust, PSNI, the Departments of Health and Justice and the Attorney General to make the case for special dispensation.

‘That this Council facilitates an open call to organisations who wish to be involved in the setting up of such a facility to work together to draft a proposal on what this service would include,

centred on providing overdose prevention facilities and wrap around support services for those in need, and to write to the relevant agencies to urge them to provide multi-year funding for the Complex Lives strategy.'

- 3.2 Further, at its meeting on 14th November 2023, the Committee asked for an update on progress in respect of this Notice of Motion with specific reference to meetings held, legal advice sought and partners engaged with in relation to the Notice of Motion.

Legal position

- 3.3 Overdose Prevention Facilities are supervised facilities where individuals can go to safely consume drugs under supervision of trained staff who can intervene to prevent overdose. At present no such facility exists in Northern Ireland and the Misuse of Drugs Act 1971 ('the 1971 Act') is the legislation which governs controlled drugs.
- 3.4 The 1971 Act and has the effect of prohibiting such a facility from operating as those operating the premises would be at risk of prosecution. The following are criminal offences under the 1971 Act:
- To be in possession of a controlled drug
 - For an individual as either an occupier or being concerned in the management of premises from knowingly permitting activities of production, supply, and use of controlled drugs;
 - An occupier or manager of premises must do everything they can reasonably do to prevent the production, supply and use of controlled drugs on said premises; and
 - To supply any article, other than a hypodermic syringe, to a user for them to administer the drug.
- 3.5 It is clear having regard to these offences that currently the operating of an Overdose Prevention Facility would lead to a number of criminal offences on the part of the occupier and any staff.
- 3.6 Any individual found to be in possession of a controlled drug or operating an Overdose Prevention Facility is liable to prosecution if the Public Prosecution Service for Northern Ireland determine that the two-tier test for prosecution is met.

The two-tier test for prosecution is:

1. **Evidential Test** – the evidence which can be adduced in court is sufficient to provide a reasonable prospect of conviction.
 2. **Public Interest Test** – prosecution is required in the public interest.
- 3.7 In order for an Overdose Prevent Facility to be operated lawfully, there would have to be legislative change. However the overall drug policy is a retained matter and the Government has confirmed that it does not intend to amend the 1971 Act to enable Overdose Prevention Facilities to open.
- 3.8 In Scotland however the Lord Advocate, who is the equivalent of the Attorney General, has recently advised that she will introduce policy for prosecutors in Scotland to the effect that it would not be in the public interest to prosecute drug users for simple possession offences within a pilot safer drugs consumption facility.
- 3.9 This policy is caveated to the pilot scheme of safer drugs consumptions facilities only and does not extend to any criminal offences other than possession of controlled substances.
- 3.10 In Northern Ireland there has been no indication from the Attorney General that such a policy will be introduced in this jurisdiction. A meeting has been arranged between the Attorney General and the Chief Executive, together with other senior officers, on 15th January 2024 and a verbal update will be provided at the Committee meeting.
- 3.11 Members will be aware of the work being taken forward through community planning (Belfast Agenda) to help vulnerable people who may be homeless and have complex needs due to the use of drugs and alcohol. The Complex Lives project seeks to build a one vulnerability model which helps the most vulnerable people to get access to necessary support in holistic and integrated way including housing, addiction support, mental health support and healthcare. Complex Lives seeks to help those most vulnerable who have very challenging needs and many live chaotic lives. They are amongst the hardest to reach, with many not engaging with services that are available to them. Complex Lives improves collaborative working between statutory bodies, voluntary sector organisations and service providers so as to provide the

right support to people who need it at the right time and in the right place.

3.12 Financial and Resource Implications

None at this stage

**3.13 Equality or Good Relations Implications/
Rural Needs Assessment**

None.”

After discussion, during which several Members expressed the need for such a facility in the city and research to be undertaken on where a facility could be located, the Committee noted the contents of the report and that engagement would continue to take place with all the relevant agencies and stakeholders to advocate for such a facility in Belfast.

Belfast Region City Deal – update

The Chief Executive submitted for the Committee’s consideration the following report:

“1.0 Purpose of Report or Summary of main Issues

1.1 This report is to provide an update to Committee on the progress of the Belfast Region City Deal (BRCD).

2.0 Recommendations

2.1 The Committee is asked to:

- **Note the progress on project development and delivery across the pillars of investment.**
- **Note the update on the Council’s Augment the City SME Challenge Competition**
- **Note the update in respect of programme communication and the BRCD Council Panel**

3.0 Main report

3.1 As previously reported to the Committee, the BRCD Programme is now well into delivery with significant progress made to date. Belfast City Council (BCC) as the Lead Authority and Accountable Body has continued to support the delivery of the programme. A total of 15 Outline Business Cases (OBC) are now approved, with eight Contracts for Funding (CfF) signed and first £3m of claims paid to individual projects.

Progress across BRCD Pillars since previous report

Innovation

- 3.2 OBC approvals and CfFs are in place for four of the five innovation projects, with a number now moving quickly towards to construction and operation.
- 3.3 Following approval for planning for the Factory of the Future site at Global Point in Newtownabbey and contract award for the Pre-Construction, the Advanced Manufacturing Innovation Centre (AMIC) has now formally submitted its Full Business Case to the Department for Economy (DfE) for review and approval, with plans for construction work commencing on site in Spring 2024. AMIC has also now completed its Gateway 3 Investment Decision review and was provided with a green RAG rating.
- 3.4 Construction work on Studio Ulster also continues to progress well at the Belfast Harbour site and a competitive dialogue process has commenced for the appointment of a supplier for the design, development, supply & installation of equipment for Studio Ulster which will now be operated by Ulster University, via Studio Ulster Ltd. Detailed work has commenced in relation to the Full Business Case which will be submitted to the DfE for review and approval in the coming weeks.
- 3.5 iREACH Health has continued to progress well through RIBA Stage 4. In December, Queen's University (QUB) awarded a contract for its works contractor under the Early Contractor Involvement approach. QUB has also submitted its planning application for the Lisburn Road site and are progressing work around site acquisition. Work on the Full Business Case has also commenced.
- 3.6 In relation to GII, QUB are nearing completion of RIBA Stage 3 and is working to launch its Industry Advisory Board. Discussions are ongoing relating to utilities to support the development.
- 3.7 Following approval by the Executive Board, the CDHT OBC2 was submitted to Government partners by Ulster University and following detailed review successfully received approval from DfE– the OBC is now being reviewed by the Department of Finance.

Digital

- 3.8 The i4c Cleantech Centre at St Patrick's Barracks, received approval for its OBC in November 2023. Mid and East Antrim Borough Council (MEABC) have continued to work at risk to progress and published the ITT Documentation for its Integrated Consultant Team in December 2023. Work has now commenced in relation to drafting the CfF.
- 3.9 The Council has now signed a £928,373 contract for Belfast Region City Deal Digital funding with the Department for Economy to deliver the 'Augment the City' SME challenge competition. The competition, which will launch in early Spring 2024 and run for one year, will provide R&D funding to up to ten local companies, to work with Belfast's tourism partners to develop cutting-edge immersive technologies (such as Virtual or Augmented Reality) that could enhance future tourism investments.
- 3.10 The companies with the most promising proposals will also have the opportunity to test their prototypes directly with visitors to the City Hall Visitor Exhibition later in 2024. Funding has been provided under the contract to equip three rooms in the exhibition space with the necessary wireless connectivity to support these state of the art technologies.
- 3.11 Members should note that under the terms of the contract with DfE, Belfast City Council has signed an Operating Partnership Agreement with the Centre of Procurement Excellence for Small Business Research Initiatives to effectively manage the competition.
- 3.12 Members are also asked to note that following a public procurement process, a contract has now been agreed with Digital Catapult to provide the necessary technical expertise to support the companies, and the city's tourism partners to maximise the research and commercialisation impact of the competition.
- 3.13 A draft business case in relation to a potential BRCD Venture Fund is being developed and engagement is taking place on this with Invest NI. A partner workshop, involving representation from all BRCD partners, Government and industry (and facilitated by Catalyst Inc) was held in December 2023 in order to initiate the development of proposals for an R&D Grants programme to support SMEs across the region. This is also being led by the Council's City Innovation team.

- 3.14 As reported previously to SP&R, BCC was also successful in securing £3.8m funding to support the Belfast Region as a 5G Innovation Region.

Tourism and Regeneration

- 3.15 As reported previously, OBC approvals and CfFs are in place for the Carrickfergus, Newry City Centre and Bangor Waterfront regeneration projects.
- 3.16 The Gobbins received approval for the OBC in November 2023, a significant milestone for this project. Following receipt of this approval, work has been progressing with Tourism NI and DfE to agree the CfF for this project by February. MEABC have progressed the procurement of the design team for this project at risk and following completion of the ITT moderation in December, the final tender reports are being prepared and MEABC will be in a position to appoint the ICT by mid-February following Council approval and providing the Contract for Funding has been agreed.
- 3.17 Following OBC approval the procurement strategy for Destination Royal Hillsborough (DRH) has been agreed and the procurement documentation for the design teams is being prepared. Work has also been progressing with Tourism NI and DfE to agree the CfF for this project by February.
- 3.18 Following the unprecedented flooding across the Newry, Mourne and Down District and the priority given to supporting recovery from this incident, Newry, Mourne and Down District Council (NMDDC) have not been in a position to progress the addendum to the Mourne Mountain Gateway Project (MMGP) OBC as expected. NMDDC have however progressed with procurement of the design team and the procurement documentation was issued to market last week.
- 3.19 Progress in relation to procurement of Integrated Consultancy Teams (ICTs) and Integrated Supply Teams (ISTs) continues across the tourism and regeneration projects:
- Bangor Waterfront have completed the pre-qualification process for the ICT for Ballyholme Yacht Club and Pickie Fun Park. The ITT documentation has been issued for Ballyholme Yacht Club and the ITT documentation is being prepared for Pickie Fun Park for issue in March to align with Operator appointments. Ards and North Down Borough Council have engaged external support to assist in the procurement of the Operator for the Marina and Pickie Fun Park so that

Operators are in place to input into the design development process for both projects. The pre-qualification process for the Operator for the Marina concluded in December with ITT documents to be issued this month and pre-qualification documentation for Pickie Fun Park is to be issued at the end of January.

- Belfast Stories appointed their ICT and Design Assurance teams in November and design development has commenced.
- Carrickfergus appointed their ICT in December and project initiation meetings are underway. MEABC have also set up a Working Group and have appointed Excellence in Work to develop the preferred Operating Model for Carrickfergus, which is also likely to include Gobbins and the final recommendation is expected over the coming months.
- The ITT documents for the IST for the Theatre and Conference for Newry Regeneration were issued in December and the pre-qualification moderation for the Civic Hub was completed in December with ITT documentation being finalised for issue this month. A planning application has been submitted for both projects and engagement with planners is ongoing to provide any supplementary information required.

Subsidy Control

3.20 As previously discussed, following introduction of the Subsidy Control Act 2022 and the subsequent legal advice to government departments on the need for subsidy assessments to be completed before signing of the CfF, significant work on development of subsidy assessments, has been ongoing in parallel with the drafting of contracts for the tourism projects.

- The subsidy assessment for the MMGP was referred as a Subsidy of Particular Interest to the Competition and Market Authority (CMA) in November and the CMA published their report on the subsidy assessment on Friday 12th January.
- The subsidy assessment for Gobbins has been prepared and following consideration of the CMA report on the MMGP subsidy assessment, the Gobbins subsidy assessment will also be referred to the CMA as a Subsidy of Particular Interest. A draft assessment is at an advanced stage of preparation and will be completed following review of feedback on the assessment for the MMGP.

- Following discussions with the CMA, DfE State Aid Unit and BCC Legal advisors, Legal advice is being taken to determine whether the projects within the DRH programme can be considered separately as separate Subsidies of Interest. If agreed, a subsidy assessment against the seven principles will still be required for each project, but the subsidy assessments would not require a mandatory referral to the CMA, instead the details of the subsidy would be uploaded to the transparency database only, allowing quicker progression to signing CfF.

3.21 In addition to the work progressed above for Tourism projects, the Innovation projects which are at or are approaching FBC submission stage have progressed work and have sought advice in relation to Subsidy Control (including AMIC and Studio Ulster).

Infrastructure

3.22 As previously reported the OBC is being updated by Department for Infrastructure (DfI) for Belfast Rapid Transit Phase 2 and feasibility studies are being completed on the extensions to Glengormley and Carryduff as requested by the last Minister. Work is also ongoing to determine the city centre routes in order to align with the Eastern Transport Plan, Bolder Vision for Belfast and proposed public realm projects.

3.23 An external peer review exercise, similar to a Gateway 2, was completed for Lagan Pedestrian and Cycle Bridge in preparation for procurement of a design and build contractor. The resulting action plan has been circulated and the programme was updated and the current target to appoint a design and build contractor is late 2024. The pre-tender cost was developed in September and has identified significant cost increases for this project. An addendum to the OBC has been prepared to reflect this increased cost and DfI have submitted a proposal to cover the funding shortfall from the active travel budget.

3.24 Following confirmation from DfI that its preferred option for the bridge on the Newry Southern Relief Road is a non-opening 50m fixed bridge, work is proceeding to finalise the draft Statutory Orders and Environmental Impact Assessment Report in advance of their publication and statutory public consultation, currently anticipated for publication in Spring 2024. Prior to completion of the final design stage, DfI held a Community Information Event from 16-18 October, to provide

an opportunity for stakeholders to view the emerging final scheme proposals for the Road.

Employability and Skills (E&S)

- 3.25 The skills assessment process which is now being conducted on a cross-deal basis to understand the labour and skills implications of the city deal investment projects is continuing to progress, but timeframes have been impacted by the vacancy in the E&S Programme Manager post. As reported previously two further skills assessments, aligned to Advanced Manufacturing and Creative Industries sectors, are nearing completion utilising this approach. An Advanced Manufacturing Skills Assessment has been completed and will be shared for approval with the BRCD E&S Board in the coming weeks. The Creative Industries (Virtual Production) assessment is refining its emerging recommendations, with the aim of a final report to the Task and Finish Group this month.
- 3.26 The £7.5m Digital Transformation Flexible Fund project (with £6m from the Complementary Fund, £1.1m from DAERA and £451K from Derry and Strabane City Deal) involving all 11 Councils, led by Newry, Mourne and Down District Council, has been approved and was formally launched in November 2023. Newry, Mourne and Down District Council, on behalf of the partners, are also working with Council colleagues to ensure alignment with the new Enterprise Support Service, Go Succeed.

Communications and Engagement

- 3.27 As the deal is now in delivery stage it is important to refocus on communication and engagement at both programme and project level. Support has been commissioned to support the development of a Strategic Engagement Plan with an initial focus on local businesses and industry. The first Industry Engagement event is a business breakfast scheduled for Thursday 29 February 2024. Further plans will also be developed to engage with elected members across the region to update on progress and identify further priorities and areas of future investment.

BRCD Council Panel

- 3.28 The next meeting of the Council Panel will be held on 31st January 2024, hosted by Belfast City Council. At the meeting members will be provided with a programme update, an overview of the plans for strategic engagement and a

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presentation on Belfast City Council's flagship tourism project Belfast Stories. Following the meeting there will be an opportunity to take a tour of Belfast Stories.

Financial and Resource Implications

- 3.29 All costs associated with the BRCD are within existing budgets. As outlined additional resources have also been leveraged from other funding sources to extend the impact of the deal.

**Equality or Good Relations Implications/
Rural Needs Assessment**

- 3.30 The approach taken to develop the City Deal has been subject to independent equality screening and rural proofing and states that;

'BRCD is inherently inclusive, affording an opportunity for the region to grow in a way that will benefit the economy of Northern Ireland as a whole, thereby enhancing the lives and well-being of its citizens. If during further development of the programme it becomes apparent that there may be an adverse impact on certain groups or communities then the partnership commits to carrying out further Section 75 work and including screening and EQIAs as and when appropriate.'

The Committee adopted the recommendations.

Alleygates - Phase V

The Committee was reminded that the Strategic Director of City and Neighbourhood Services presented a report to the Strategic Policy and Resources Committee in November 2023 on Phase 5 of the Alleygates programme. After discussion, the Committee had:

- I. agreed to proceed with the publication of a Gating Order for the installation of gates in those streets where the threshold for responses to the consultation had been 40% and above;
- II. agreed to proceed with a ten-week consultation exercise for all remaining streets, using canvassers, local community groups etc., with Members to be informed when that process had commenced; and
- III. noted that a report would be submitted to its next monthly meeting on the terms of reference for a local inquiry, where an objection to a proposed Gating Order had been received.

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To date, the Council had not received a formal challenge of merit during any previous phase of alleygating, however, due to the unprecedented number of objections received during this consultation phase, there was an increased likelihood that a number of challenges might be received. Receipt of a challenge would necessitate the Council holding a local inquiry, which, to date, has not been necessary in previous phases.

A draft Terms of Reference for any local inquiry is set out below:

Appendix 1

Alleygating Phase 5 Inquiry: Terms of Reference

The Inquiry will examine, consider and report on Belfast City Council's decision to place alleygates on [insert street name] pursuant to its powers under Part 1 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, Section 69D (5) & (6).

The 2011 Act provides that *if, before the expiration of 30 days the district council receives an objection from any person on whom a copy of the notice is required to be served or from any other person appearing to be affected, it shall cause a local Inquiry to held unless the objection is withdrawn.* However,

The Council is only required to hold a local Inquiry where an objection is received from the occupiers of premises adjacent to or adjoining the road and it is considered necessary to hold an Inquiry to consider the proposed order and the issues raised in the objection in more detail. The decision as to whether it is necessary to hold an Inquiry in such circumstances will be for elected members to determine.

The Council must however hold an Inquiry of the objection is received from the owner of any cables, wires, mains, pipes or other apparatus placed along, across, over or under any road to which the order applies.

Any Inquiry shall be held in accordance with the provisions of Schedule A1 of the Interpretation Act (Northern Ireland) 1954, a copy of which is attached to these Terms of Reference.

In carrying out its work, the Inquiry will consider the views and opinions of residents, statutory undertakers, the PSNI, NIFRS and other statutory bodies, and other persons who are directly affected by the installation of alleygates at this location, whilst also affording Belfast City Council with the opportunity to explain its rationale for installing alleygates at this location. The Inquiry will determine, having taken into account the views and opinions of affected persons, whether the objection received on (insert date) has merit and warrants Belfast City Council reversing its decision, or whether Belfast City Council is justified in proceeding with the installation of alleygates at this location.

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In meeting its aims, the Inquiry will:

- a) Consider and examine the content of the objection received and afford said objector with an opportunity to further elaborate on his/her concerns;
- b) Consider the evidence available to Belfast City Council, and all steps taken in preparing to make the gating order, which informed its decision to install alleygates at this location, to include allowing Council officers an opportunity to address the Inquiry;
- c) Consider the opinion of other affected residents within the locality and their views on the advantages/disadvantages of installing alleygates at this location;
- d) Consider the opinions of other interested parties, such as (but not limited to) PSNI, NIFRS and other statutory bodies as to the advantages/ disadvantages of installing alleygates at this location;
- e) Produce its report and any recommendations in a timely manner.

The aims of the Inquiry are to:

1. Examine Belfast City Council's decision to install alleygates at the location in accordance with the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, in light of an objection received from an effected resident within said location, and produce a report which shall deal with the following:
 - (i) Consider whether there is evidence of persistent crime and anti-social behaviour at this location;
 - (ii) Determine whether or not the objection received, taking into consideration the views and expressions offered during this inquiry by persons identified as being affected, carries considerable merit or otherwise;
 - (iii) Having considered all opinions expressed during the inquiry, and the evidence (both written and oral) offered, make a recommendation to Belfast City Council as to whether it should make the gating order either without modifications or subject to such modifications as the Inquiry thinks fit.

Outcomes of the Inquiry:

2.
 - (i) Produce a report from the chair of the Inquiry in a timely manner stating his/her views as to whether Belfast City Council are justified in continuing to make the gating order either without modification or subject to such modifications as the inquiry thinks fit;
 - (iii) Make said report available to Belfast City Council to allow it to make an informed decision as to whether or not to proceed with the installation of alleygates at this location;
 - (iii) Identify the lessons to be learned from the above to inform any future Alleygating scheme;
 - (iv) Although the Inquiry's recommendations will only be applicable for Belfast City Council and affect those within the location identified for gating, it's recommendations may have relevance for other councils within the jurisdiction.

The Committee approved the draft Terms of Reference.

**Innovate UK funding opportunity to scope
a Net Zero Shipping Corridor between Belfast
and Liverpool and to resubmit an application to
the Net Zero Living Places fund**

The Committee considered the following report:

“1.0 Purpose of Report or Summary of Main Issues

1.1 To update members on a funding opportunity from Innovate UK to support the development of a Net Zero shipping corridor between Liverpool and Belfast.

2.0 Recommendations

2.1 The Committee is asked to:

- I. Note the contents of the report and approve the participation of Council staff in the delivery of the scoping study;
- II. Note that funding (£450,000) from Innovate UK was made available to the Connected Places Catapult on 1st December to undertake a scoping study for a Net Zero shipping corridor between Liverpool and Belfast which is expected to start on 1 January and complete by 31st March 2024;

- III. Note that an opportunity to resubmit an earlier application to the Net Zero Living Places Fund and approve the participation of Council staff in the revision and submission of a proposal; and
- IV. A further update will be provided to Members once the scoping study and submission have been completed.

3.0 Main report

Background

3.1 A Statement of Intent was signed between Belfast, Liverpool, Dublin and Manchester in March 2021 to form a cooperative partnership to develop practical approaches to accelerate the delivery of net-zero commitments in our cities and city regions. The Statement commits each city to:

- Sharing best practices, knowledge and experience;
- Connecting organisations and facilitating R&D, business and investment collaborations; and
- Coordinating joint participation at events (including the Net Zero Summit in June 2022) and hosting, where necessary, incoming delegations.

3.2 Subsequent collaboration between the cities has led to the Circular Economy work between Dublin and Belfast funded through the Shared Island Fund and engagement via events in Manchester and Liverpool. Discussions have also been ongoing for some time with the Connected Places Catapult (CPC) and other stakeholders in Liverpool and Belfast around the concept of a Net Zero Shipping Corridor between the two harbour cities.

Funding opportunity 1: Innovate UK

3.3 In mid-November, the CPC was made aware of an opportunity to access funding (£450K) from Innovate UK, if it was able to identify and develop a proposal by 1st December. This provided an opportunity to advance an ongoing discussion on a Net Zero Shipping Corridor between the two cities and to access funds that would enable the scoping of a programme of work to develop this concept into a concrete pipeline of projects. Innovate UK has subsequently approved CPC to use the £450K for the scoping study.

3.4 The key stakeholders include: CPC, Belfast City Council, Liverpool City Region Combined Authority, Belfast Harbour, Mersey Maritime, Royal Haskoning DHV, Liverpool University,

Liverpool John Moores University, Queens University,
B9Energy, SIBNI.

- 3.5 It is envisaged that most of the scoping work will be carried out by the Universities but it is likely there will be a small budget (c£10K TBC) available to Belfast City Council to coordinate, engage and support the work. If successful, the project will start on 1st January and run through to 31st March 2024. The Climate team is working at pace with CPC and Queens University to mobilise in advance of the start date in January.

Proposed project: Net Zero Shipping Corridor between Belfast and Liverpool

Project rationale

- 3.6 Ports are key hubs for trade and investment and support SME's and employ thousands of workers. They are also increasingly becoming centres for future fuels and decarbonisation. Shipping currently accounts for 3% of global GHG emissions and is set to increase by 130% by 2050. Belfast (13.1 Million Tonnes) and Liverpool (5.6 Million Tonnes) rank as the first and fourth UK ports by domestic tonnage in 2021.
- 3.7 Belfast Harbour aims to be one of the greenest ports in the world and has set a Net Zero target of 2030. A local consortium has been developing zero-emission shore-side electricity and hydrogen-powered vessels (including a commuter ferry from Bangor to Belfast) and there are many other ongoing developments in this area.
- 3.8 This is an exciting opportunity to connect two important maritime economies and drive decarbonisation, growth and innovation. The project would be a collaboration of businesses, government and academia in the 2 harbour cities.
- 3.9 Decarbonising maritime transportation will require research, development, demonstration, and deployment of scalable zero-emission energy sources at a massive scale. It will also require enabling policies that incentivise the transition to zero-emission fuels and technologies as soon as possible, which in turn can reduce greenhouse gas emissions. It also requires green skills.
- 3.10 Net Zero shipping corridors, which showcase zero-emission fuels and technologies along maritime trade routes between two (or more) ports, can encourage the early and rapid adoption of alternatives to petroleum-based fuels in the maritime industry.

The opportunity

- 3.11 Through leveraging the work already being done, the existing assets in Liverpool and Belfast, and the significance of their existing domestic shipping networks, there is a unique opportunity to create a broad feasibility study which could lead to the trialling of green maritime shipping solutions within well used domestic ports, which once trialled would offer a blueprint for decarbonising a significant portion of UK's domestic shipping and establish the United Kingdom as a global leader within this space.

Aims and objectives

- 3.12 The project would be a collaboration between the City Councils and Port Authorities, Industry and academia from Belfast and Liverpool to develop a feasibility study in the two harbour cities. The aims of the project would be to:
- Mitigate transition risk for the two ports as the global economy decarbonises ensuring that the ports of Liverpool and Belfast serve as gateway to trade and investment in decarbonisation technologies (wind, green hydrogen, tidal etc); and
 - Position Liverpool and Belfast at the forefront of net zero innovation and as testbeds for commercialising new approaches and technologies.
- 3.13 The Study will explore Place Leadership and support, identify existing projects and funding proposals, the regulatory basis, the existing green infrastructure and interventions necessary for an implementable Net Zero shipping' corridor between the two regions, and set out the steps necessary to deploy and deliver on a pilot demonstrating the technologies. The outputs would create a collaboration that could lead to a potential larger programme of activity.

Funding opportunity 2: Innovate UK - Net Zero Living Places fund

- 3.14 In October, Belfast City Council submitted two bids to Innovate UK under the Net Zero Living Places fund which were both unsuccessful. Innovate UK have since been in touch to say that they are re-opening the competition for unsuccessful bidders to re-submit to the 'Pathfinder' fund between 22-31st Jan. This opportunity was previously included a paper to the Climate and City Resilience Committee in Aug 2023.

- 3.15 The project 'Belfast Net Zero pathfinder' will support Belfast City Council to develop priority interventions (specifically heat and renewable power generation) recommended by the Belfast Local Energy Plan and the Queens Island Decarbonisation Plan into delivery projects. This project will address market barriers through business model innovation and assessing commercial viability and routes to finance to de-risk the implementation process. The aim is to create a better understanding of how Belfast City Council can act as an enabler for delivery of net zero projects in the city.
- 3.16 If successful, the fund will provide total grant funding of up to £150,000. A funding decision is due on 18th Feb with a potential start date on 1st May or 1st June.

Financial and Resource Implications

- 3.17 There are no financial implications as the scoping study will be funded using the Innovate UK funding and delivered by CPC with inputs from the partner organisations.

**Equality or Good Relations Implications/
Rural Needs Implications**

- 3.18 None.”

The Committee adopted the recommendations.

**Building Regulation fees for
applications including insulation**

The Committee was reminded that, at its meeting on 26 June 2023, it had agreed to continue to waive Building Regulation inspection fees for those applications involving installation of insulation which were not part of funded schemes or maintenance contracts for a further 6 months, through to 30 November 2023.

The waiving of fees was carried out from the date of Council ratification on 1 December 2022 until 30 November 2023, subject to review.

From 1 December 2022 until 30 November 2023, the Building Control Service had analysed a series of reports. The analysis identified 1,498 building regulation applications that were received for the installation of loft insulation. Overall, the majority of applications were made through schemes, with 98 applicants potentially being eligible for a refund under this initiative. 95 of those were identified in the first 6-month period, with only 3 further potentially eligible applicants identified in the six month extension period. A covering letter and a declaration form were issued to each potentially eligible applicant.

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To date, out of the 98 letters and declaration forms issued, 12 declaration forms were returned. Through further investigation none of those applicants were due a refund, as the work had either been carried out as part of a government funded scheme or, once the notional cost of work for insulation (£400) was deducted from the estimate cost of works, the Building Regulation fee still applied for other works that had been carried out. The applicants were informed in writing.

Using this method of analysis and process to identify and contact any applicants who may have paid the fees outside of a scheme has therefore resulted in no refunds being issued to any applicant.

Accordingly, the Committee was asked to determine if:

1. the exercise should continue beyond 30 November 2023; or
2. the exercise should cease, on the basis of the lack of benefit to applicants being achieved as outlined in the report.

The Committee agreed to adopt option 2.

Lagan Valley Regional Park

The Committee was reminded that, at the meeting of the People and Communities Committee held on 8 August 2023, it was agreed that the Council would write to the Department for Infrastructure (DfI) to express its concern at the withdrawal of core funding for Lagan Valley Regional Park (LVRP) for the 2023/24 financial year.

At the November 2023 meeting of the People and Communities Committee, Members were advised that a response from DfI had been received, which advised that, whilst the Department understood that the withdrawal of the discretionary funding of £42,000 for Lagan Valley Regional Park had left the park in a precarious situation, the decision to cut all discretionary spending and therefore the funding to LVRP had been taken at Departmental level due to overall budget cuts that had affected all Departments, and that the Department would not be able to enter into a new Operational Service Agreement with LVRP. Accordingly, that Committee had agreed to recommend to the Strategic Policy and Resources Committee that additional funding of £21,000 be awarded to LVRP from reserves and to write to Lisburn and Castlereagh City Council (LCCC) asking it to contribute the same amount to address the shortfall in funding from DfI.

The Strategic Policy and Resources Committee, at its meeting on 24 November 2023, subsequently agreed to allocate £21,000 to the Lagan Valley Regional Park on condition that it be matched by Lisburn and Castlereagh City Council and agreed that a review be undertaken of future funding requirements.

Following issue of a letter to Lisburn and Castlereagh City Council requesting formal consideration of this request, a response was received which advised that LCCC was also having to consider several budget cuts from Central Government and their impact at a local level. In its response, LCCC had highlighted that this and other similar requests

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had been discussed at Council and Member workshops and would be considered in the round to ensure Members were fully informed before taking any decisions with a financial impact.

Officers had met with LCCC representatives to discuss future funding requirements and would continue to engage with LCCC going forward. Members would be kept updated on any decision by LCCC in relation to the request for match funding.

Following discussion, the Committee:

- 1) Noted the response received from Lisburn and Castlereagh City Council (LCCC) in relation to providing match funding for Lagan Valley Regional Park:
- 2) Agreed to provide £21,000 of the £42,000 of the discretionary funding which had been withdrawn by the Department of Infrastructure, with a caveat that the Council would not be responsible for the remainder of the shortfall; and
- 3) Agreed to write again to LCCC asking that it contribute the remaining £21,000.

Council's Powers of Vesting - Tribeca

The Committee considered the following report:

“1.0 Purpose of Report or Summary of main Issues

1.1 The purpose of this report is to:

- **Provide members with an outline of the powers of vesting available to the Council in respect of the Tribeca site.**
- **Agree to officers carrying out further work in relation to the possibility of vesting and /or acquisition of the site by agreement including seeking a valuation of the site.**

2.0 Recommendations

2.1 The Members of the Committee are asked to:

- **Note the contents of the report.**
- **Agree to officers carrying out further work in relation to the possibility of vesting and/or acquisition of the Tribeca site by agreement, including seeking a valuation of the site; consideration of potential funding sources and planning considerations.**

3.0 Main report

Background

- 3.1** At its meeting on 29th September 2023, the Committee agreed that a report on the possible options for the vesting of the Tribeca site be submitted to a future meeting.
- 3.2** The Tribeca site was formerly known as Royal Exchange, which was initially granted planning permission in October 2012 (Z/2010/1532/F).
- 3.3** This permission was a retail led proposal that allowed the demolition, redevelopment and part change of use of existing buildings to create mixed use development comprising retail, offices, café/bar use, 2no. retail pavilions, 205 apartments including 6 no. live/work units, with associated energy centre, service areas and above ground car parking, cultural/arts centre, hotel, 2-level basement car park and associated access and circulation, creation of new streets and public spaces, reconfiguration of Writers Square, public realm works, landscaping and associated site and road works. It also included works to restore, alter and extend listed buildings and facades and partial demolition of North Street Arcade retaining its facades, partial reconstruction of end blocks and reconstruction of rotunda on original location.
- 3.4** Whilst this permission was commenced through the discharge of conditions and some demolition work, none of the redevelopment has taken place. However, the works which have been undertaken had the effect of commencing the 2010 permission. Generally, this means that the permission remains extant in perpetuity.
- 3.5** In 2017 an outline application (LA04/2017/2341/O) was received from the owners of the site for the demolition of a number of buildings and the redevelopment of the area to create a mixed use development comprising retail, offices, café/restaurant uses, residential apartments, including private rented sector units, hotel use, community uses, car parking, associated access, servicing and circulation arrangements, an energy centre, the creation of new streets, the reconfiguration of Writers Square, public realm works, landscaping and associated site and road works. The application also proposed works to alter listed buildings, restoration of retained listed buildings and facades, and partial demolition of North Street Arcade, retaining its facades. This application was granted in November 2020.

- 3.6 Since the grant of the 2020 permission, the developer has not begun construction of the development. Whilst the developer has ownership of the vast majority of the lands within the overall site, they have had some difficulty securing certain portions of the overall lands required to develop out the scheme as per the existing planning approval. Whilst they have suggested potential variation of the permission to deal with those issues no such application has been received. A report was brought to SPR Committee on 26th June 2023 seeking approval to Council using its vesting powers to secure one of properties within the site. However Members had agreed to defer consideration of the report until such time as the motion tabled at Standards and Business Committee on 27th June 2023, inviting Castlebrooke Investments and/or any of its subsidiaries or related companies which had an interest in or was responsible for the development of the Cathedral Quarter to attend a future Committee meeting to present their plans and provide an update on their work being undertaken to date to develop the area. Castlebrooke subsequently advised Council Officers they intend on meeting with Party Group Leaders to address this motion but to date no meetings have taken place.
- 3.7 At SPR Committee on 22nd September 2023, Members agreed that a report on the possible options for the vesting of the Tribeca site be submitted to a future meeting.

Key Issues – Vesting / Compulsory Purchase

- 3.8 Belfast City Council's power to vest land (or to acquire land without agreement, also known as compulsory purchase) is set out in Section 97(1) of the Local Government (Northern Ireland) Act 1972 ('the 1972 Act'), which states:

'Where a council desires to acquire land otherwise than by agreement for any purpose for which it is authorised by a transferred provision so to acquire land, it may apply to the Ministry concerned for an order (in this Act referred to as a 'vesting order') vesting the land in the council, and that Ministry may make a vesting order' the Council can seek to vest land where it has legislative authority to do so. It is also generally only permitted where it has provided impossible or difficult to acquire the land by negotiated agreement. The general statutory intention behind a Vesting Order is that there is an intention to implement a scheme which requires the vesting to take place. As previously advised in the report to SP&R on 23/6/23 the Council can only vest land where a specific power is given to vest by another legislative provision. The Council must apply for the Vesting Order to the

Department that has oversight of the particular function the Council is relying on to apply for the Order.

- 3.9** There are a number of legislative provisions which allow the Council to seek to vest land, including where it wants to do so to provide recreational and cultural activities or for providing tourist amenities. However the most relevant power rests in the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 2002 which confers on the Council the power to vest land for the purpose of the economic development of its district.
- 3.10** Prior to asking the relevant Department to seek a Vesting Order, the Council must be clear on a number of factors:
- 1.** The purpose for which the scheme is required. This involves carrying out extensive consideration of the proposal in detail. From which, the Council can make decision on the most suitable vesting power to use.
 - 2.** Explain why vesting is necessary and the outcomes which the vesting will achieve.
 - 3.** The further costs in financing of the redevelopment, the investment which may be required and whether it will be entirely public funded together with an overarching assessment of the viability of the scheme as a whole.
 - 4.** The use of a Vesting Order is generally to be considered, only where it has proved impossible or difficult to acquire the land by negotiated agreement.
- 3.11** The process of obtaining a Vesting Order in respect of the site will be complex and require a significant officer resource to satisfy the various steps set out within the 1972 Order, not least of which is securing the approval of the relevant Department, that being the Department of Communities.
- 3.12** The timescale on making a Vesting Order depends greatly on the nature of the site, whether an owner(s) is identified, and how willing the owner is at negotiating sale by agreement to the Council. The Council would also need to be clear about what it is proposing to do with the vested land which would require a considerable amount of work in advance of applying to a sponsoring Department.
- 3.13** If the Department agrees to make a Vesting Order, they must publish their intention to do so and if it receives any objections, it can cause a local enquiry to be held at which the

Council and any objector shall have the opportunity to make representations.

Financial Implications of vesting

- 3.14 If the Vesting Order is granted, the Council must pay compensation to the landowner whose lands have been vested. The level of compensation and valuation of the site will be complex given its size and the particular circumstances. If no agreement on the amount of compensation can be reached, the valuation can be referred to the Lands Tribunal, who shall determine the level of compensation payable after hearing arguments on same from the Council and the Landowner.
- 3.15 At this time, officers cannot advise members as to the potential amount of compensation which may be payable. Generally this only becomes clear after the Vesting Order is made but it may be possible, and based on currently available information, to obtain a 'high-level' valuation of the site to include other heads of claim arising from a Vesting Order.
- 3.16 Committee is also asked to note that in addition to compensation to the landowner, Council would also be liable for other associated costs in terms of claimant's legal and professional fees together with other costs not usually considered with purchase by agreement such as disturbance payments, business loss/extinguishment, cost of any public enquiry as a result of a challenge etc.

Finance and Resource Implications

- 3.17 There are none associated with this report although Committee should note that there are likely to be significant finance and resource implications if Council wishes to pursue vesting.

**Equality or Good Relations Implications/
Rural Needs Assessment**

- 3.18 None at this time."

The Committee:

- 1) Noted the contents of the report;
- 2) Agreed to write to the developer and funder to express the Council's concerns regarding the lack of progress in delivering the scheme and advising that the Council will consider all options for acquiring the site, including the possibility of vesting; and

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- 3) Agreed to officers carrying out further work in relation to the possibility of vesting and/or acquisition of the Tribeca site by agreement, including seeking a valuation of the site; consideration of potential funding sources and potential third-party arrangements that might facilitate progression of the scheme.

Physical Programme and Asset Management

Physical Programme Update

The Director of Property and Projects advised the Members that the Council's Physical Programme currently included over 400 capital projects via a range of internal and external funding streams, together with projects which the Council delivered on behalf of external agencies. The Council's Capital Programme formed part of the Physical Programme and was a rolling programme of investment which either improved existing Council facilities or provided new facilities. She advised that this report included an update on the CCTV upgrade and lighting at Henry Jones Playing Fields and approval for a visit to the Foundry in Dublin for members of the Installations – City Hall/City Hall Grounds Working Group.

Henry Jones Playing Fields works

The Members were reminded that in September 2023 the Committee had approved an upgrade to the current CCTV system and the installation of lighting in the car park at the Henry Jones Playing Fields, subject to realignment of spend. The Committee had agreed also to defer consideration of the installation of perimeter fencing to enable further discussions to be held with the key user groups.

The CCTV upgrade and car park lighting works were being taken forward via the Property and Projects Department. Design work was underway and procurement was scheduled to take place within the coming weeks. Both elements of the project were due for completion in Spring 2024.

Statues – City Hall Grounds

The Members were also reminded that the installation of two new statues in City Hall Grounds of Mary Ann McCracken and Winifred Carney had been agreed. The proposed unveiling of both statues was due to take place on Friday 8th March 2024, which was International Women's Day. There was likely to be significant media attention for this and further detail on the proposed programme would be brought to the Committee next month. The statues were currently in the foundry in Dublin for casting and approval was sought for the Chairperson and members of the Installations – City Hall/City Hall Grounds Working Group to visit the Foundry to view both pieces and meet with the artist Ralf Sander.

The Committee noted the update provided on the Henry Jones Playing Fields works and approved a visit to the Foundry in Dublin for Members of the Installations – City Hall/City Hall Grounds Working Group in order to view the statues of Winifred Carney and Mary Anne McCracken prior to their unveiling in the grounds on International Women's Day on Friday 8th March.

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Asset Management

The Committee:

i) Belfast Castle – Lease Renewal

- approved the renewal of a Lease with Arc 21 for office accommodation at Belfast Castle in the sum of £24,500 per annum on a Lease for 5 years, with a break option for both parties at the end of year two and then annually year after.

ii) Ormeau Park – NI Water Storm Drain

- approved a NI Water Storm Drain at Ormeau Park.

Finance, Procurement and Performance

Contracts

The Committee:

- Approved the public advertisement of tenders as per Standing Order 37a detailed in Table 1 below;
- Approved the award of STAs in line with Standing Order 55 exceptions as detailed in Table 2 below; and
- Approved the modification of the contracts as per Standing Order 37a detailed in Table 3 below, subject to the omission of the Procurement of Public Bike Share Scheme. LOT 1: Design, supply, maintenance and operation of the scheme which is deferred to enable further information to be provided to the next meeting of the Committee.

Table 1: Competitive Tenders

Title of Tender	Proposed Contract Duration	Est. Max Contract Value	SRO	Short description of goods / services
Medical referee services	Up to 5 years	£150,000	D Sales	Legal obligation to appoint a medical referee to sign cremation forms
A grants management system providing online application and management of grants streams	Up to 4 Years	£131,540	P Gribben	To ensure ongoing provision of a grants management system

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Table 2: Single Tender Actions

Title	Duration	Est. Max Contract Value	SRO	Description	Supplier	STA Reason Code
Visit Belfast marketing throughout 2024 including; UNESCO city of music, Belfast 24 and city events	Up to 12 months	£370,000	J Greer	There is currently a formalised agreement with Visit Belfast to act as our Out of State marketing partner. No other provider can deliver this additional requirement.	Visit Belfast	3
Provision of Clockwise System	Up to 1 year	£62,122	P Gribben	Continued use of current system required until replacement of system is implemented. (In progress under the HR/Payroll/T&A Project).	Softworks Limited	3
Provision and installation of a system for side of vehicle advertising on Refuse Collection Vehicles	Up to 2 years	£80,000	D Sales	The proposed system will ensure that any advertising can be easily changed with no damage to the vehicle to reflect any changes to the campaign message or future campaigns. There were no bids received from a recent tender	Roadvert Ltd (Spedian Vehicle Graphic Solutions)	1

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				competition. Supplier has provided a similar service/system for BCC previously.		
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Table 3: Modification to Contract

Title of Contract	Current Contract Duration	Modification required	SRO	Description	Supplier
T2123 - Provision of an External Mail Collection Service	Up to 3 years	Additional 3 months	P Gribben	Additional time is required to finalise the Specification and associated tender documents. Work is underway to complete this review and to advertise the tender but additional time of up to 3-months is required to ensure continuity of service whilst tender process is completed.	Postal Sort
Procurement of Public Bike Share Scheme. LOT 1: Design supply maintenance & operation of the scheme	Up to 9 years	Additional 9 months and £391,000	J Greer	The contract with the current operator needs to be extended for additional services that have become necessary due to the requirement for a longer transition period that was not foreseen at the outset of the contract. This is needed due to technological	NSL Service Group

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				<p>advances and improvements to equipment in the bike share industry over the past 9 years that doesn't allow for a prompt change of operator without having a detrimental impact on the service.</p>	
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STA/ Direct Award Reasons

Reason Code	Reasons in line with Public Contract Regulations
1	No response following advertised procurement exercise
2	Creation or acquisition of a unique work of art or artistic performance
3	Competition is absent for technical reasons (no reasonable substitute exists)
4	The protection of exclusive rights, including intellectual property rights
5	Extreme urgency brought about by events unforeseeable by BCC, the time limits for a procurement cannot be complied with.
6	Products manufactured purely for the purpose of research, experimentation, study or development
7	Additional deliveries which are intended either as a partial or extended replacement of supplies or installations where a change of supplier would result in supplies of different technical characteristics causing incompatibility or disproportionate technical difficulties in operation and maintenance
8	Supplies quoted and purchased on a commodity market
9	Supplies or services on particularly time-limited advantageous terms e.g. supplier winding up its business activities
10	New works and services consisting of the repetition of similar works or services, provided that the possibility of a direct award is disclosed during the original tender process
11	Other – Reason not in line with Public Contract Regulations (PCR 2015)

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Equality and Good Relations

**Minutes of Shared City Partnership
Meeting 8th January**

The Committee approved and adopted the minutes and recommendations from the Shared City Partnership Meeting held on 8th January 2024, including:

Shared City Partnership Membership (Verbal Update)

- That members note the verbal update and agree the approach provided by the Good Relations Manager.

Good Relations Quarter 3 Report

- The Partnership recommended to the Strategic Policy and Resources Committee that it note the contents of the report.

PEACEPLUS – Theme 1.1 - Local Action Plan Update

- The Partnership recommend to the Strategic Policy and Resources Committee that it note the contents of the report.

Operational Issues

**Minutes of Party Group Leaders
Consultative Forum**

The Committee approved and adopted the minutes of the meeting of the Party Group Leaders Consultative Forum of 11th January.

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

The Committee adopted the recommendations in respect of those applications received up to 5th January, as set out below:

NAME OF ORGANISATION	FUNCTION DATE	FUNCTION DESCRIPTION	CRITERIA MET	ROOM CHARGE	HOSPITALITY OFFERED	CIVIC HQ RECOMMEND
2024 EVENTS						
Belfast YMCA	20 March 2024	Youth in Government Graduation reception for 17/ 18-year-olds that participated in this programme run by YMCA.	D	No charge as charity	Yes, Tea and coffee reception.	Approve No Charge Tea and coffee Reception <i>£500 given to their chosen caterer.</i>

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NAME OF ORGANISATION	FUNCTION DATE	FUNCTION DESCRIPTION	CRITERIA MET	ROOM CHARGE	HOSPITALITY OFFERED	CIVIC HQ RECOMMEND
		Numbers attending 70				
Ramadan Tent Project Ltd <i>(based in London but working with local community groups)</i>	7 April 2024	Open Iftar 2024 programme – this event aims to bring communities together, develop the understanding of Ramadan and welcoming people of all faiths and none to enjoy in the festivities of Ramadan. Festivities to celebrate Ramadan will include prayers, welcome speeches, lunch, networking and activities on 2024 theme of Heritage. Numbers attending 250 – 500	B & D	No charge as charity	Yes, Soft drinks reception.	Approve No Charge Soft Drink Reception <i>£500 given to their chosen caterer.</i>
BTC - Belfast Tamil Community	13 or 14 April 2024	BTC Tamil New Year "Puthandu," is a significant cultural and traditional celebration observed by the Tamil community worldwide. This celebration is an evening of food and entertainment. Numbers attending 300	C & D	No charge as community group	Yes, Soft drinks reception.	Approve No Charge Soft Drink Reception <i>£500 given to their chosen caterer.</i>

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NAME OF ORGANISATION	FUNCTION DATE	FUNCTION DESCRIPTION	CRITERIA MET	ROOM CHARGE	HOSPITALITY OFFERED	CIVIC HQ RECOMMEND
Image Nation NI	1 November 2024	Belfast Diwali Celebrations – an evening of food and entertainment to celebrate one of the biggest celebrations in Hindu Calendar. Numbers attending – 350	C	No charge as voluntary group	Yes, Soft drinks reception.	Approve No Charge Soft Drink Reception <i>£500 given to their chosen caterer.</i>
Belfast Health and Social Care Trust	28 November 2024	Belfast Trust Chairman's Awards 2024 – Awards ceremony to recognise the contributions and achievements of the staff in the Belfast Trust. Numbers attending – 300	C	Charge £825	No hospitality	Approve Charge £825 No hospitality

The Interim City Solicitor/Director of Legal and Civic Services reported that, subsequent to the report have been issued, a late application for the use of a function room in the City Hall for Helpline Awareness Day on 20th March, 2024 had been received and she recommended that the Committee agree to the request.

The Committee adopted the recommendation.

National Famine Memorial Day 2024

The Committee was reminded that, following a Motion adopted at the Standards and Business Committee on 26th September 2023, the Council had written to the Minister at the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media on 8th November 2023 to make a request for Belfast to host the National Famine Memorial Day in May 2024.

The Interim City Solicitor/Director of Legal and Civic Services reported that, on 21st December 2023, the Chief Executive of Belfast City Council had received a response from the Department stating that it had a policy of rotating the province that the commemoration was held in each year, and that last year the commemoration was held in Milford, County Donegal. The letter further stated that the Department was currently in the process of identifying a host county from Leinster for the 2024 event. Therefore, it would not be inviting applications from Ulster this year.

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The letter concluded by stating that, as the Commemoration would be due to take place in Ulster again in number of years, the Department would keep Belfast City Council's expression of interest on file for consideration.

The Committee noted the Irish Government's response to the Council's request to host the National Famine Memorial Day in May, 2024.

Coronation Gift

The Interim City Solicitor/Director of Legal and Civic Services advised the Committee that His Majesty's Lord Lieutenant for the County Borough of Belfast had offered the gift of a tree to the City of Belfast to mark the occasion of the coronation of King Charles and Queen Camilla. Following discussion at Party Group Leaders, potential locations for the gift were explored in the City Hall grounds. As part of this work, the advice of the Council's Senior Woodland and Recreation Officer was sought.

The City Hall grounds are surrounded by a variety of mature tree species such as lime, sycamore, and several smaller maples. On undertaking a scoping exercise, a viable site, which could accommodate a single tree would be to the rear of the cenotaph at Donegall Square/Donagall Square West.

Furthermore, the Senior Woodland and Recreation Officer had recommended that a *Tilia cordata* Greenspire (small leaf lime) was planted, as it was a variety of tree which would be in keeping with the mature lime trees which have been growing within the City Hall grounds for many years and would maintain continuity. This species of tree would also be appropriate given that the grounds of City Hall were a designated conservation area.

The Lord Lieutenant had indicated that, should the Committee be content, the planting of the tree would proceed by the end of February 2024, in keeping with the tree planting season.

The Committee agreed to accept the offer of a tree and approved the location recommended in the grounds of City Hall.

Portrait of King Charles III

The Committee was advised that the UK government, through the Cabinet Office, had recently introduced a scheme to allow public authorities across the UK to apply for a free, framed portrait of His Majesty King Charles III.

Public Authorities that fell within certain defined groupings were eligible for this portrait at no cost and Belfast City Council had received communication advising of the process to request a portrait on this basis as a principal local authority.

The Committee agree to accept the offer of a free, framed portrait of His Majesty King Charles III.

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Issues Raised in Advance by Members

**Request for BCC to act as a Sponsor for a
Community Asset Transfer for West Belfast
Partnership Board - Councillor Black to raise**

The Committee agreed to accede to the request for the Council to act as a sponsor for a community asset transfer for the West Belfast Partnership Board and noted that there would be no costs associated with the request.

Chairperson