



| | |
|---------------------------|---|
| Subject: | Notice of Motion re: Belfast Metropolitan Area Plan |
| Date: | 16 th December, 2016 |
| Reporting Officer: | Stephen McCrory, Democratic Services Manager |
| Contact Officer: | Jim Hanna, Senior Democratic Services Officer |

| | | |
|--|---|--|
| Is this report restricted? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Is the decision eligible for Call-in? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

| | |
|------------|---|
| 1.0 | Purpose of Report or Summary of main Issues |
| 1.1 | To consider a notice of motion in relation to the Belfast Metropolitan Area Plan which, in accordance with standing orders, was referred to the Committee by the Council at its meeting on 1 st December, 2016. |
| 2.0 | Recommendations |
| 2.1 | The Committee is asked to; <ul style="list-style-type: none">• Consider the notice of motion and to take such action thereon as may be determined. |
| 3.0 | Main report |
| 3.1 | <u>Key Issues</u> <p>At the meeting of the Council on 1st December, it was proposed by Councillor Attwood and seconded by Councillor Heading, that:</p> <p><i>“This Council notes with concern the decision of the High Court which decided that bulky goods only could be removed from the Belfast Metropolitan Area in relation to Sprucefield.</i></p> |

The Council notes that the Minister for Infrastructure, Mr. Chris Hazzard, agreed on a proposal to have BMAP adopted without the bulky goods restriction.

The Council notes that the Javelin report stated, in August 2016, that Belfast needs to improve the quality of its shops and that a John Lewis store would be seen as one of the major catalysts to rejuvenate Belfast City Centre.

Belfast needs to be a strong city in many ways to support the rest of Northern Ireland. This means that it has to have the right critical mass of offices, retail, residential, culture and arts to allow it to grow, not at the expense of other parts of Northern Ireland but in support of putting more money in everyone's pockets and creating more jobs both in the city and in the many businesses in the external supply chain. Belfast needs to compete with other cities if Northern Ireland is to be more financially successful. This means that it needs more people living, working and visiting here. It should be (according to its size) one of the top 10 cities in the UK but is currently only 16th in the retail rankings. This is not good enough for Northern Ireland.

The Council believes that the decision of the High Court will have an adverse impact on Belfast and other town centres and supports the decision to appeal the decision of the High Court and will work with retailers and others to challenge this decision."

In accordance with Standing Order 13(f), the motion was referred, without discussion, to the Strategic Policy and Resources Committee.

- 3.2 The Council became a notice party to the remedies hearing and asked the court not to endorse the proposed removal of the bulky goods restriction as it believed it was inappropriate and unlawful for the court to do so. Essentially the Council's case relates to the court being an inappropriate forum for the making of planning policy and that the powers of the NI Executive to retrospectively endorse policies made without reference to it does not extend to allow it to amend such policies. An Appeal has been lodged to the Court of Appeal and a date is awaited for hearing.

- 3.3 Financial & Resource Implications
Legal costs of pursuing an appeal to the Court of Appeal.

| | |
|------------|--|
| 3.4 | <u>Equality or Good Relations Implications</u> There are not any equality or good relations considerations associated with this report. |
| 4.0 | Appendices – Documents Attached |
| 4.1 | None. |