



Subject:	Public Realm Developer Contributions – Pilot Catalyst Project
Date:	23rd November 2018
Reporting Officer:	Alistair Reid, Director of Place and Economy
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Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
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	This report sets out a proposal to bring forward a pilot public realm project in partnership with DfC utilising a proportion of developer contribution monies that were specifically identified for public realm purposes arising from developments at College Street/Queen Street and College Avenue. The Council has granted planning permission for two Purpose Built Managed Student Accommodation schemes at No. 41-49 and 24-30 College Street Queen Street; and No. 78 College Avenue. Both permissions were subject to legal agreements between the Council and the developer that secure developer agreement monies that is specifically to be utilised towards public realm improvements in the vicinity of

1.2	<p>these two developments. There is also an identified timeframe within which these monies must be spent.</p> <p>Developer contributions are a planning tool used to mitigate the impacts of new development and ensure that development is supported by the right level of infrastructure. They can only be required where they are necessary to make the development acceptable and, once secured, are ring-fenced for the purpose to which they were sought. In most cases to date, the developer contributions have taken the form of financial contributions for the enhancement of public realm in the city centre to mitigate the impacts of increased footfall and to improve connectivity. The Council has recently completed consultation on its draft Developer Contributions Framework which may widen the scope of developer contributions in the future. However, the legal agreements that are currently in place in respect of previous developer contributions set out the specific purposes that these monies must be used for and in the current proposed pilot project this is specifically for public realm in the vicinity of the two developments.</p>
2.0	Recommendations
2.1	<p>The Committee is asked to</p> <ol style="list-style-type: none"> 1. Grant approval for the utilisation of £475,650 secured as developer contributions from two Purpose Built Managed Student Accommodation (PBMSA) schemes at No. 41-49 and 24-30 College Street Queen Street (Student Roost, Swanston House) (LA04/2015/1252/F); and No. 78 College Avenue (LA04/2015/0419/F) to part-fund a pilot “catalyst” project of public realm improvements in the areas around the sites at College Court, College Street and College Avenue; 2. Note that the Council intends to commission DfC to employ the Central Procurement Directorate (CPD) to design, project manage and procure a works contractor to deliver the project in partnership with the Council, subject to detailed terms to be agreed by the Council. 3. Note that a governance model for overseeing the spending of developer contributions is currently under development and will be brought back to Committee for approval. The current pilot project at College St / College Court is being brought forward now, in order to develop a proposal to the extent that it would be able to avail of additional DfC funding, which may become available.

	<p>4. Note that there may also be an opportunity to bring forward a programme of further small, public realm 'Catalyst Projects' in conjunction with DfC and further details of these will be brought back to Committee.</p>
<p>3.0</p>	<p>Main report</p>
	<p><u>Background</u></p> <p>3.1 Since the transfer of planning powers in April 2015, the Council has routinely secured developer contributions to mitigate and manage the impact of new development on the city. Developer contributions can only be required where they are necessary to make the development acceptable and, once secured, are ring-fenced for the purpose to which they were sought. In most cases, the developer contributions have taken the form of financial contributions for the enhancement of public realm in the city centre to mitigate the impacts of increased footfall and to improve connectivity. Approximately £3 million has been secured to date for this purpose although payment of financial contributions is however dependent on occupation or commencement of development and the Council has received £1.4 million so far. Further details are set out in the report to Planning Committee on 13th November 2018 -which is attached as Appendix 1</p> <p>3.2 The Council has recently completed consultation on its draft Developer Contributions Framework which may widen the scope of developer contributions in the future. However, the legal agreements that are currently in place in respect of previous developer contributions set out the specific purposes that these monies must be used for. In addition a governance model for overseeing the spending of developer contributions is currently under development and will be brought back to Committee for approval. However, pending this and in order to develop a proposal to the extent that it would be able to avail of additional DfC funding which may become available in the near future, this Committee is being asked for approval to the use of identified developer contributions collected to date.</p> <p><u>Key Issues</u></p> <p><i>Pilot Project: College Court/College Street</i></p> <p>3.3 The Council has granted planning permission for two PBMSA schemes at No. 41-49 and 24-30 College Street Queen Street (Student Roost, Swanston House) (LA04/2015/1252/F); and No. 78 College Avenue (LA04/2015/0419/F). Both permissions were subject to planning agreements that secure a combined £475,650 that is specifically to be utilised towards public realm improvements in and around the area of the application sites. Public</p>

	<p>realm improvements at this location would be directly beneficial to the residents of these developments.</p>
3.4	<p>With the planning agreements in mind, developers and property owners, including Queens University Belfast (owners of student housing at College Court), have asked when they might expect the public realm around their completed developments to be improved. Since the Council is not a transport authority and does not control the roads or streets, officers have been liaising with the Department for Communities (DfC) Belfast Streets Ahead Team about a number of potential public realm “Catalyst Projects”.</p>
3.5	<p>Officers have identified College Court and College Street as an appropriate pilot for spending the financial developer contributions on a public realm scheme. DfC has indicated that they would support the College Court/College Street project as a pilot in partnership with the Council, with DfC providing the gap funding to deliver the proposed project.</p>
3.6	<p>With the exception of a short stretch of pavement adjacent to No. 78 College Avenue, the pilot area is not included in the Department’s current Streets Ahead programme and will not therefore benefit from planned DfC public realm investment. The indicative geographical scope of the project is illustrated at Appendix 2. An initial estimate of costs by DfC suggests a total in the region of £600,000 for the design and construction of the scheme. The developer contributions available amount to £475,650 and DfC has indicated they will fund the remainder subject to approval of their departmental budget by the Under-Secretary/Permanent Secretary. The Council would provide a maximum of £475,650 from developer contributions funding towards the project and would only release it once the project is committed to by DfC with the necessary permissions and consents in place. DfC are keen to commence with this project as soon as possible in order to benefit from in-year funding, in the event that it becomes available.</p>
3.7	<p>Following discussions with DfC, it is proposed that the most appropriate delivery model would be for the Council to commission DfC to employ the Central Procurement Directorate (CPD) to design, project manage and procure a works contractor to deliver the project in partnership with the Council. The Council’s funding agreement for the £475,650 will include a condition that the amount of funding is finite and that any liability (including additional costs) must be paid for by DfC.</p>

3.8	<p>A joint Belfast City Council and DfC public realm Catalyst Project at this location would contribute to the delivery of several regeneration policies and projects including the Belfast City Centre Regeneration and Investment Strategy (BCCRIS), the Inner West Special Action Area (in BCCRIS), Inner North West Masterplan and the ongoing Restore Revitalise Animation Proposals for the city centre in the aftermath of the Bank Buildings fire. The development of this public realm project, which is in close proximity to the Castle Street area, could act as a catalyst for further improved public realm and other improvements in the area.</p>
	<p><i>Design Workshops</i></p>
3.9	<p>It is proposed that the process for the College Court/College Street pilot project should follow that previously agreed for the Streets Ahead 3 proposals for the Council's land at Cathedral Gardens and that it would be overseen by the Belfast Streets Ahead Project Board, upon which the Council is represented.</p>
3.10	<p>There will be an opportunity for Members and local stakeholders, including traders and residents, to engage in the development of proposals for College Court/College Street through design workshops which will be arranged by the Council and DfC.</p>
	<p><i>Potential Future Catalyst Projects</i></p>
3.11	<p>There is also an opportunity to bring forward a programme of small, public realm "Catalyst Projects", which could be used to ensure developer contributions (which specify spend on public realm) are appropriately utilised. For example, there may be opportunity to utilise some of this spend in conjunction with larger projects such as <i>Belfast Streets Ahead 5</i> (BSA 5), such as in the area of Blackstaff Square, ahead of the implementation of BSA 5. The Council will continue to work with DfC on developing this programme and will report back to Members on this and progress of the College Court/College Street pilot at a future meeting (subject to agreement on progressing the pilot project)</p>
	<p><u>Financial & Resource Implications</u></p>
3.12	<p>An initial estimate of costs by DfC for the pilot project at College Court/College Street suggests a total in the region of £600,000 for the design and construction of the scheme. Funding for the project will be provided in part from developer contributions secured in</p>

<p>3.13</p> <p>3.14</p>	<p>respect of planning applications LA04/2015/1252/F and LA04/2015/0419/F. The Council would provide a maximum of £475,650 from these developer contributions funding towards the project and would only release it once the project is committed to by DfC with the necessary permissions and consents in place. The Council's funding agreement will include a condition that the amount of funding for the public realm is finite and that any liability (including additional costs) must be paid for by DfC.</p> <p>DfC have advised that they expect to be able to fund the remainder of the project based on their initial estimate of total costs of £600,000 subject to approval of their departmental budget by the Under-Secretary/Permanent Secretary . The total cost of the scheme will be subject to a tender process and based on a design to be agreed. In order to commit this funding DfC require to begin the process now, within the 2018/19 financial year.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>There are no Equality, Good Relations or Rural Needs implications at this stage. Equality and Good Relations implications will be assessed at design stage to meet the specific requirements of the project.</p>
<p>4.0</p>	<p>Appendices</p>
	<p>Appendix 1 – Planning Committee Report, 13th November 2018: Public Realm Developer Contributions – Pilot Catalyst Projects</p> <p>Appendix 2 – Proposed geographical scope of the College Court/College Street Public Realm Catalyst Project</p>