

Public Document Pack

**Democratic Services Section
Chief Executive's Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

5th January, 2016

MEETING OF PEOPLE AND COMMUNITIES COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Tuesday, 12th January, 2016 at 4.30 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

**SUZANNE WYLIE
Chief Executive**

AGENDA:

1. Routine Matters

- (a) Apologies
- (b) Minutes
- (c) Declarations of Interest
- (d) Request to present to Committee - Belfast Food Network - Food Poverty Action Plan (Pages 1 - 2)

2. Presentations

- (a) Department of Justice - Human Trafficking
- (b) Age Sector Platform - Pensioners Parliament Proposal

3. Physical Programme and Asset Management

- (a) City of Belfast Golf Course (Pages 3 - 14)
- (b) 'One Path' decision for Comber Greenway (Pages 15 - 32)

- (c) Connswater Community Greenway - Naming of New Structures (Pages 33 - 42)
- (d) Proposed Grant Easement - Victoria College (Pages 43 - 44)
- (e) Port Health Unit, Corry Place - Lease Renewal (Pages 45 - 46)

4. **Operational Issues**

- (a) Holylands CCTV System (Pages 47 - 52)
- (b) Affordable Warmth Scheme - Identification of Properties (Pages 53 - 56)
- (c) Street Naming - New Streets Proposal (Pages 57 - 60)
- (d) Travellers' Sites - Health and Safety Audit (Pages 61 - 64)
- (e) Strategic Cemetery and Crematorium Development - Update (Pages 65 - 70)
- (f) Request to Waive Fee for Erection of Memorial Headstone (Pages 71 - 74)
- (g) Consultation Response - Private Rental Sector Review (Pages 75 - 110)
- (h) Consultation Response - Quiet Areas (Pages 111 - 114)

5. **Request for use of BCC Premises**

- (a) Ormeau Park - Pretty Muddy Event (Pages 115 - 116)

6. **Finance, Procurement & Performance**

- (a) Choose to Live Better Programme (Pages 117 - 120)
- (b) Revenue Estimates and District Rate 2016/17 (Pages 121 - 128)



Subject:	<i>Food Network - Deputation Request</i>
Date:	<i>12th January, 2016</i>
Reporting Officer:	<i>Eilish McGoldrick, Democratic Services Officer</i>
Contact Officer:	<i>As above</i>

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
	To invite representatives of the Belfast Food Network to attend the next meeting of the Committee, to present its draft Food Poverty Action Plan.
2.0	Recommendations
	The Committee is requested to consider whether it would wish to invite the Belfast Food Network to present its draft Food Poverty Action Plan to the Committee at its meeting on 9th February, 2016.
3.0	Main report
	<p><u>Background Information</u></p> <p>The Committee received a presentation from representatives from Sustainable NI and the Belfast Food Network in November regarding the Annual Report from the Belfast Sustainable Food Network, the Belfast Food Poverty Scoping Report 'Enough is Enough' and their planned food waste event 'Feed the City'.</p> <p>Following on from this, representatives from the Belfast Food Network would like</p>

	<p>to attend the Committee to discuss the draft Food Poverty Action Plan and receive feedback on these issues to include in the final report.</p> <p><u>Key Issues</u></p> <p>It is proposed that the presentation will provide the Committee with an outline of the draft Food Poverty Action Plan and allow Members to raise any issues within the action plan directly with the representatives attending the Committee.</p> <p><u>Financial & Resource Implications</u></p> <p>None</p> <p><u>Equality or Good Relations Implications</u></p> <p>None</p>
4.0	Appendices – Documents Attached
	None



Subject:	City of Belfast Golf Course – Operating Model
Date:	12 th January 2016
Reporting Officer:	Rose Crozier, Assistant Director of Parks and Leisure
Contact Officer:	Stephen Walker, Departmental Portfolio Programme Manager

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
	The purpose of this report is to seek authority from the People and Communities Committee to undertake a review of the Operating Model relating to the City of Belfast Golf Club.
2.0	Recommendations
	It is recommended that the Committee agree to Officers commissioning a piece of work to review the operating model at City of Belfast Golf Course and to receive a report at a future date in 2016.
3.0	Main report
	<p>The Committee is asked to note that the former Parks and Leisure Committee at its meeting in January 2011 received a report which considered a series of management options relating to the future of the City of Belfast Golf Club. A copy of the report is attached as Appendix 1 for information. The report recommended that the Council continue to provide and manage the facility and to do so within the context of a Facilities Management Agreement (FMA). This decision was subject to the submission of a business case. This was further considered and approved at the former Committee's meeting in August 2011, a copy is attached as Appendix 2 for information.</p> <p>A variation to the existing Facilities Management Agreement was completed in November</p>

	<p>2014. This agreement was signed off in parallel to the completion of a new Club House which was financed through the income generated by the Club Committee in their management of the facility.</p> <p>The variation to the management agreement makes provision for a review of the management of the facility every 5 years. Whilst a review is not due until 2019 recent informal discussions with the Club Committee indicated a willingness to consider an extension to the existing FMA which would enable the Club Committee to manage the entire facility for the Council including all the grounds maintenance which is currently undertaken by Council staff.</p> <p>While there are a number of legal issues which require further consideration it is felt appropriate to review, even at this early stage, opportunities to achieve efficiencies in the operation of this facility, which as Members are aware is beyond the Council boundary. It is intended that the report will look at the costs associated with the management of the facility; it will outline the schedule of works required to deliver the facility and will outline the skills required to manage and deliver the service. The report will set out a recommended model for the future.</p> <p><u>Financial & Resource Implications</u></p> <p>The commissioning of the work will be beyond the £3,000 limit and will therefore be subject to a quotation process. It is proposed that a limit of £10,000 be set for this work and the cost will be covered from the existing budget.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are no equality or good relations implications</p>
4.0	Appendices – Documents Attached
	<p>Appendix 1 – Former Parks and Leisure Committee Report January 2011 Appendix 2 –Former Parks and Leisure Committee Report August 2011</p>



Belfast City Council

Report to:	Special Parks and Leisure Committee
Subject:	City of Belfast Golf Course
Date:	24 January 2011
Reporting Officer:	Andrew Hassard, Director of Parks and Leisure
Contact Officer:	Stephen Walker, Principal Parks and Cemeteries Development Manager

Relevant Background Information

The committee will recall that its meeting in December 2010 it agreed to hold a special meeting to discuss the future of the City of Belfast Golf Course at Mallusk.

Members are reminded that the council purchased part of the lands which now form the City of Belfast Playing Fields Golf Course in a series of transactions in 1960. While the precise reason for the procurement is not clear it is our understanding that it was, at least in part, motivated by a shortfall in playing field provision within the city. Subsequently the playing fields opened around 1975 and the golf course was opened a decade later around 1985.

The playing fields remain under the sole management of Belfast City Council whilst the golf course has been under a facilities management agreement since 2005.

A review of committee decisions regarding the golf course, dating back to 2000 has been undertaken and an outline is presented as Appendix 1. Members will note that between 2001 and 2005 there had been significant discussion regarding the issue of the future of the facilities and how they could best be managed. The main report would appear to be that which was presented in August 2004 and an extract from the minutes of that meeting is attached as Appendix 2. Within the report a range of options regarding the future management of the facility were considered. At that time it was agreed to proceed with a facilities management agreement relating to the administration and management of the golf course, maintenance of the club house, the car park area plus part of the grounds maintenance work.

Facilities Management Agreement

In 2005 the Council entered into a facilities management agreement with the City of Belfast Golf Club. Under the agreement the club would undertake the general management of the facilities on behalf of the council in accordance with the provisions of the agreement. This would include the acceptance of bookings,

collection of cash, organising of events, provision of security, utility charges incurred in connection with the use of the facility and other maintenance operations as detailed in the schedule of works appended to the agreement. The agreement made reference to additional issues such as access, development of the site, public use etc. The agreement sets out the requirements for the provision of information to the council in respect of financial records and usage.

The agreement was to run for a period of 5 years with provision for a further 2 years providing there had been no breach. The current position is that the agreement will run to 31 July 2011 and will thereafter be extended on a month by month basis until the end of March 2012.

In return the council, in line with facilities agreements across the city, would pay a maintenance fee to the club which would reduce over the duration of the agreement. In addition, the club would be permitted to retain the income. Any profits accruing would require to be used for the betterment and improvement of the facility.

Usage and membership including demographic breakdown

The club has a current membership of 151 course members: ninety of which are club members. The membership is broken down as follows:

- 20% reside within the Belfast District;
- 60% reside within the Newtownabbey borough; and
- 20% reside in other districts including Antrim, Larne, Carrick, etc.

The usage figures for the course are as follows:

Table 1 – Number of rounds played 2006-2011

	Members	Non Members	Total
2006/2007	5,285	7,119	12,404
2007/2008	5,073	7,462	13,165
2008/2009	5,097	6,701	11,798
2009/2010	5,101	6,206	11,307
2010/2011*	4,568	5,800	10,368

** figures up to the end of November 2010.*

The committee will note from the Table 1 that the usage figures have been showing a slight downward trend and that there is a larger number of rounds played by non members (casual users). Unfortunately there is no information regarding residency of these non members.

The view of the club committee is that the course is a popular facility for the general public, particularly for those resident in North Belfast and its surrounding neighbours. The club suggests that the majority of the casual users reside within Belfast, mainly North Belfast. The information is however anecdotal and cannot be easily substantiated or refuted. However, the committee is reminded that Newtownabbey Borough Council has its own pay and play course at Ballyearl which we understand is well used by the residents of the borough.

Based on a review of the figures for December to March in previous years it would appear that the downward trend noted in 2008/09 and 2009/10 will be reversed in 2010/11.

Table 2 - City of Belfast Golf Club financial information

Year Ending March...	Income (incl maintenance fee from BCC) (pre tax profit)	Maintenance Fee (£'s)	Net Expenditure (£'s)
2006	66,987	30,900**	93,341
2007	45,300	31,642	79,145
2008	52,542	27,634	86,209
2009	62,409	28,795	66,262
2010	44,245	23,722	N/A

* Figures not available for end of year

** The FMA started in 2005, no fee payable before this date

Planning position and future development

The City of Belfast Playing Fields and Golf Course extends to 45 hectares located on the outside edge of the Belfast Metropolitan Area development limit. In planning terms any proposed development of the site would be constrained by country side policy, PPS21 and the general open space of public value policy PPS8. This latter policy contains a strong presumption against development for alternative purposes. However, there is an exception. If the site were to fall within the settlement limit, and if it could be demonstrated that the facilities on the site could only be retained and enhanced through realisation of part of the site for development then up to a maximum of 10% of the site area could be considered for appropriate commercial development. This represents 4.5 hectares, which is approximately 11 acres. Members are asked to note that the area currently does not fall within the settlement limit and while the Council has raised, as an objection under the BMAP process, the outcome of that objection will not be known until 2012.

The current planning position means that the site has virtually no developmental potential. However, the outcome of the BMAP process and/or the subsequent area plan for this location could provide an opportunity to realise development potential on part of the site in the medium term. From a planning and asset realisation perspective sufficient flexibility in terms of site management should be retained to allow for the potential release of value for the benefit of the remainder of the site and potentially other sites.

Key Issues

The key issues for the committee to consider are:

1. The council has provided a golf course at the City of Belfast Playing Fields since 1985;
2. The facility has been managed through a facilities management agreement with the City of Belfast Golf Course Committee since 2005 and will expire in March 2012;
3. The fundamental premise of the original agreement was that there would be a net saving to the council;

4. The current arrangement appears to work effectively in so far as the club is complying with the requirements regarding the operation of the site, the club submits annual accounts and usage figures and holds regular meetings with council staff;
5. The key issue for the council to consider is whether it wishes to continue to provide the facility and if so how it will be managed;
6. The existing club house, which is a temporary structure is in need of replacement;
7. The club committee has submitted a letter, attached as Appendix 3, that sets out its vision for the future of the course and how it would work to support the facility.
8. The future development potential of the land is uncertain owing to the BMAP situation. However, even in the event of the land being re-designated, within the current economic climate and taking into account the issues associated with development briefs and securing planning etc, it is likely to be a number of years before any disposal could be secured;
9. Alternative use of the facility would require capital investment and would have additional revenue and whole life costs.

There are five main options open to the Council:

Option 1 – Close the golf course and consider alternative uses of the land, including disposal;

The council could decide to close the facility as it has no statutory obligation to keep it open. It is likely that closure would result in a financial saving however there would be an obligation for the council to maintain the site.

The main issue for the council to consider would be whether it would wish to leave the site vacant and undertake minimal maintenance or whether it would wish to consider locating alternative or additional provision relating to open space. This might include for example additional playing fields. This would however need to be considered within the context of the playing pitches strategy.

The committee should also be mindful that the contouring of the existing golf course is such that any development, such as pitch provision, would be expensive. A preliminary and superficial analysis of the golf course has been undertaken and would suggest that it could accommodate up to 7 full size pitches, 6 junior size pitches and additional changing facilities, the total estimated cost of which would be in the region of £5.5m (excluding revenue costs).

We have reviewed the usage figures at the City of Belfast Playing Fields. The current position indicates that the pitches are currently running at approximately 92% capacity, this is based on 80 uses per pitch per season.

Option 2 – Retain the golf course and bring it back under sole council management;

The committee is asked to recall that the decision to revert to a facilities management agreement was based on the premise that it would result in a financial saving to the council. It is unlikely that the council could undertake the sole management and maintenance of the facility within the existing budgets.

Option 3 – Retain the golf course for 5 years and continue to manage it within the context of a facilities management agreement framework

This option is basically the status quo; the implication being that the council continues to provide a golf course and that it is managed within the context of an agreement with an external body. However, the terms and conditions of that agreement could be reviewed.

In addition, Members are asked to note that the golf club committee has been in discussion with officers regarding the possible redevelopment of the club house and has offered to undertake to meet the capital cost through the use of club reserves and borrowing. This would however require security of tenure. The existing building is a temporary structure and is in need of replacement with either another temporary structure or a permanent facility.

Option 4 – Retain the golf course, bring it under sole under council management and consider realisation of development potential in the medium term

This option is basically option 2 with a view to considering alternative use of the facility and perhaps considering a development brief to test the market. This brief could be issued following a favourable outcome from the publication of the BMAP in 2012, but could be deleted until publication of the subsequent area plan.

Option 5 - Retain the golf course and continue to manage it within the context of a facilities management agreement framework and consider realisation of development potential in the medium term

This option is basically option 3 with a view to considering alternative use of the facility and perhaps considering a development brief to test the market. The total duration of the facility management arrangement, or series of arrangements, should seek to deliver, as far as possible, the twin aims of sustaining the golf course in the medium term while not closing out potential medium term asset realisation. This brief could be issued following a favourable outcome from the publication of the BMAP in 2012, but could be delayed until publication of the subsequent area plan.

Resource Implications

Financial

The financial implications will be influenced by the option chooses. However, on the basis that option 5 is pursued there will be no additional financial implications.

Human Resources

On the basis that Option 5 is chosen there are no additional human resource implications other than officer time including staff from Estates Management and Legal Services.

Asset and other implications

On the basis that option 5 is chosen there are no additional implications.

Equality and Good Relations Implications

There are currently no equality implications however this will continue to be reviewed as the chosen option is developed.

Recommendations

It is recommended that the committee adopt option 5 above and agree that:

1. the golf course is retained as a functional asset;
2. the facility is subject to a facilities management agreement, the terms and conditions of that agreement will be reviewed in advance of a new agreement being entered into;
3. a condition report is obtained for the existing club house to consider remedial options;
4. officers await the outcome of the BMAP process and initiate at that time a review of the development options together with associated costs.

Decision Tracking

The Principal Parks and Cemeteries Development Manager will submit an updated report in June 2011.

Abbreviations

None.

Appendices

Appendix 1: Summary of Committee Decisions from 2000 to 2010.

Appendix 2: Extract from Committee minute August 2004.

Appendix 3: Copy of correspondence from Golf Club Committee (January 2011)



Belfast City Council

Report to:	Parks and Leisure Committee
Subject:	City of Belfast Golf Course
Date:	11 August 2011
Reporting Officer:	Andrew Hassard, Director of Parks and Leisure
Contact Officers:	Stephen Walker, Principal Parks and Cemeteries Development Manager

1. Relevant Background Information

The Committee is reminded that a special meeting of the Parks and Leisure Committee was held on 24 January 2011 to discuss the future of the City of Belfast Golf Course at Mallusk. A copy of the minute is attached as Appendix 1. Representatives from the club were also in attendance at the meeting.

It was agreed that the council would retain the golf course and continue to manage it within the context of a facilities management agreement framework and consider realisation of the development potential in the medium term. It was also agreed in principle that the facility management agreement be extended for a period of up to 21 years subject to:

- Further information in relation to the club's business case for replacement of the clubhouse being submitted within a period of 6 months;
- The business case to specify in detail how the redevelopment was to be financed; and
- A buy out clause being incorporated within the agreement.

The club has provided a detailed business plan regarding financing of the replacement club house within the 6 months allowed, a copy is available upon request. Council officers met with the club to progress discussions re future agreements.

2. Key Issues

The Committee is asked to note the following key points:

Replacement of the existing club house

The need for a replacement club house has been established through the

council's own property inspection process. The existing building was installed in 1985 as a temporary structure and is no longer fit for purpose. The club propose to provide a new club house which will incorporate a shop and adequate toilet and changing facilities. The estimated cost is in the region of £235,000.

The club has considered obtaining a mortgage however it was informed that a 10 year repayment period at 7.9% pa would be offered and this was rejected by the club committee.

It explored the potential to secure external funding and approached a number of potential funding organisations and concluded that it would be a lengthy process with no guarantee of success. In addition, this might have implications for the council in terms of the future of the site.

It also considered using the club's accumulated building fund to meet the cost. Following discussion within its own committee it was agreed that the use of the building fund provided the most cost effective method of financing the replacement building.

The committee is therefore asked to note that the club will be using its building funding and not obtaining a mortgage.

Buy out clause

Within this context the committee is asked to note that this removes the need for a buy out clause. The committee is reminded that the initial concern was that the club committee would incur a debt and liability through the mortgage and that the council may at some future date close the facility, perhaps in advance of the mortgage having been repaid. The buy out clause was intended to safeguard the individual club committee members.

The club committee has however asked that the council incorporate within its management agreement a 'comfort clause'. The club wishes to bring a degree of longevity to the management arrangement and although the committee has agreed to a facilities management agreement of up to 21 years it has included within its decision provision to review the development potential of the site in the medium term.

It is proposed that officers, together with Legal Services enter discussions with the club in relation to the form of the agreement which would give sufficient comfort to the club regarding the length of the agreement and the termination clauses within the context of the future development potential.

3. Resource Implications

Financial

There are no capital implications.

The facility will continue to be managed within a facility management agreement context; the revenue implications are yet to be confirmed, however, the figure for 2010 was £23,722. Net expenditure to the council in 2009 was £66,262.

	<p>The total revenue cost is likely to be in the region of £90-100,000 per annum.</p> <p><u>Human Resources</u> There are no additional human resource implications.</p> <p><u>Asset and Other Implications</u> The provision of the replacement club house will enhance the facility and will provide an opportunity for the club to generate additional income which will then be used, in line with the terms and conditions of the existing facilities management agreement, for the betterment of the facility.</p>
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4.	Equality and Good Relations Implications
	None.

5.	Recommendations
	It is recommended that the committee agree to implement its decision of 24 January 2011 to extend the facility management agreement for a period of up to 21 years subject to an appropriate agreement being drafted by the Town Solicitor and Assistant Chief Executive and subject to the appropriate management and financial arrangements being agreed.

6.	Decision Tracking
	Officer responsible: Stephen Walker Implement Actions by January 2012

7.	Key to Abbreviations
	None.

8.	Documents Attached
	Appendix 1 – minute of Special Meeting of Parks And Leisure Committee on 24 January 2011.

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Subject:	Comber Greenway 'One Path' Initiative
Date:	12 January 2016
Reporting Officer:	Rose Crozier, Assistant Director of Parks and Leisure
Contact Officer:	Rose Crozier, Assistant Director of Parks and Leisure

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
	The purpose of this report is to advise Committee of a Sustrans initiative (attached at Appendix 1) to develop a code of conduct for use of public paths, and to agree that officers support the initiative to assess its application to Belfast Parks and Open Spaces.
2.0	Recommendations
	That the People and Communities Committee note the report and agree that Council support the initiative as it develops.
3.0	Main report
	<p>Sustrans have submitted a proposal to use the Comber Greenway as a pilot scheme to develop a code of conduct for greenways. This would include guidance for pedestrians and cyclists and at this stage will focus on areas of particularly high traffic.</p> <p>Members should note that the Comber Greenway is not owned by Belfast City Council but comes under the management and operation of the Department for Regional Development (DRD). The Comber Greenway spans the three Council areas of Lisburn and Castlereagh, Ards and North Down Borough Council as well as Belfast City Council.</p> <p>The Comber Greenway intersects with the Connswater Community Greenway in East</p>

	<p>Belfast, therefore there is an interest in developing principles for behaviours/use of greenways that could potentially be adopted, in line with Council's bye-laws, for pathways in parks and open spaces.</p> <p>Officers have met with the other Councils, DRD and Sustrans with a view to developing a programme which would be delivered along the Comber Greenway in the Spring and Summer of 2016.</p> <p>If successful there is the potential to roll this scheme out across the region.</p> <p><u>Financial & Resource Implications</u></p> <p>As indicated on page 11 of Appendix 1, costs of £13,460 have been identified. Subject to agreement on how costs will be apportioned, at this stage it is envisaged that Belfast City Council will contribute up to 25% with a mix of financial and in kind support.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are currently no equality or good relation implications.</p>
4.0	Appendices – Documents Attached
	Appendix 1 – The Comber Greenway 'One Path' Initiative

The Comber Greenway 'One Path' Initiative

A programme on the Comber Greenway to help achieve mutual respect between users. (Draft for Discussion)

Revised 30 Nov 2015



About Sustrans

Sustrans makes smarter travel choices possible, desirable and inevitable. We're a leading UK charity enabling people to travel by foot, bike or public transport for more of the journeys we make every day. We work with families, communities, policy-makers and partner organisations so that people are able to choose healthier, cleaner and cheaper journeys, with better places and spaces to move through and live in.

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Introduction

This paper sets out the current situation in relation to behaviour on shared use paths and in particular highlights a recent increase in conflicts between different types of users. It outlines a proposed initiative to be delivered on the Comber Greenway, the 'One Path' initiative, to develop a long lasting solution where the path can be enjoyed by all users.

The paper has been revised following a meeting held by Belfast City Council in September 2015 with representatives present from Lisburn and Castlereagh City Council, Ards and North Down Borough Council and the Department for Regional Development Cycling Unit.

It includes the relevance of the One Path Initiative to the Council Bye Laws along with a section about some recent research we have undertaken which supports the thinking behind the One Path Initiative.

The 'One Path' model is appropriate for other shared paths across Northern Ireland; the problems will be largely the same and the outcomes of the programme will be the same and applicable to all shared paths. The One Path initiative will result in the promotion of positive actions and behaviour with consistent messaging for all users whichever path they use.

Background

The National Cycle Network (NCN) offers 14,700 miles of traffic free paths and quiet on road routes across the UK. Over the past 20 years the popularity of the NCN has rapidly increased and we are now seeing millions of people using it every day across the UK. Between 2012-2013 usage on the NCN across the UK increased by 7% with an additional 1million journeys in Northern Ireland alone.

There are 732miles of NCN in Northern Ireland, 100 miles of which are traffic free routes. The shared use sections of the NCN offer public spaces serving groups with different needs at the same time, for example dog walkers, leisure and commuting cyclists, joggers and families.

With the numbers using the Network on the rise, a sign of its popularity, there has been an increase in complaints from path users about the behaviour of others also using the paths. We have received a significant increase in contact from local Councils, members of the public and community groups about concerns relating to the behaviour of some path users and requesting support and guidance about how to manage this issue. Most of the conflicts being reported are occurring between different types of users for example dog walkers complaining about cyclists or cyclists complaining about joggers.

It is understandable that those responsible for the management of shared pathways feel the need to respond to these complaints. The danger is however, that a response such as imposing speed limits, segregation of paths or adding signage outlining a list of rules impedes one group of users and leaves them feeling targeted causing further tensions between users.

It is also important to highlight that shared sections of the NCN pass through many of the local Council areas across Northern Ireland, however from a path user perspective this may not be apparent. It is therefore important that agencies do not promote inconsistent messages on shared routes which could result in even more conflicts and deter people from enjoying these important spaces.

A proposed way forward – the ‘One Path’ initiative

We want everyone to share the space and enjoy the path they are on. It is important to find a long term solution which works for all users and to avoid ‘knee jerk’ measures which impede particular user groups in their enjoyment of the space.

Council Bye Laws

Each Council sets Bye Laws relating to particular spaces within its authority, for example, open parks, open spaces, public walkways, and neighbourhood parks, all of which would commonly be enjoyed for various activities – for example walking, running, walking the dog, cycling.

Whilst there may be some variations within these Bye Laws from Council to Council they are broadly the same and aim to achieve the same outcomes. They consider a number of issues such as; drinking of alcohol, dog fouling and control, sport and games, use of play areas, access by vehicles, general management, protection of flora and fauna.

As legal documents the language used is formal. Generally the headings within the documents highlight the main themes of; *‘protection, management, preventing annoyance, public access and enforcement’*.

Whilst necessary, from the general public’s perspective the Bye Laws to those who are aware of them they could appear authoritarian. The ‘One Path’ initiative aims to create a positive culture with and amongst path users around the values of:

Equality and inclusivity: shared routes are for everyone, equally

Awareness: all path users are responsible for being aware and respectful of others

Community: shared paths are community resources and should foster community spirit

The suggested key principles of the One Path Initiative are set out below and will underpin the Council bye laws using a more inclusive approach.

- Share
- Respect
- Enjoy
- Protect
- Look after
- Encourage
- Support

The Comber Greenway an example

Background

- An 8 mile traffic free section of the National Cycle Network between Belfast and Comber
- Sustrans coordinated the development of the Greenway securing funding from various sources and managing the project delivery partnership
- The Comber Greenway is owned by the Department for Regional Development – Transport NI
- Belfast City Council, Lisburn and Castlereagh City Council and North Down and Ards Borough Council all play a role in its maintenance and management
- Sustrans Volunteers regularly carry out work days and check signage along the Greenway
- Estimated annual usage on the Comber Greenway of over 200,000 journeys
- On the NCN generally across the UK 54% of people are cyclists, 46% are walkers.



Photo: Sustrans Volunteer work day at North Road Bridge.

The challenges

- Increasing numbers of journeys resulting in more conflicts between path users
- More complaints being received from members of the public
- Advice being sought by local authorities and elected representatives
- Lack of consistent messaging along the Greenway – users unaware of Council boundaries
- Authorities keen to address conflicts however knee jerk reactions present the potential for measures to impede particular user groups, creating even more adversity
- With 4 agencies involved in the Greenway's management there is a need for agreement and coordination of messaging

The proposed solution – the One Path Initiative

The programme proposes working with path users, local communities and path owners and managers to develop a shared 'ethos' for behaviour on the Greenway which will be relevant whichever section of the route people use and indeed transferable to other shared pathways.

The One Path initiative works to achieve mutual respect between different users, to achieve an understanding by all users as to how others also enjoy the Comber Greenway and to respect this.

An outline of the proposed Comber Greenway programme is set out later in this document.

Sustrans' on path research September and October 2015

The Greenway is enjoyed by a range of users, at different times of day for different purposes. Sustrans recently carried out research on the Comber Greenway which supports the One Path proposals to build positive use around these patterns and to avoid the introduction of 'blanket' measures which would impede particular user groups.

The research included both manual counts and user surveys.

1. Manual Counts

Manual counts of different types of users took place on the Greenway at the Kings Road/Barnetts Road junction. Number of cyclists, pedestrians, dog walkers and other users were recorded over two 12 hour periods – one on a weekday and one at a weekend. The count data was analysed by Sustrans' Research and Monitoring Unit, Newcastle Upon Tyne.



A number of key points which support the implementation of the One Path Initiative are highlighted below.

1. Weekday usage

Patterns by user type:

Cyclists: the greatest number of cyclists using the Greenway occurred at two distinct times of the day, between 07.00hrs and 09.00hrs and again between 16.00hrs and 18.30hrs

Pedestrians: a number of peaks in use of the Greenway by pedestrians are identified by the count – mid morning around 10.00hrs, mid-afternoon between 15.00hrs and 17.00hrs and again at 19.30hrs

Dog Walkers: the count highlights a fairly consistent use of the Greenway throughout the day by dog walkers with a slight peak occurring around 19.00hrs.

These patterns are consistent with people's daily routines for example; cyclists peak in usage occurs at commuting times in both the morning and the evening, pedestrians using the Greenway during a weekday could be made up of people who either do not work and people who work part time - either the morning or the afternoon. The evening peak in use by pedestrians may be explained by those people who work fulltime and enjoy an evening walk after dinner, and similarly could explain the peak in use by Dog Walkers.

These patterns emphasise the benefit of the One Path Initiative where people are motivated to share space responsibly and according to who else is enjoying the space at the same time.

2. Weekend usage

Data collected on the Sunday 13th September shows that almost 60% of all users were cyclists throughout the 12hour period, with a notable peak between 10am and 2pm an obvious leisure time for people on a Sunday.

The highest usage recorded over the two day count period for both cyclists and dog walkers was between 2pm and 2.30pm on Sunday with 47 cyclists recorded and 10 dog walkers.

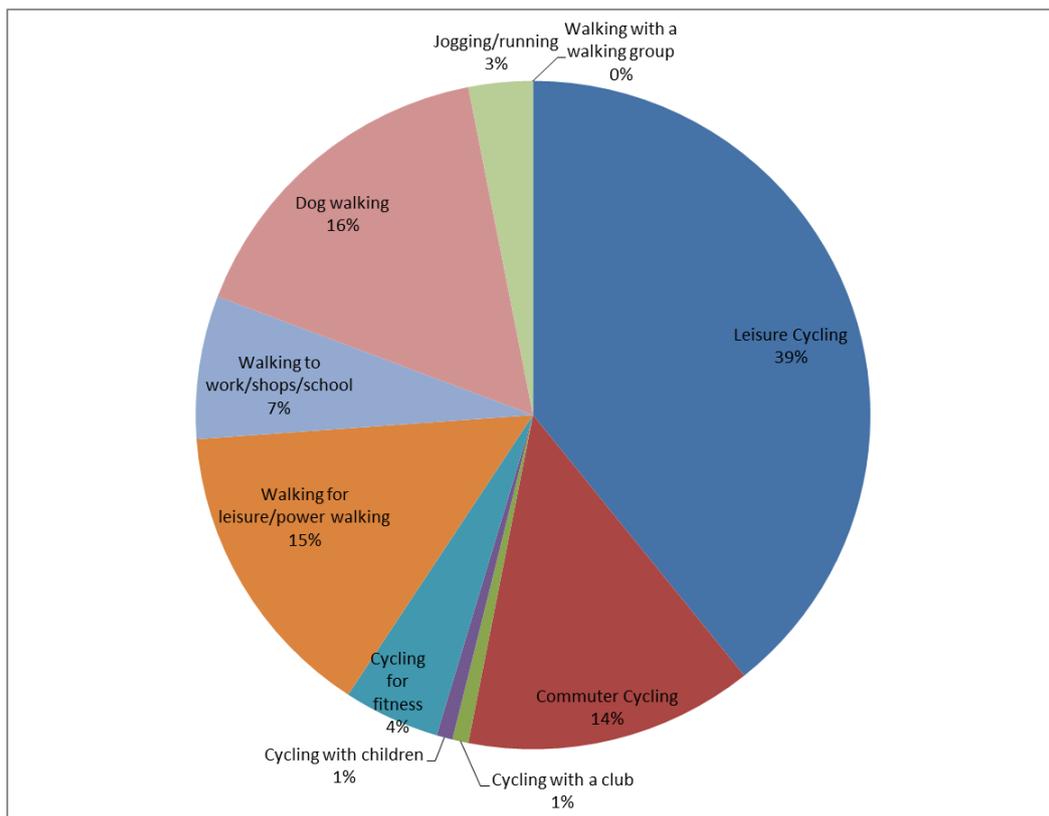
2. User Survey

Two 2 hour survey sessions took place on the Comber Greenway at Tullycarnet. Path users were invited to enjoy a cup of coffee and a tray bake on completion of a short survey asking their opinions about how people use the Greenway and how they interact with other path users. This survey was carried out by Sustrans Northern Ireland Staff and Volunteers, one on a weekday and one at a weekend.



130 people took the time to complete the survey. In general, relationships between different types of path users confirm our original thinking - that generally people have positive experiences with walkers and joggers but that experiences with cyclists and dog walkers on the path are more mixed

In response to the question, **'What do you use the Greenway for?'** the chart below shows the variety of activities people are using the Greenway for.



General comments about the Greenway.

215 more general comments were received. A summary of these is outlined below;

- **27% of comments were favourable** comments about the Greenway
- 10% of comments related to the issue of dog mess on the Greenway

- 9% of comments related negatively to dogs and the use of leads – either not being on leads or issues around the use of extending leads
- 8% of comments related to fast cyclists being a concern to Greenway users
- 8% of comments related to the need for lighting on the Greenway
- 8% of comments related to the need for more bins along the Greenway
- 6% of comments related to the non-use of bells by cyclists
- 6% of comments related to concerns around maintenance of hedges and verges.

Other comments received related to a range of issues for example the lack of seating, toilets, litter etc.

The One Path Initiative – Comber Greenway Programme

The programme proposes working with path users, local communities and path owners and managers to develop a shared ‘ethos’ for behaviour on Greenway which will be relevant whichever section of the route people use. We hope it will result in a consistent and positive message which can be promoted by all agencies.

We propose 3 stages in the development of a ‘One Path’ ethos for the Comber Greenway:

1. An audit and analysis of issues
2. Development of a creative engagement programme
3. Promotion of the ‘One Path’ ethos

1. Audit and analysis of issues on shared paths

Whilst we have an insight into some of the problems occurring on the paths between users, we want to confirm these issues and propose to carry out an audit of the problems experienced by DRD and local Councils as well as users of the Comber Greenway.

Path owners and managers

To do this we propose a joint meeting with DRD and the three local Councils to hear, as those responsible for the Greenway’s maintenance and management, the issues being experienced. The outcome of this meeting would be to identify and agree the various user groups as best we can.

Path users

It is important to hear from path users. Focus groups will be held with a range of people from particular user groups. These will be meetings with no more than 10 participants feeding back their experiences of using the Comber Greenway. In order to achieve a cross section of users we propose facilitating a number of separate focus groups users, such as:

- Cycle club members such as Dave Kane Cycles
- A group of dog walkers
- Joggers
- Cycle commuters – morning and evening
- Families
- A community where the route passes through such as Walkway Community Association
- Sustrans Volunteers

Once the types of users have been identified we propose that Sustrans Volunteers would approach users on the path and gather some initial information from them for example 3 key issues they identify. An agreed number of users will be invited to attend small focus group sessions.

2. Creative engagement

Once the focus groups have taken place and some of the issues have been identified we propose to support the creation of a positive culture amongst all users that fosters consideration, inclusivity, happiness and community spirit.

An series of fun community engagement events at various locations along the Comber Greenway will start a collective conversation between all types of path users with the aim of creating a 'One Path' ethos together which enables people to better share the Greenway. The on path engagement will spark discussion and generate ideas.

In order to engage with as many people as possible we propose to run this on path engagement during **summer 2016 and suggest running three on path events in each Council section of the Greenway.** This will allow for a spectrum of non-term time and term time path users.

We believe if people have the opportunity to take part in shaping the debate and co-creating the campaign, they will feel more connected to their community, their local network and will ultimately be more likely to respond in a positive way and adjust their behaviour.

The main aim of the experiential activity is to:

- **Co-create a One Path ethos** to better share the space. We want to engage people by involving them in discussions about how to make their section of the Network enjoyable for all users. We will invite all pathway users to work collaboratively on creating a shared ethos and values that create a sense of common purpose.
- **Create pride of place through a community based activity.** A social use of the Network will convey a message that it is a community space which is loved by many and will encourage those passing through to treat it respectfully. We will invite all users to share stories and experiences that build a sense of community, promote positive interactions and discussions between users and build awareness that the path is used by all.
- **Bring about local behaviour change in a fun, engaging way.** In a way that doesn't demonise one group of users or finger point, that is designed to make people laugh and bring them together.

An important outcome will be a **Comber Greenway user group** which will develop from this process and will be empowered to continue the One Path Initiative which by its nature will evolve and develop as new issues and matters arise. For example as use of electric bikes begins to increase new issues will now doubt arise.

Consistent messaging and signage will also be an important outcome of the programme in order to reduce conflicts through the use of creative, on path solutions to emphasise shared use. The example below is taken from a shared use path in France.



This engagement will be supported through the use of social media – twitter, facebook and web allowing people a forum to share thoughts and experiences and provide a focus for dialogue.

Below is a suggested menu of activities which could take place along the Greenway however these would be decided and agreed with partners:

1. On path artwork

Engage a cartoonist / artist to create three eye catching images on the path at locations along the Greenway. The images can be agreed with partners and could be something fun such as an apparent gaping hole in the path. Whatever the image, this will be a striking feature creating the ‘wow’ factor, a focal point and reason for path users to slow down and begin a conversation.

We propose working with Art College students, perhaps from the local community, to promote 3 on path images along the Greenway and will arrange 2 sessions at each image using it as a conversation starter to hear user experiences and promote the one path ethos.

2. Coffee stop and unicycling juggler

An on path presence will be created by bringing in a mobile coffee vendor and unicycling juggler to draw attention and get path users to engage in conversation about how they enjoy the space. Coffee will be offered and the unicycling juggler will attract attention of users particularly families.

3. Ideas Tree / Outdoor billboard

We will facilitate a number of sessions on the path where users will have the opportunity to post ideas, experiences and thoughts about safe sharing of space. Ideas trees for pegging thoughts on to our outdoor billboards will be used where people can post how they use the greenway and ideas for making a safe shared space.

4. ‘Changing places’ led rides and walks

A led ride or walk promoted within the communities along the Greenway will provide a further opportunity for people to come together and enjoy the Greenway whilst sharing how they enjoy using the greenway and discuss opportunities for promoting safely sharing space. ‘Changing Places’ could be the theme where those who normally cycle, walk and those who normally walk cycle.

The table below outlines a suggested programme of engagement, the location it might take place at and the target group – these are suggestions for discussion and agreement with partners:

On Path Engagement	Where	When	Target User Group
1. On path artwork and conversation starter	3 artwork images on path, 1 in each council section: <ul style="list-style-type: none"> • Barnetts Road • Tullycarnet • Ballyrainey Rd 	Mid week late afternoon/ early evening. One session at each artwork image	Cycle commuters
2. Coffee stop and unicycling juggler	1 location in each council section: <ul style="list-style-type: none"> • Knock Road • Ballybeen • Billy Neil 	Weekend afternoon either Saturday or Sunday	Families and all leisure users
3. Ideas Tree/Outdoor Billboard	2 locations within each council section: <ul style="list-style-type: none"> • Ballymacarrett and Sandown • East Link and Comber Rd • Billy Neil and Comber end 	1 session mid week and 1 session at weekend at each location.	All users
4. 'Changing Places' Led ride /walk	1 ride or walk promoted and delivered within following communities: <ul style="list-style-type: none"> • Walkway/ Beersbridge • Tullycarnet • Ballybeen/Comber 	Mid week evening time or weekend	Leisure users

3. Share: Respect: Enjoy

Following the on path engagement we suggest that path users sign up to a 'declaration' symbolising their commitment to safely sharing the path. This could be promoted on the path.

Action Plan

An action plan should be developed and include:

- A communications plan: including continued use of website and social media
- Identification of promotional signage
- Ongoing monitoring of behaviour through the development of Volunteer Programme
- Programme of ongoing events
- Outline of new initiatives such as working with PSNI and other organisations

The 'share, respect, enjoy' ethos should be embedded in all messages.

Timescales and Costs

Programme

A proposed programme has been outlined below with the best time to reach as many users as possible being during the longer days of the summer months.

Activity	Feb-March 2016	April- June 2016	July 2016 ongoing
1. Audit of issues. Meeting with Councils and DRD, 5 focus groups			
2. On path engagement with users, development of one path. 9 on path events.			
3. Promotion of 'One Path' ethos			

Costs

Item/Activity	Note	Cost
1. Project Manager: Overall project coordination and delivery of focus groups, coordination and delivery of 9 on path engagement events	25 days	£6,750
2. Policy and Communications Officer: Facilitation support at path owners meeting and focus groups. Promotion of on path engagement events	7 days	£2,310
3. Events and Activities 9 on path engagement events/activities	3 on path engagements in each Council area of Greenway	£3,000
4. Volunteer training, stationery, postage and expenses		£1,100
5. Admin support	1.5 days	£300
6. Deputy Director: Strategic oversight of project delivery	5 days	In kind
7. Sustrans Volunteer time: Support at focus groups, on path engagements	15 days	In kind
TOTAL		£13,460 ex VAT

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Subject:	Connswater Community Greenway - naming of structures
Date:	12 th January 2016
Reporting Officer:	Rose Crozier, Assistant Director of Parks and Leisure
Contact Officer:	Eiméar Vance, Project Sponsor

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
	<p>Members will be aware that the Connswater Community Greenway (CCG) is a 9km linear park along the course of the Connswater, Knock and Loop Rivers in East Belfast that is currently being delivered by the Council as part of our Investment Programme. The £40million scheme was developed by EastSide Partnership (previously East Belfast Partnership) and is also funded by the Big Lottery Fund, and the Department of Social Development. The project also includes elements of DRD's Rivers Agency's East Belfast Flood Alleviation Scheme.</p> <p>Along the length of the Greenway numerous new structures are being constructed, all of which will be opened as the various sections of Phase 2 of CCG scheme in which they are completed throughout the coming year.</p> <p>There is broad agreement that at least 14 of these structures (i.e. the new pedestrian bridges and link/paths) should be formally named. This report sets out a phased consultative approach and process for naming new structures in line with the Council's naming policy. The naming policy pack is attached for information at Appendix 1.</p>
2.0	Recommendations
	<p>Committee is asked to consider and agree to the proposed phased and consultative approach to naming the series of structures being constructed as part of the CCG.</p>

<p>3.0</p>	<p>Main report</p> <p>The CCG will create a 9km linear parkland through East Belfast which will connect the river with the surrounding communities by creating vibrant, safe and accessible green spaces for leisure, recreation and community events and activities. In line with the project, DRD Rivers' Agency is taking forward a £11million Flood Alleviation Scheme to provide increased protection to properties and businesses near the river courses that are at risk from river and tidal flooding.</p> <p>Along the length of the Greenway numerous pedestrian bridges and new links/paths are being constructed, all of which will be under Belfast City Council (BCC) ownership, and will be opened to the public as the various sections of Phase 2 of the CCG scheme complete throughout the coming year.</p> <p>In response to general consensus that these structures should be formally named, Connswater Community Greenway Trust are planning to commence a consultative naming process throughout the coming months. This will give the local community the opportunity to propose and select names for each of these new CCG structures.</p> <p>At its meeting in August 2008 the Parks and Leisure Committee agreed a policy framework for managing requests to (re) name parks and leisure facilities. Whilst the naming policy applies to parks in their entirety, and not parts of parks or structures within. The proposed consultation process will be carried out by the Connswater Community Greenway Trust (CCGT) in line with the policy, with the intention that the names proposed for each structure will be assessed against the agreed criteria set out within it.</p> <p>CCGT are proposing to sequence the list of structures and consult upon them in tranches according to when their section is scheduled to be completed/opened. This is with the view to a small number of further reports being brought to Committee to allow each of the proposed names to be considered for agreement within context of BCC's naming policy. This is similar to the naming exercise conducted for the Sam Thompson Bridge in Victoria Park.</p> <p>The naming process now being proposed for these bridges and path/links allows for a 2 week consultation period during which the public will have the opportunity to submit ideas for the names for each structure in line with Council's naming policy. Following this a panel of judges will meet to consider the submissions and shortlist two or three for each. The public will then be asked to vote for their favourite. The names with the most votes under each category will win the vote and the name proposals will be brought back to Committee for approval.</p>
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The first four structures that CCGT propose to commence public engagement upon in this way are three pedestrian bridges (one existing and two new) in the Phase 1 completed section of Orangefield Park (section C3); and one new path/link, i.e:

- Greenville Park Bridge (lower) *[existing]*
- Greenville Park Bridge (upper)
- Orangefield Lane Bridge
- Greenway link section C7 (Clarawood to the Braniel) of the CCG.

It is proposed that following a two week period in February 2016, a judging panel will meet to consider and shortlist name submissions. Following this, a public vote will be open at the end of February for several weeks, this is with a view to the final four name proposals being brought back to Committee in April for consideration and agreement, and subsequent ratification by Council at the start of May.

As with the previous process progressed to name CCG's Sam Thompson Bridge, communication and advertising will be used to engage and inform all users, potential users and interested parties that the consultation to naming the structures is being undertaken. Elected Members for the area will be kept informed as the naming process progresses.

Financial & Resource Implications

None

Equality or Good Relations Implications

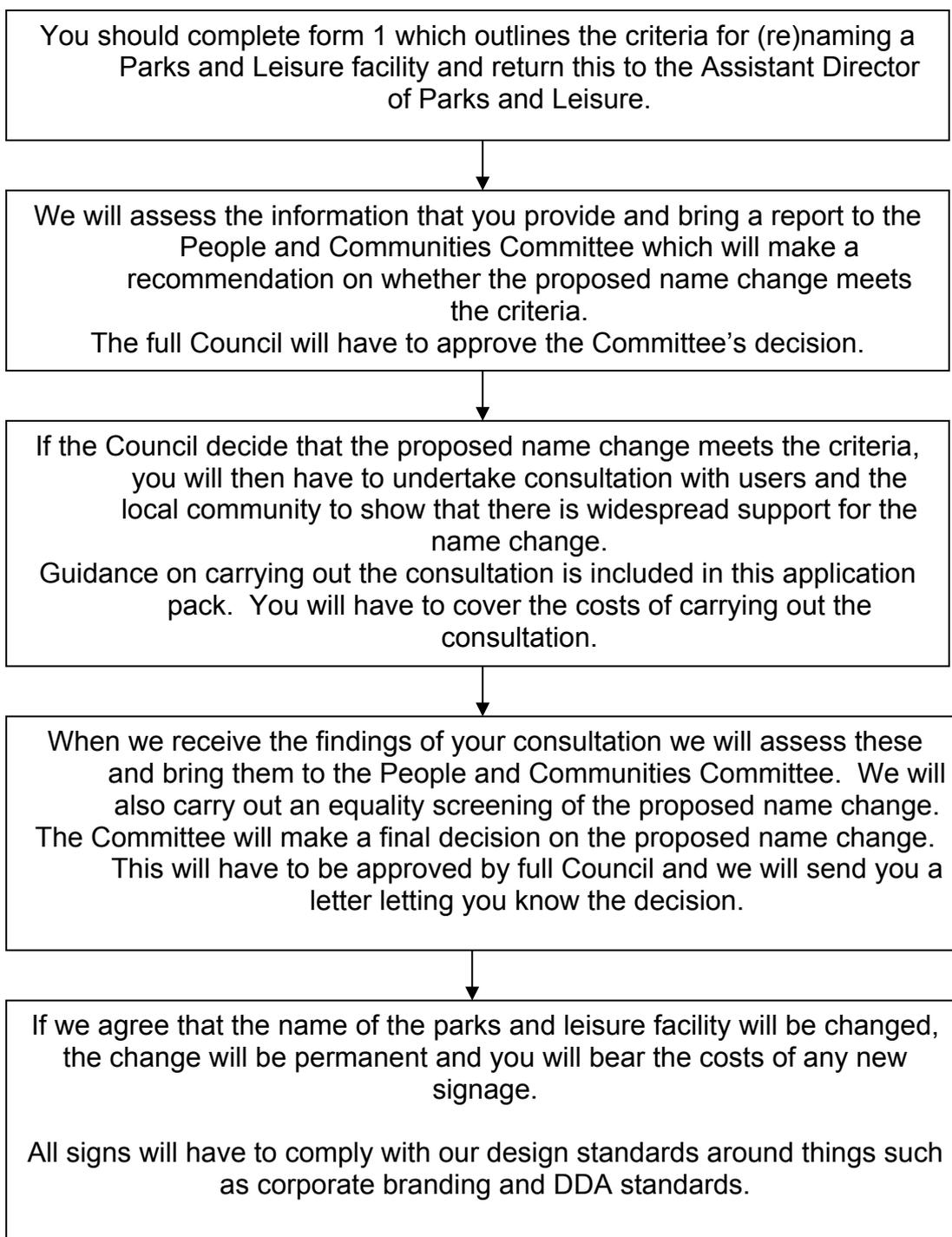
There are no equality or good relations implications attached to this report.

4.0	Key to Abbreviations
	CCG – Connswater Community Greenway DRD - Department of Regional Development CCGT - Connswater Community Greenway Trust
5.0	Appendices – Documents attached
	Appendix 1 - Belfast City Council Parks and Leisure Naming Policy

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Appendix 1

**Decision making process on a request to (re)name
a Parks and Leisure facility**



Guidance on consulting with users and the local community in relation to the (re)naming of parks and leisure facilities

A request to (re)name a park and leisure facility must be accompanied by evidence which demonstrates that there is substantial community support for the proposed name change.

This evidence must have been gathered through consultation by the applicant proposing the name change. This consultation must be resourced by the applicant and carried out to the following specification.

Communication and advertising

- The applicant will be required to demonstrate that they have undertaken sufficient advertising through a range of methods, for example newspaper advertisements, to communicate to all users, potential users and interested parties that the consultation is being undertaken.
- The applicant should ensure that all users and interested parties who reside outside the catchment area are afforded the opportunity to participate in the consultation process for example through advertisements in newspapers in adjoining areas of public meetings or focus groups.

Sample size & method

- 50% of the catchment area population of the park should be consulted. A map showing the catchment area for a park and specifying the catchment population will be produced by the Parks and Leisure Department.
- This should be carried out through the use of both quantitative and qualitative methods.
- The quantitative method should involve the use of a questionnaire which surveys at least 50% of the catchment area population. The questionnaire should ask those surveyed whether they are in favour of the name change.
- The qualitative method should involve the use of either at least 2 public meetings or a series of focus groups. These should target users, potential users and interested parties who reside both within the catchment area and outside it.
- The sample should be random.

User population/catchment area

- The recognised catchment area for users of a local park consists of communities within a 5 minute walk of the facility¹.
- A map showing the catchment area for a park and specifying the catchment population will be produced by the Parks and Leisure Department.
- Community consultation should be conducted with relevant stakeholders.
- Consultation should include, but not be limited to, nearby residences/businesses, emergency services and other statutory organisations as appropriate.

¹ National Playing Field Association Guidelines

Timescales

- Sufficient time should be allowed for considered responses from all individuals/groups with an interest in the issue.
- The consultation period should be a minimum of 8 weeks and consideration should be given to holiday periods such as Christmas and Easter with more time being allowed over these periods.
- If consultation takes the form of an event consideration must be given to the date and timing of the events and its convenience to working people, parents with young children, younger people and older people.

Validation of the process

- The applicant will be required to provide contact detail of all those people involved in the consultation process. This information should be obtained with the consent of the person consulted and in such a way so as not to link them to their response.
- The council reserves the right for officers to attend all consultation events such as public meetings or focus groups.

Acceptance levels

- The applicant will have to demonstrate that 66% of the sample i.e. 50% of the catchment area population agrees with the proposed name change.
- People not returning a reply to the questionnaire will be deemed not to be in favour of the name change and a nil response recorded.

Criteria

To allow us to assess whether your proposed name meets our criteria we would ask that you complete the following sections demonstrating who you meet the criteria.

Current name of park/leisure facility which you wish to (re)name:

Proposed name:

Complete the following section if your request will **memorialise a person**

Criteria	Please demonstrate how your request meets the criteria
<ul style="list-style-type: none"> The person must have made a “significant contribution” to the life of the area / City / or made a significant positive contribution to parks and leisure objectives within the community where the facility is located. 	
<ul style="list-style-type: none"> The person must have lived within the locality / District Electoral Area of the Park and Leisure facility 	
<ul style="list-style-type: none"> The person must have been deceased for a minimum of five years. 	
<ul style="list-style-type: none"> If person is still alive have they made a significant financial contribution to the improvement / development of the park or facility? 	
<ul style="list-style-type: none"> If the nominee is deceased then appropriate relatives or friends will be contacted asking if they approve of the request. If the relatives or friends do not approve, the naming process will not be pursued. 	

Complete the following section if your request **relates to a specific unique location**

Criteria	Please demonstrate how your request meets the criteria
<ul style="list-style-type: none">The name should provide a sense of place, reflecting the geographic location, community, neighbourhood or street where the park, facility or amenity is located.	
<ul style="list-style-type: none">The name should reflect the historical significance of the area or reflects unique characteristics of the site (unique flora / fauna).	

Please return completed form to: Rose Crozier
Assistant Director of Parks and Leisure
Belfast City Council
3rd Floor, Adelaide Exchange
24-26 Adelaide Street
Belfast
BT2 8DG

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Subject:	Proposed Grant of Easement to Victoria College, Belfast
Date:	12 th January 2016
Reporting Officer:	Gerry Millar, Director of Property & Projects
Contact Officer:	Cathy Reynolds, Estates Manager

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	The purpose of this report is to outline problems with surface drainage from Victoria College which adversely affects Council owned land at Drumglass Park and to seek committee approval to grant Victoria College an easement to allow the College to lay, repair and maintain a surface water drainage pipe between the school grounds and a manhole in the adjoining Council owned land at Drumglass Park.
2.0	Recommendations
2.1	Members are asked to approve the grant of an easement to Victoria College to provide access over Council land at Drumglass Park to the proposed drainage pipe and manhole for future repairs and maintenance for which the college will be wholly liable.
3.0	Main report
3.1	<p>Key Issues:</p> <ul style="list-style-type: none"> The surface water drainage system along the northern boundary of the school grounds is in very poor condition and largely ineffective. This boundary adjoins the Council's Drumglass Park and consists of an old 10ft (3.0m) high brick wall. The poor drainage allows for a build up of surface water on the school side of the wall which drains through weep holes and saturates the Council's adjacent park land.

	<ul style="list-style-type: none"> • This is unacceptable and the Council has asked the school to install a new drainage system to prevent the ingress of surface water into the park. • Civil engineers acting for the school have designed a system which entails draining the surface water into an existing manhole within the park approximately 30m from the school boundary. The design and specification has been agreed with the Council's engineer and the works must be carried out to the Council's satisfaction. • A licence will be issued to the contractor under delegated authority to allow the contractor appointed by the college to install the drainage system and make a connection to the Council's manhole. All works will be carried out by the college and land reinstated to the Council's satisfaction. • The easement will provide the college with a right of access to carry out repairs and maintenance for which they will be fully liable. • The college shall also be liable for a 50% contribution to the cost of repairing and maintaining the Council's drainage infrastructure from the manhole to the NI Water adopted sewer as this will become a shared facility.
3.2	Finance and Resource Implications
	<u>Financial</u>
3.2.1	<ul style="list-style-type: none"> • All works will be carried out by the college at no cost to the Council. • The easement will be subject to a single payment to the Council of £1,000 (one thousand pounds).
	<u>Human Resources</u>
3.2.2	<ul style="list-style-type: none"> • The Council's Estate Management unit and Legal Services will prepare the legal documentation. • The Council's Project Management Unit will approve the works on completion.
	<u>Asset and Other Implications</u>
3.2.3	<ul style="list-style-type: none"> • The works will improve surface water drainage to the betterment of Council owned parkland
	<u>Equality and Good Relations Implications</u>
3.3	<ul style="list-style-type: none"> • None
4.0	Appendices - Documents Attached
4.1	None



Subject:	Port Health Unit, Corry Place – Lease Renewal
Date:	12 January 2016
Reporting Officer:	Siobhan Toland – Head of Environmental Health
Contact Officer:	Damian Connolly – Environmental Health Manager (Food Safety and Port Health) Cathy Reynolds – Estates Manager, Property & Projects Department

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 seek Committee approval to renew the Lease for the Port Health Unit premises located at Corry Place within the Belfast Harbour Estate.
2.0	Recommendations
2.1	Members are asked to agree to recommend to the Strategic Policy & Resources Committee renewal of the lease for the Port Health Unit premises for a further 10 years from 1 November 2015 at a reduced rent of £23,000 per annum.
3.0	Main report
3.1	<u>Key Issues</u> Belfast City Council occupies (by way of a Lease from Belfast Harbour Commissioners) specialist premises at Corry Place within the Harbour Estate for the inspection of imported foods and delivery of the Port Health Function.

3.2	<p>These premises have been specifically designed and approved as meeting the requirements of EU legislation for the inspection of high risk foods, including foods of animal origin. Such foods can only be imported into the EU through port accommodation with similar facilities. The premises include office space, inspection rooms, cold storage space, docking stations for loading/unloading containers and exclusive use of a secure yard to the front of the facility. The premises are currently held under a 9 year lease which expired on 1 June 2015 (and Council have continued to over hold under this lease).</p>
3.3	<p>The former Health and Environmental Services Committee at its meeting on 4 March 2015 agreed that the Estate Management Unit would enter into discussions with Belfast Harbour to negotiate a new lease.</p>
3.4	<p>After extensive negotiations the Estates Management Unit have reached provisional agreement (subject to Committee approval) to renew the Lease for a further 10 years from 1 November 2015 subject to a rent of £23,000 per annum with a rent review after 5 years. This is a substantial reduction in the passing rent of £35,103 per annum. To add flexibility to the Council's tenure, break options in the Council's favour to terminate the Lease after the 4th and 7th years have also been agreed. In addition, more favourable lease terms have also been agreed in relation to the ability to assign or sublet, the user clause and repair obligations.</p>
	<p><u>Financial & Resource Implications</u></p>
3.5	<p>A reduction in the annual rent of £35,103 per annum to £23,000 per annum.</p>
	<p><u>Human Resources</u></p>
3.6	<p>Legal Services and Estates Management Unit resources will be required to complete the lease renewal.</p>
	<p><u>Assets & Other Implications</u></p>
3.7	<p>The Council will lease the premises for a further 10 years from 1 November 2015 subject to an annual rent of £23,000 per annum.</p>
4.0	Appendices – Documents Attached
4.1	None



Subject:	Holylands CCTV System
Date:	12 January 2016
Reporting Officer:	Siobhan Toland, Lead Operations Officer H&ES
Contact Officer:	Alison Allen, Safer City Manager

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	Members will recall at People and Communities Committee on 15 th October a number of options reference the future of Belfast City Council CCTV system in the Holylands were presented for consideration.
1.2	The Committee agreed the use of Mobile CCTV as an interim measure for the future and noted that a report should be brought back for consideration to review the longer term options for the Holylands CCTV system.
1.3	Officers have now met with the original funders (PSNI, DoJ (Community Safety Unit), NIHE) and also Queens University and Ulster University as significant stakeholders on this issue and their positions are summarised below.
2.0	Recommendations
2.1	Members are asked to consider the options provided and agree an approach for the future of the CCTV system in the Holylands. Option A is the recommended option.
3.0	Main report
3.1	The current position of the original funders/partners is summarised below:

- None of the funders or partners of the original scheme currently have any financial resource to contribute toward the urgent upgrade needed to ensure the Holylands CCTV system operates at an acceptable level.
- PSNI who had taken responsibility for recording and monitoring of cameras are no longer able to do so at the original level and are only prepared to commit to recording capacity for five strategically placed cameras. Live monitoring of these cameras would only take place over key dates throughout the year e.g. St. Patrick's Day, Fresher's and Halloween.

3.2 Other concerns raised as part of discussions:-

- CCTV is not considered a current priority for them
- There is a reluctance to consider re-investment in a system which has not provided tangible evidence of impact over the years.
- CCTV as a standalone resource is not effective in dealing with anti-social behaviour in the Holylands area.
- There is a view that a shared multi-agency responsibility and partnership working is the most effective way of addressing issues in the Holylands area.
- Future investment would need to show strong evidence of impact.

Options Appraisal

3.3 Options for Members' consideration are outlined below, further detail along with potential benefits and risks are presented in Appendix 1.

Option A – Closure of Holylands CCTV System and support with mobile CCTV	Small cost of approximately £1,000 to deactivate the system and ongoing mobile CCTV costs of approximately £2,000 per annum.
Option B - Council commits to maintenance of reduced system (5 cameras) for a 3 year period	£45,000 approximately to include work to reduce the number of cameras, address the water egress issues and maintain the system for a 3 year period.
Option C - Council invests in a full upgrade of the system (5 cameras)	There is wide variation in the costs of CCTV systems; however, based on the existing specification a new CCTV system would cost £100,000 - £150,000. A full technical survey would be required to determine exact cost and recommend an appropriate technical specification. Members may wish to commission the full technical survey (£6,000) before making a final decision on a full upgrade of the system

3.4 It should be noted by Members that there is no Council budget dedicated to support option B or C and, if these options were considered as a future approach by Members, then

	<p>funding would have to be found from further efficiency savings within the City and Neighbourhood Services Department delivery revenue budget. There are risks around the operation of option B if the system is either not fully reinvested in or fully decommissioned.</p> <p><u>Ongoing Support in the Holylands Area</u></p>
3.5	<p>Members will be aware that, in addition to the provision of a CCTV system in the area, Council and other partners provide dedicated support to the Holylands area through a Strategic Inter-Agency Group, Partners and Communities Together (PACT) and dedicated operations to tackle ASB, noise, on street drinking and general nuisance in the area over high risk periods (Fresher's, St. Patrick's, Halloween etc).</p> <p><u>Financial & Resource Implications</u></p>
3.6	<p>The approximate resource implications have been detailed above within each option presented</p> <p><u>Equality or Good Relations Implications</u></p>
3.7	<p>There are no Equality or Good Relations implications at present, but this will continue to be monitored.</p>
4.0	Appendices – Documents Attached
4.1	Appendix 1 – Options Appraisal

Appendix1 – Holylands CCTV Options Appraisal

Option	Resource Implications	Benefits	Risks
<p>Option A – Closure of Holylands CCTV System and support with mobile CCTV</p>	<p>Small cost of approximately £1,000 to deactivate the system and ongoing mobile CCTV costs of approximately £2,000 per annum.</p>	<p>This represents the smallest financial cost to the Council, particularly as other partners are not in a position to contribute financially</p>	<p>Reputational damage and loss of community confidence as there are high levels of resident support for retaining the system</p>
<p>Option B - Council commits to maintenance of reduced system (5 cameras) for a 3 year period</p>	<p>£45,000 approximately to include work to reduce the number of cameras, address the water egress issues and maintain the system for a 3 year period.</p>	<p>This represents a much smaller investment than would be required for a new system</p> <p>Whilst residents may be concerned at the reduction in the number of cameras, they would rather have 5 cameras than none</p>	<p>Value for money and reputational considerations as despite any technical work to improve the existing system, there remain fundamental concerns with the wireless transmission system which suggests the existing system will never operate to an acceptable level</p> <p>Potential legal risks of operating a system which is intended to provide for public safety but which Council is aware may never perform to an acceptable level</p> <p>Partner feedback remains that no tangible evidence of impact has been provided to date</p>
<p>Option C - Council invests in a full upgrade of the system (5 cameras)</p>	<p>There is wide variation in the costs of CCTV systems; however, based on the existing specification a new CCTV system would cost £100,000 - £150,000. A full technical survey would be required to determine exact cost and recommend an appropriate technical specification. Members may wish to commission the full technical survey (£6,000) before making a final decision on a full upgrade of the system</p>	<p>Whilst residents may be concerned at the reduction in the number of cameras, they would rather have 5 cameras than none</p>	<p>High cost implications for a system that partners feel to date has not provided tangible evidence of impact</p> <p>Value for money considerations as PSNI does not have capacity to live monitor 5 cameras. System would be recording capacity only (aside from during key periods)</p> <p>The reduction in the numbers of cameras will still cause concern among residents in the area</p>

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Subject:	Identification of Properties under the Affordable Warmth Scheme
Date:	12 January 2016
Reporting Officer:	Trevor Martin, Head of Building Control
Contact Officer:	Stephen Hewitt, Building Control Manager

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 provide the Committee with information in relation to the methodology used in the identification of properties under the Affordable Warmth Scheme.
2.0	Recommendations
2.1	To note the information in the report.
3.0	Main report
3.1	The Committee, at its meeting on 8th December, agreed that the process of how the Council identify households to refer to the Affordable Warmth Scheme be submitted to the Committee for information.
3.2	Belfast City Council is one of the key partners with the Northern Ireland Housing Executive (NIHE) and others in the delivery of the Affordable Warmth Scheme. Staff from the Building Control Service carry out the initial surveys on the properties, assessing the customer's requirements and personal details that form part of their application. Building Control staff also inspect the works and issue certificates to the applicants that are used to obtain payment from the NIHE. Council staff do not however identify households for the Affordable Warmth Scheme. The Council receive a list of targeted addresses of persons/households that are considered vulnerable from the Department for Social

<p>3.3</p> <p>3.4</p> <p>3.5</p> <p>3.6</p> <p>3.7</p>	<p>Development (DSD). The Council then writes to each household and arranges a visit to assess eligibility.</p> <p>The addresses supplied to us from DSD are collated by Professor Christine Liddell and her team from University of Ulster. They use an algorithm to determine the targeted addresses and provide these to DSD. A host of factors contribute to the likelihood of people in an Area being fuel poor, hence the algorithm considers a number of factors, which includes;</p> <p>Housing Vulnerability:</p> <ul style="list-style-type: none"> • High owner occupier and private rented tenure • Poor energy efficiency (age of house, EPC, floor space) • Location (high heating degree day demand) • Low penetration of previous fuel poverty schemes <p>Economic Vulnerability</p> <ul style="list-style-type: none"> • Prevalence of low income households • Local oil prices are high in this pocket <p>Personal Vulnerability</p> <ul style="list-style-type: none"> • Prevalence of older resident • Prevalence of children <p>The team at the University weights each element and the targeted addresses are produced.</p> <p>Staff also consider non-targeted referrals under the scheme. Under certain circumstances where the householder is vulnerable, elderly or has health issues staff can assess their eligibility for the scheme. Urgent cases where boilers are broken beyond economical repair can also be referred.</p> <p>Due to the scheme being primarily targeted through the above methodology of the University of Ulster the Council are unable to take requests from Elected Members or other groups to target entire areas of Belfast. Individual cases can be considered, where they are submitted, if they meet the criteria for the non targeted referrals as highlighted above.</p> <p><u>Financial & Resource Implications</u></p> <p>There are no Financial, Human Resources, Assets and other implications in this report.</p>
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3.8	<u>Equality or Good Relations Implications</u> There are no direct Equality implications.
4.0	Appendices – documents attached
4.1	None

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Subject:	Street Naming - New Streets Proposal
Date:	12th January, 2016
Reporting Officer:	Trevor Martin, Head of Building Control
Contact Officer:	Roisin Adams, Business Coordinator

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 an application for the naming of new streets in the City.
2.0	Recommendations
2.1	Based on the information presented the Committee is required to make a recommendation in respect of the applications for new street names in the City. The Committee may either: <ul style="list-style-type: none"> • Grant the applications, or • Refuse the applications and request that the applicant submits another name for consideration.
3.0	Main report
	<u>Key Issues</u>
3.1	The power for the Council to name streets is contained in Article 11 of the Local Government (Miscellaneous Provisions) (NI) Order 1995.
3.2	Members are asked to consider the following applications for naming new streets in the

City. The application particulars are in order and the Royal Mail has no objections to the proposed names. The proposed new names are not contained in the Council's Streets Register and do not duplicate existing approved street names in the City.

3.3

Proposed Name	Location	Applicant
St Bernadettes Avenue	Off Glenalina Road, BT12	Apex Housing
Lady Ishbel Avenue	Off Hospital Road, BT8	Creighton Boyd Architects
Haddo Street	Off Hospital Road, BT8	Creighton Boyd Architects

3.4

Apex Housing had previously proposed Glenalina Court for a new street which is located off Glenalina Road. The application for Glenalina Court was rejected at the December Committee and the applicant asked to submit an alternative proposal. Apex Housing has now submitted a new proposal to name the new street as St Bernadettes Avenue. Their second and third choice is St Bernadettes Crescent and St Bernadettes Park. They have advised that the new street is being named after the former St Bernadette's Primary School which previously occupied this site.

3.5

It should be noted that should this name be acceptable the street name will be authorised without an apostrophe. Under the Best Practice Guidelines for Street Naming, apostrophes, which is the only punctuation included in addressing, will only follow an O, eg: O'Brien Street. Possessive apostrophes are not to be included when creating a new address.

3.6

Creighton Boyd Architects have made an application for two new streets which are being developed on the site of the former Belvoir hospital. They have advised that the names they have proposed demonstrate a very strong link to the site and create the opportunity to introduce new names to an area that is seeking to also develop a new identity and future.

3.7

Lady Ishbel Avenue has been proposed for the first choice for the main street leading into the development, the reason being that Lady Ishbel opened the former fever hospital on the site in 1906. The architect was reluctant to submit a second choice, the clear preference being Lady Ishbel Avenue. However, if the Council felt that the prefix "Lady" was totally unacceptable then the second preference would be Ishbel Avenue.

3.8	<p>Haddo Street was proposed by the applicant, as Lady Ishbel, also known as Lady Aberdeen, divided her time between London and her Scottish estate in Aberdeenshire due to her political obligations. They called their Scottish home Haddo House and it was there that lady Aberdeen began her involvement with social reforms. Haddo Street is the first choice with Haddo Drive as the second choice. The third choice is Ishbel Drive.</p> <p><u>Financial & Resource Implications</u></p>
3.9	<p>There are no Financial, Human Resources, Assets and other implications in this report.</p> <p><u>Equality or Good Relations Implications</u></p>
3.10	<p>There are no direct Equality implications.</p>
4.0	Appendices
4.1	None

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Subject:	Update on Traveller Risk audit and Health and Safety Assessment
Date:	12 January 2016
Reporting Officer:	Catherine Taggart (Community Development Manager)
Contact Officer:	Clare Mullen (Community Resources Manager)

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	<p>Purpose of Report:</p> <p>The purpose of the report is to provide members with an update on the approach and work to date in relation to the decision taken by members at committee on the 9th November to carry out a Health & Safety audit on existing Traveller sites in the city.</p>
1.2	<p>Summary of main issues:</p> <p>Following the recent tragedy on a Travellers site at Carrickmines (South Dublin County Council) in which ten members of a Traveller family lost their lives, Council made the decision on the 9th November to carry out a Risk Assessment and Health and Safety Audit of Traveller accommodation.</p> <p>Since then, BCC staff have been working with key stakeholders and relevant Council officers in developing a model of joint intervention that will ensure the delivery of an independent Risk Assessment and Health and Safety audit.</p>
2.0	Recommendations
2.1	<p>Committee are asked to:</p> <ul style="list-style-type: none"> (i) To note the progress made to date; and (ii) To agree the suggested approach in relation to carrying out the Health & Safety Audit.

3.0	Main report
3.1	<p>Partnership Approach</p> <p>While the specific duty of provision for the Health and Safety management of Traveller sites resides with the owners in the city notably the Northern Ireland Housing Executive (NIHE) and Clanmill Housing Association, the approach adopted by officers in carrying out the Health & Safety audit has been to engage with both organisations to facilitate a partnership and interagency approach to the design and delivery of the risk assessment and audit.</p> <p>Progress to Date</p> <p>3.2 To date, officers have undertaken research of some management models of Traveller sites in the UK. We have engaged directly with Liverpool City Council and Plymouth City Council and have identified the protocols and systems used in their areas for managing the health and safety of their Travellers sites. Additionally, we have reviewed a number of policies including good practice guidance in particular the “Outlining Minimum Standards for Traveller Accommodation” published by ECNI in 2009 and the Department for Social Development (DSD) guidelines. These have proven to be the most relevant documents in terms of assessing the contents and scope of health & safety in Traveller accommodation. This research has therefore assisted and informed the development of an outline approach for this assignment.</p> <p>Suggested Approach</p> <p>3.3 The suggested approach which is outlined below; has been agreed in principle with the NIHE and includes the following assessment pieces.</p> <p>(a) <u>Assessment of the Site Network</u></p> <ul style="list-style-type: none"> • Number of sites and pitches • Recent Changes in sites and pitches • Future Plans for sites

(b) Description of the Traveller Site

- Location and Environment
- Quality of Live
- Boundary Treatments and entrance
- Site roadways and paths
- Drainage, water and other infrastructure Services
- Fire Protection
- Communal Provision
- Residential Pitches
- Amenity Blocks

(c) Condition of Travellers Sites

- Total expenditure by site
- Maintenance expenditure by site

(d) Current Management Systems

- The current systems organisations have in place to effectively manage their sites.

Next Steps

3.4

A meeting has been scheduled to take place in early January with the NIHE and a separate meeting will be held with Clanmill to take forward the suggested approach and to agree short, medium and long terms issues and to finalise the action plan, audit specification and resources.

The meeting will be attended by relevant Belfast City Council staff including Environmental Services and Community Services.

A further progress report will be tabled with committee in March to keep members informed of progress and timescale.

3.5

Financial & Resource Implications

It is anticipated that the financial costs associated with the audit will be met by the site

3.6	<p>owners: NIHE and Clanmill.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are no equality or Good Relations implications</p>
4.0	Appendices – Document Attached
4.1	None



Subject:	Update on Strategic Cemetery and Crematorium Development
Date:	12 January 2016
Reporting Officer:	Rose Crozier, Assistant Director of Parks and Leisure
Contact Officer:	Claire Sullivan, Policy and Business Development Unit Manager

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
	The purpose of this report is to update committee on the key issues discussed at the Strategic Cemeteries and Crematorium Working Group meeting held on 10 December 2015.
2.0	Recommendations
	That the People and Communities Committee approve the minutes and the recommendations from the Strategic Cemeteries and Crematorium Working Group meeting held on December 2015.
3.0	Main report
	<p>The Strategic Cemeteries and Crematorium Working Group is a Working Group of the People and Communities Committee which consists of an elected member from each of the political parties.</p> <p>The minutes from the Strategic Cemeteries and Crematorium Working Group are brought before the Committee for approval.</p> <p>The key issues discussed at the 10 December meeting were:</p> <ol style="list-style-type: none"> 1. An update on the review of burial policy; and 2. Bereavement Strategy Improvement Plan.

	<p>Members were provided with an update on the review of the Council’s burial policy and reminded that this Committee at its meeting in August 2015 agreed a revised policy. Members were advised that we are currently undertaking stage 2 of the review, the assessment of the original long list of sites to determine if any of them are potentially suitable based on this revised policy. As part of this process it is necessary to review and consider the setting and weighting of criteria and Members were advised that the recommendations of this process would be brought to the Working Group for consideration in due course.</p> <p>Members were also updated on the Strategic Review of Bereavement and the associated improvement plan. Members were updated on some of the key projects that are currently being delivered and advised that quarterly updates would be brought to the Working Group. Officers highlighted that implementation of the Memorial Safety Policy is progressing as agreed at Committee in December 2015.</p> <p>More details regarding the above issues and recommendations are included in the minutes for this meeting which are attached as appendix 1.</p> <p><u>Financial & Resource Implications</u></p> <p>The development of a new cemetery and the redevelopment of the crematorium are currently Stage I emerging projects in the Council’s capital programme.</p> <p>There are no asset implications at this stage although the final phases of the project will inevitably increase the Council’s land ownership and associated liabilities.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are currently no equality or good relation implications however this will continue to be reviewed as the project is developed.</p> <p>Any changes to policy will be equality screened in line with the Council’s equality process.</p>
4.0	Appendices – Documents Attached
	Appendix 1 – Copy of the Minutes of the Strategic Cemeteries and Crematorium Working Group’s meeting on 10 December 2015

MEETING OF STRATEGIC CEMETERIES AND CREMATORIUM WORKING GROUP

Minutes of the Meeting of Thursday, 10th December, 2015

Members present: Alderman Rodgers (Chairperson);
Councillors O'Neill and Sandford.

In attendance: Mr. R. Cregan, Director of Finance and Resources;
Mrs. C. Sullivan, Policy and Business Development
Unit Manager;
Mrs Jacqui Wilson, Business Manager; and
Miss. E. McGoldrick, Democratic Services Officer.

Apologies

No apologies were reported.

Minutes

Minutes of the meeting of the 5th and 18th November were taken as read and signed as correct.

Declarations of Interest

No declarations of interest were reported.

Review of Burial Policy

The Policy and Business Development Unit Manager outlined the contents of the report regarding the process to review our current burial policy. She reminded the Group that a report had been brought to the People and Communities Committee, at its meeting on 11th August, which had outlined the findings of the Stage 1 policy revisions as follows:

- forward planning should be based on a shorter time period of 20-25 years, with reviews every 5 years to ensure an ongoing 10 year supply;
- a smaller catchment population relating to the Belfast City Council area should be used;
- the burial policy should be flexible with respect to site size and a smaller site area for a new cemetery to serve north and west Belfast should be considered;
- a smaller cemetery, for example: a 20 acre site, which could address the pressing needs of north and west Belfast over an appropriate forward planning period; and
- there would be benefit in collaborative working with adjoining Councils to ensure Belfast and the adjoining burial boards have adequate burial space available and appropriate forward planning

**Strategic Cemeteries and Crematorium Working Group,
Thursday, 10th December, 2015**

arrangements in place. It is considered that the matter of partnership working in relation to burial

She advised that the second stage of the process had been to assess the original long list of potential burial sites, along with the Dundrod site, to observe if they would be suitable, based on the revised policy. She explained that an assessment would also be carried out to see if there would be any other potentially suitable sites that had been previously ruled out. She confirmed that the consultants had commenced this process and that officers would be meeting with them to review and consider the setting and weighting of the criteria, particularly in relation to accessibility, both from transport and community acceptability perspectives. She informed the group that the recommendations of this process would be submitted for consideration in due course.

The Group noted the information which had been provided.

Bereavement Strategy Improvement Plan

The Business Manager provided the Group with an update on the Strategic Review of Bereavement and the associated improvement plan.

She reminded the Group that the Bereavement Strategy Board (BSB) was established in January 2015 to ensure that the Council undertook its role as the Burial Board for Belfast and delivered a high quality fit for purpose financially sustainable bereavement service.

She advised that the Board met on a monthly basis, chaired by the Assistant Director of Parks and Leisure, to develop and implement action plans in relation to a number of key areas including memorial safety, stakeholder engagement, burial provision, crematorium development, and Roselawn site development, systems and administration.

She pointed out the Board had highlighted improvement priorities for the service and where appropriate, developed associated business cases. She advised that some of the key projects which were currently being delivered were:

- development and implementation of the memorial safety process;
- review of options around future cremation provision;
- review of burial policy in relation to new burial ground;
- design and implementation around key process including the holding of cremated remains and the distribution of money received from the recycling of metals;
- improvement to engagement with key stakeholders including funeral directors;
- review of processes and systems within bereavement administration;
- consultation on options for a memorial for Plot Z1 (Baby Public) in the City Cemetery; and
- development of a policy and process around the buying back of unused graves.

She confirmed that there would be a focus on ensuring that operational needs were considered in any future capital developments and that best practice and

**Strategic Cemeteries and Crematorium Working Group,
Thursday, 10th December, 2015**

developments in the industry would be researched. She pointed out that the Board had been working closely with the ICCM especially in regard to memorial safety and the review of operational practices.

During discussion, the Group were apprised of information regarding the customer services standards and performance indicators that the section adheres to, along with the issues surround illegal headstones. The Director advised that the efficiency of bereavement processes would also be brought forward for consideration in due course.

After discussion, the Group noted the contents of the report and agreed to receive quarterly updates regarding the Bereavement Strategy Improvement Plan, which would include key performance figures of the section.

The Group also agreed that information be submitted to the Group regarding how many unused graves were bought back by the Council, when the process was first introduced in the late 1990's.

Chairperson

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Subject:	Request to Waive Fee for Erection of Memorial Headstone
Date:	12 th January 2016
Reporting Officer:	Rose Crozier, Assistant Director of Parks and Leisure
Contact Officer:	Pearse McCormick, Finance & Systems Manager, City and Neighbourhoods Department

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
	<p>The Department has received a request from a Mr Edward Wilson, seeking approval to erect a headstone on the unmarked grave of a soldier of the 8th Kings, Royal Irish Hussars at the City Cemetery, Glenalina Extension. The deceased, Thomas Wilson, served in the 8th Kings, Royal Irish Hussars during the Boer War, died in 1951 and, according to Mr Wilson, was originally from Agnes Street, in the Shankill Road area of Belfast. This is Mr Wilson's regiment, hence the request to mark the burial site. Mr Wilson has confirmed that he is not a relative of the deceased.</p> <p>There is no headstone currently on the grave and the department has established that there have been 5 interments, relatives of Thomas Wilson, and that it was marked as "full for earth burials" in 1969.</p> <p>Mr Wilson has engaged a Monumental Sculptor who has cut and engraved the stone at Mr Wilson's expense. The Monumental Sculptor has agreed to forfeit his fee for erecting the memorial. Mr Wilson is therefore requesting, in addition to approval to erect the headstone, that the Council waive its normal fee for erection of a headstone, given that he is not a relative and that no living relatives can be found.</p>

2.0	Recommendations
	<p>The content of the headstone does not breach any council policy in relation to unauthorised content or memorabilia. As no record of any living relative can be found, and given the altruistic nature of the request, it is recommended that the request be approved, and the normal fee be waived in this instance.</p>
3.0	Main report
	<p><u>Key Issues</u></p> <p>Should the Council approve the request Mr Wilson will be required to indemnify the Council, stating that should the legal owner lodge any objection Mr Wilson, or his heirs or assigns, will remove the memorial and incur all associated costs.</p> <p><u>Financial & Resource Implications</u></p> <p>If the recommendation is approved, the normal fee to be waived is £500, given Mr Wilson is a non Belfast resident.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are no known implications</p>
4.0	Appendices – Documents Attached
	<p>Appendix 1: Sample image of intended headstone.</p>



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Subject:	BCC Response to DSD Consultation Paper 'Review of the Role and Regulation of the Private Rented Sector (PRS)
Date:	12 th January 2016
Reporting Officer:	Siobhan Toland, Head of Environmental Health / Lead Operations Officer HESD
Contact Officer:	Stephen Leonard, Environmental Health Manager

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	The Department for Social Development Private Rented Branch has published a Discussion Document on the Review of the Role and Regulation of the Private Rented Sector (PRS). The aim of the review is to consider the current and potential future role of the sector and assess the effectiveness of current regulation, identifying where improvements can be made to help make the private rented sector a more attractive housing option.
1.2	The Consultation opened on 12 th November 2015 and closes on 5 th February 2016.
2.0	Recommendations
2.1	The Committee is invited to consider and endorse the draft response attached at Appendix 1.
3.0	Key Issues
3.1	Owning a home or renting from a social landlord are the preferred choices for most of the Citizens of Belfast but these are becoming increasingly harder to secure.

3.2	<p>The private rented sector has become the second biggest tenure in Northern Ireland, the highest proportion being in Belfast. Given the existing waiting lists for Social Housing and affordability issues for first time buyers, this sector will continue to play an important and valuable role in the City's Housing Market.</p>
3.3	<p>It is important therefore that the PRS is fit for purpose and provides tenancies for people who need them. The consultation seeks views on the measures that would support both landlords and tenants.</p>
3.4	<p>It seeks views on measures to support tenants including the Private Sector Access scheme and the Discretionary Housing payment. Financial incentives to support landlords including tax Incentives for smaller landlords and various investment programmes available to support large scale schemes are considered. These include the Private Rented Sector Housing Guarantee Scheme, Build to Rent scheme and Real Estate Investment Trusts (REITS).</p>
3.5	<p>The document also discusses a number of possible changes to existing legislation including:</p> <ul style="list-style-type: none"> ▪ Changes to the landlord accreditation scheme, ▪ Mandatory licensing for the PRS ▪ a standard tenancy Agreement for NI, longer tenancy agreement and more effective processes for evictions ▪ Introduction of a tenant/landlord dispute resolution panel or body ▪ Involving Private Landlords in dealing with Anti-social behaviour ▪ Regulation of letting agents ▪ Minimum standards of repair for the PRS ▪ Specific measures requiring landlords to install smoke alarms, Carbon Monoxide

	alarms and address fuel poverty
3.6	This discussion paper is the first stage of this review and the views obtained will be used to inform the second stage of the review: a consultation document with firm proposals.
	<u>Financial & Resource Implications</u>
3.7	The review may result in new regulations and additional responsibilities for Councils. It is unclear whether any additional resources will be made available to Councils for these.
	<u>Equality or Good Relations Implications</u>
3.8	There are no relevant equality considerations associated with the delivery of the strategy.
4.0	Appendices – Documents Attached
4.1	Appendix 1 - Draft Response

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Review of the Role and Regulation of the Private Rented Sector

Role of the Private Rented Sector

We want to make the Private Rented Sector a more attractive housing sector where people choose to live. We are asking for your views on issues impacting the private rented sector. Your views will help shape future policy proposals. Thank you for taking the time to complete these questions

1. Please select from the list below the title that best represents you

- | | | | | | |
|-------------------------|----------------------------------|-----------------------|-----------------------|----------------------|-----------------------|
| Landlord | <input type="radio"/> | Tenant | <input type="radio"/> | Letting Agent | <input type="radio"/> |
| Landlord Representative | <input type="radio"/> | Tenant Representative | <input type="radio"/> | Estate Agent | <input type="radio"/> |
| Council Representative | <input checked="" type="radio"/> | Housing Professional | <input type="radio"/> | Other Government | <input type="radio"/> |
| MLA | <input type="radio"/> | NIHE | <input type="radio"/> | Department | <input type="radio"/> |
| Voluntary Organisation | <input type="radio"/> | | | Member of the Public | <input type="radio"/> |

2. Do you agree that further support should be available to tenants living in the private rented sector?

Yes

No

Please provide your reasons

The Council notes that the private rented sector has become the second biggest tenure in Northern Ireland, the highest proportion being in Belfast. Given the existing waiting lists for Social Housing, affordability issues for first time buyers and our own plans for the Regeneration of the City Centre the Council acknowledges that this sector will continue to play an important and valuable role in the City's Housing Market.

We know that owning a home or renting from a social landlord are the preferred choices but these are becoming increasingly harder to secure. It is important therefore that the PRS is fit for purpose and provides tenancies for people who need them.

This sector houses some of the more vulnerable in society. Recent Data confirmed that 19% (4.4 million) of English Households were privately rented. Almost a third (30%) failed to meet the decent homes standard and many fell short on grounds of safety, poor thermal comfort and disrepair.

At present 57% of all private rented sector tenants are in receipt of Housing Benefit. The possibility of rising rents, welfare reform and concerns as to whether properties meet the required standards in terms of safety are and will remain a key concern of tenants.

Future regulation of the sector needs to be proportionate and achieve the right balance between protecting tenants and supporting landlords to provide affordable fit for purpose accommodation. More comments on the legislative changes the Council would like the Department explored are outlined later in the document.

Longer tenure for tenancies would provide security and improve stability for tenants and increase confidence in wanting to reside in this sector. It is the Council's experience that citizens want to remain in the communities in which their families reside but at the same time are apprehensive about living in the Private Rented Sector. Longer term tenancies can provide greater security for those wishing to put down roots close to their family support network.

The Council notes the assistance the Private Rented Access scheme provides to both tenants and Landlords. The expansion of this scheme and along with other measures like the Discretionary Housing payment can only help to sustain tenancies and enable tenants to better manage private tenancies more independently.

Rent levels in Belfast are the highest in Northern Ireland. As the economic recovery continues a concern for tenants is the prospect of rent levels increasing. Longer term some form of independent rent regulation may be required to arbitrate on rent levels and possible increases throughout the life of a tenancy.

The Council agrees that further support should be available to vulnerable people/households in the Private Rented Sector. The existing networks which exist in the social housing sector which identify and support vulnerable people does not exist in the private rented sector. Similar support mechanisms should be available and supported as the private rented sector grows and more vulnerable people live in it. This would require improved partnership working between all the statutory agencies involved with private sector tenants.

For example the Supporting People service delivered by the NIHE ensures that vulnerable tenants receive the support and advice to maintain independence in their own home. It also offers floating support services such as:

- Someone to support people to manage their money and pay their bills
- warden or scheme manager who is there in case people need help
- someone who helps people to live independently
- someone who helps people learn how to follow the rules in their tenancy agreement
- someone who provides advice or assistance on a range of housing related matters.

This type of service is necessary to ensure vulnerable tenants in the private rented sector are supported and their tenancies are sustainable.

3. Do you agree that further support should be available to landlords operating in the private rented sector?

Yes

No

Please provide your reasons

The Council acknowledges that most landlords are good landlords who abide by the law and provide much needed, good quality and well managed accommodation. The Chartered Institute of Housing report on a high satisfaction rate in this sector with most private tenants on good terms with their landlord or agent and satisfied with the service provided for them.

Most private landlords are individuals with only one or two properties. Very few are full time professional landlords which can lead to inconsistent standards of housing management. Given this and the link between a landlords investment levels and property standards there is a need to ensure the new regime is sustainable and does not result in financial burdens for both the landlord and tenant.

In England the Chartered Institute of Housing has called for extra tax incentives for landlords who sign up for a national accreditation scheme and commit to better standards. The Council would see merit in this approach but would request that tax incentives are linked to landlord licensing as opposed to landlord accreditation on its' own.

The introduction in Northern Ireland of the Tenancy Deposit scheme and the Landlord registration scheme represent a good start to improving standards. The Council feels that the introduction of Licensing of private landlords is now required to ensure standards are improved even further.

Landlords would benefit from the introduction of long term tenancies as they prevent loss of income due to periods of voids and the payment of fees to letting agents each time a property becomes available. Also long term tenancies may be more attractive if there was an option of a probation period within the landlord could regain possession.

Increased training and support for landlords for example the CIH training course could be subsidised to increase participation or linked to future licensing/accreditation schemes.

Review of the Role and Regulation of the Private Rented Sector

Supply and Investment

4. Do you agree that the private rented sector should play a role in bridging the identified shortage in housing supply?

Yes

No

Please provide your reasons

Emphasis also needs to be placed in increasing the supply of social and affordable Housing and financial incentives to support people wishing to own their own home.

As mentioned previously future regulation of the sector needs to be proportionate and achieve the right balance between protecting tenants and supporting landlords to provide affordable fit for purpose accommodation. More comments on the legislative changes the Council would like the Department explored are outlined later in the document.

5. Would it be appropriate for Government to incentivise growth and investment in the private rented sector?

Yes

No

Please provide your reasons

The Department will be aware of the Council's City Centre Regeneration and Investment Strategy (BCCRIS), adopted in September 2015, which has as one of its core principles an aspiration to grow the residential population of the city centre. Belfast, as the economic driver for the Region, is currently experiencing an uplift in terms of investments and emerging large-scale regeneration projects, particularly in the city centre, such as the proposed Transport Hub, the University of Ulster city centre Campus, and some large scale Grade A Office proposals in various locations across the city core.

Central to our policy of growing the city centre population is our desire to develop a city centre housing market and to ensure that future city centre residential developments are appropriately located and contribute to the creation of balanced communities. We believe that such a strategy could initially focus on quality market housing to ensure that a market can be firmly established and address the imbalance that currently exists in the city centre's residential provision. The aim is to stimulate the private sector in order to encourage the development of a self-sustaining quality residential market environment that provides a mixture of tenures and meets the range of needs of a growing city centre population of which the private rented sector would be an essential component.

In recognition that growing the city's population is inherently linked to the quality of life Council is continuing to develop the city as a compelling, attractive and secure environment, with shopping, open space and other important amenities.

The Council would be keen to explore all opportunities to grow the private rented sector, an area of the market that is perhaps under-served in the city in comparison to other UK and European cities of a similar size. Use of the various options outlined in the consultation document including the Empty homes strategy and the LOTS scheme alongside the potential increased use of institutional investment and other mechanisms for larger-scale delivery should be encouraged.

A reduction in corporation tax could have an important impact on the investment landscape across the Region not solely through encouraging large scale private rented sector developments but via indirect means such as attracting more people to work, and therefore live in the city.

The Council is in the early stages of preparing a Local Development Plan under our planning responsibilities which transferred from Central Government in April of this year. In addition to developing the LDP and Community Plan the Council continues to respond to planning challenges and opportunities across the city such as the increase in applications to develop purpose built managed student accommodation (PBMSA). Should the residential market evolve from the current high levels of proposed PBMSA towards a market reaction to accommodating students in their first steps into the residential market private residential sector could play an important role in this. It would remain for the Council to accommodate any future demand in appropriate locations with the necessary supporting services using its planning powers.

Review of the Role and Regulation of the Private Rented Sector

Housing and Tenancy Management

6. The Department should consider making changes to the Landlord Registration Scheme. Do you agree?

Yes

No

Please provide your reasons

The introduction in Northern Ireland of the Tenancy Deposit scheme and the Landlord registration scheme represent a good start to improving standards in this sector. The Council feels that the introduction of Licensing of private landlords is now required to ensure standards are improved even further.

Rather than amend the existing registration scheme the council would request the introduction of mandatory licensing across the entire private rented sector. This would compliment HMO licensing, ensure a level playing field for all landlords across the entire private rented sector and offer the same level of protection to all private rented sector tenants.

In the interim the Council would request one immediate change to the existing Landlord registration scheme. Namely that information held by the landlord registrar can be used for all parts of the Private tenancies Order and other Council enforcement activities.

The current HMO Bill includes provision for licence conditions requiring landlords to manage tenant behaviour. The information sharing proposals in the bill will provide a robust method for the identification and regulation of HMO's including conditions in relation to managing behaviour. This could create a loophole down the line and exclude information sharing regarding non HMO's. The Licensing of the entire private rented sector with the inclusion of similar information sharing gateways would remove this loophole.

7. The Department should consider making changes to the Tenancy Deposit Scheme. Do you agree?

Yes

No

Please provide your reasons

The offence of failing to secure a deposit requires a technical amendment to remove the 6 month time barred limit.

In the event of nonpayment of a fixed penalty, the legislation should state that the minimum fine should not be less than the fixed penalty.

8. Is licensing of landlords needed in Northern Ireland?

Yes

No

Please provide your reasons

The City Council would support the introduction of mandatory Licensing of the entire private rented sector.

The HMO Bill proposes the Licensing of Houses in Multiple Occupation and will give Councils the powers to

1. Tackle anti-social behavior effectively,
2. Safeguard tenant's health, safety and welfare,
3. Ensure landlord are 'fit and proper' persons or employ agents who are,
4. Ensure adequate property and tenancy management arrangements are in place,
5. Ensure accommodation is suitable for the numbers occupying it and,
6. Ensure all landlords and managing agents operate at the same level of professional standards

The Council believes that mandatory licensing for the entire private rented sector is necessary. Extending these powers to the entire Private Rented Sector will afford the same protection to all tenants allow councils and other agencies to deal more effectively with problems posed by this sector.

The Council is aware of the problems faced by some of the Councils in England and Wales seeking to introduce private rented sector housing schemes. These problems have been caused by the voluntary nature of the schemes and support their introduction. Licensing introduced by statute would allow Councils to implement the schemes without the problems encountered by a number of the London Authorities.

The Council does not agree that licensing places additional burdens on reputable landlords already compliant with their obligations, and this is generally passed on to tenants in the form of higher rents. The Council is aware that many of the schemes that operate on the mainland offer discounted rates for compliant landlords. The discounted rate offered by the London Borough of Newham equates to a charge of 66p per week over the 5 year period of the licence.

In order to properly inform the debate around Licensing the Department should engage with Councils like Newham that have introduced successful schemes. The City would suffer problems similar to this area (eg High Levels of ASB and deprivation) and see clear advantages in having similar schemes operating here. At present the councils receive none of the revenue received from the Landlord Registration scheme. This has placed a significant administrative and financial burden on Councils. The use of Fixed penalty income to offset these costs is not working in practice and in any case is not sustainable. Future licensing schemes should be administered by Councils and the fees used to fund the administration and enforcement of the sector.

9. Is Landlord Accreditation needed in Northern Ireland?

Yes

No

Please provide your reasons

Possibly but only in support of any licensing regime. There is currently no legislative basis in place in Northern Ireland that would regulate, control or independently approve the accreditation process and/or potential accrediting bodies/organizations.

10. Do you think the private rented sector needs to be further professionalised?

Yes

No

Please provide your reasons

There is need now to further professionalize the Private rented sector and as it grows this need will become even more. Licensing provides the right platform to achieve this. It would ensure consistent standards across the sector and provide the structure within which landlords could be properly trained and supported. A bona fide Accreditation scheme working in support of a Licensing regime would significantly improve the legitimacy of landlords

11. Are there other amendments to the Private Tenancies Order that should be considered?

Yes

No

Please provide your reasons

Please see attached document prepared by the Public Health Regulatory Group.

12. Is further regulation of the private rented sector necessary?

Yes

No

Please provide your reasons

The department is referred to the answers provided to questions 2,3,6,7,8,10,11 and questions 19-23.

13. Do you agree that longer term tenancies are a good thing?

Yes

No

Please provide your reasons

Longer tenure for tenancies would provide security and improve stability for tenants and increase confidence in wanting to reside in this sector. It is the Council's experience that citizens want to remain in the communities in which their families reside but at the same time are apprehensive about living in the Private Rented Sector. Longer term tenancies can provide greater security for those wishing to put down roots close to their family support network.

14. Are the current notice to quit periods appropriate?

Yes

No

Please provide your reasons

Yes, the changes extending the notice to quit period have given long term tenants greater security in their homes.

15. Is the current eviction process fit for purpose?

Yes

No

Please provide your reasons

The current process is viewed by many as imbalanced and needing to be more efficient. It is currently costly and too lengthy for landlords who need legitimate possession of their property. In some circumstances it is leading to illegal evictions rather than preventing them.

The Department should look further at the fast track eviction processes that exist in England and Wales and consider creating one consistent type of standard tenancy agreement for NI.

The introduction of an independent complaints service also has the potential to make the process more fit for purpose and enhance the resolution of the type of issues that can lead to possible evictions.

16. Is overcrowding an issue in the private rented sector in Northern Ireland?

Yes

No

Please provide your reasons

The statistics referred to in the discussion document is the situation across all tenures and do not have regard to some of the risks Council Officers are finding in some parts of the Private Rented Sector. It is our experience that properties occupied by certain ethnic minority groupings are overcrowded. No powers currently exist that allow Councils to properly address the risks these premises pose.

The room and space standards are included in the current Houses in Multiple Occupation Bill. The Council would request that this is applied across the entire Private Rented Sector.

17. Do you agree that the regulation of letting agents needs to be addressed?

Yes

No

Please provide your reasons

The Council would support the regulation of letting agents. Currently there is no qualification required or agreed industry/professional standards that must be attained prior to practising this profession. There is inconsistency in letting fees and the range of services a letting agent provides to both the tenant and the landlord.

Quite often letting agents do not assist or make them aware basic legal requirements such as the need to register properties, secure deposits, obtain energy performance certificates etc.

Letting agents are normally the only point of contact for tenants and need to be more accountable and could do more to provide information new and existing tenants in relation to their role and the law relating to the Private rented sector

Regulation of this sector would remove these inconsistencies and improve standards.

18. Do you agree there should be an alternative means to resolving disputes other than small claims court action?

Yes

No

Please provide your reasons

The Council would welcome the introduction of a specific panel/complaints service set up to sort out disputes between landlords and tenants. At present access to the courts can be a lengthy and expensive process and tenants cannot afford to go to court. The introduction of this type of service would address this and reduce the burden on the court system.

It would also assist Councils in that it would complement the investigating of illegal eviction/harassment complaints.

Review of the Role and Regulation of the Private Rented Sector

Property Standards

19. Do you agree that it is important to enforce minimum property standards in the private rented sector?

Yes

No

Please provide your reasons

The Council feel that the enforcement of minimum property standards is critical to the sustainability of the Private Rented Sector. However we feel that it would be more appropriate to use the term meets the “statutory minimum standard for housing”. In our opinion this will make any future regulation ‘future proof’ and would not necessitate change should the review result in changing the standard.

The City Council advocate the adoption of the Housing Health and Safety rating system (HHSRS) as the minimum property standard for all tenures. We believe it should be introduced along with the licensing of the private rented sector and compliance with it should be a condition of any licence granted. This system assesses property using a risk based approach and looks at 29 separate risks to health and safety of the occupant. The Council notes that the Department intends to carry out a separate consultation in the fitness standard and looks forward to contributing to this discussion.

A position paper setting out the reasons for the Council’s support for the adoption of this standard is attached as an appendix to this document.

20. In relation to fitness what specific areas warrant further improvement and what means should be used to drive improvement. (i.e. through regulation or some form of non-regulatory route such as guidance)?

I would refer to the answer to the previous question.

21. Should the current system of applying rent control to unfit properties built before 1945 be extended to include other private rented property?

Yes

No

Please provide your reasons

The Council would agree with this. Risks exist in premises regardless of their age. The extension of this across the PRS would encourage landlords to ensure their properties complied with the required standard of repair.

22. Should consideration be given to introducing standards similar to those in place in other parts of the UK around requirements to install additional safety measures, such as smoke alarms and carbon monoxide detectors, and requiring periodic electrical inspections?

Yes

No

Please provide your reasons

Yes but the statutory standard for occupation should be completely reviewed and not just introduce a requirement for certificates for installations and specific risks. Any changes to the statutory fitness standard should be flexible and future proof therefore the Council supports the adoption of the HHSRS.

23. Should consideration be given to requiring a minimum standard of energy efficiency for all private rented properties as in England and Wales?

Yes

No

Please provide your reasons

- Currently the Landlord Registration Regulations request the Landlord to provide an Energy Performance Certificate (EPC) rating in a voluntary capacity. No evidence is required for the EPC energy rating or for EPC to be carried out by an accredited government approved energy assessor (eg including the EPC report reference number). For a minimum energy efficiency standard to be considered, proof of the initial EPC energy rating should be evident and a further EPC to be carried out to demonstrate the improvements should this be required. The EPC is accompanied with a recommendation report which will suggest methods by which an improved energy rating may be achieved.
- The energy rating on an EPC includes a point system, for E this is between 39 and 54 increments. Without an accurate EPC, the energy rating E, could in fact be closer to an F which would be much less energy efficient; ie the tenant will incur costly heating and high electric bills.
- The present system of providing an EPC at the point of advertising the property for rent allows the potential tenant to make much better informed decision on what the utility costs would likely be.
- Some properties may not be able to achieve a minimum standard by virtue of the building type and age eg. NIEA Listed Buildings which may not permit the building structural fabric to be altered.
- Around 50% of the houses in NI are 1930s – 1960s in urban areas where the private rental demand is highest. To upgrade these houses to get an E energy rating may require a spend of £10K which may likely be passed on to the tenant as an increased rent. In a demand led market this will put up rental costs overall so the tenant doesn't really benefit or at best breaks even if the energy savings are significant. More thought is need to target financial assistance to incentivise improvements such as interest free loans repaid by way of energy reduction/cost savings.

Review of the Role and Regulation of the Private Rented Sector

Contact Details

24. Are there any other comments you would like to make?

Proposals in Annex B ;
Council is unsure what the proposals for amendment Article 5 are.
HHSRS and licensing would address art 7 and 9 so no need to amend.
The Council has no objection to Articles 18 and 19 being amended.
The Council has no objection to Article 28 being amended.
The Council has no objection to Article 34 being amended.
In respect of Article 35, the Council would support keeping this clause allowing the landlord to have the right to make representation to the Council.

25. If you wish to be kept up to date with progress on the review please give your name and contact details

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**“COUNCIL GUIDANCE ON THE PRIVATE RENTED SECTOR – VERSION 1”
ISSUED BY DSD ON 22ND NOVEMBER 2010**

- **Page 100 – Point 12**
This section makes reference to ‘this statutory guidance’. We would be grateful if DSD would clarify and advise on the status of this guidance document. Is it statutory or advisory?
- **Page 5 – Re 1.1.1**
This should be qualified with a statement such as “this list is not exhaustive” as our understanding is that the PTO does not cover a tenancy where the landlord is the District Council.
- **Page 6/7 – Re 1.2.2**
We would believe that a comment should be added either at the start or the end of this section indicating that there is no enforcing authority for Article 6 to 12; that they can only be enforced by civil action.
- **Page 8 – Re 1.3**
There are a number of issues here that need clarification.
 - A. Starting with ‘A Notice of Refusal’. We would believe that this paragraph should be deleted as it is liable to cause an element of confusion.

Pages 8 to 14 of the Guidance document are in relation to Part 3 of the Order. A Notice of Refusal is only referred to in Part 4 of the PTO. A Notice of Refusal made under Article 36 (5) is only ever issued after a dwelling has been found to be unfit, following an inspection triggered by the receipt of a valid application for a Certificate of Fitness. It is a notice refusing to issue a Certificate of Fitness. It has nothing to do with Notices of Unfitness or Disrepair. A Notice of Refusal is mentioned in the 3rd paragraph on page 20. Perhaps that would be the appropriate place to indicate that a Notice of Refusal would have implications in the area of Rent Control.
 - B. 4th paragraph – The first sentence in his paragraph gives the impression that only unfit dwellings identified through Certificate of Fitness applications will be subject to Rent Control. Our understanding is that all unfit dwelling should be subject to both statutory enforcement action and rent control no matter how identified.
- **Page 9 – Provision of Alternative Accommodation**
It should be clarified that this is only a recommendation and it is not enforceable by the local authority.
- **Page 10 – 2nd Paragraph**
This will be expanded on later but more extensive guidance is needed on “reasonable standard”, “substantial disrepair” and “condition such as to interfere materially with the personal comfort of the occupying tenant”.
- **Page 14 – Re 1.3.11**
It is our belief that a Repairs Grant is still available for a Notice of Disrepair served on a protected tenancy. We would be grateful if this could be clarified.

- **Page 15 – Re 1.4.1**
The advice that any new tenancy after 1st April 2007 which is found to be unfit is also rent controlled would appear to be at variance with the comments on rent control on page 8.
- **Page 16 – Re 1.4.3**
We would question the wisdom of including a table of figures in this section as they will quickly go out of date. We understand what the Department are trying to illustrate but would wonder if the point could be made in a different way. Secondly it is difficult to prove properties are made fit due to rent control alone. Is enforcement action not also a factor?
- **Page 18 – Re 1.4.6**
On the question of the inspection being conducted within the 28 days a little extra clarification on what circumstances would allow the inspection to be undertaken earlier would be helpful. Perhaps something like “an inspection can be carried out earlier if the parties are agreeable”?
- **Page 21 – Re 1.4.10**
Should this section not be entitled “Cessation of Certificate of Fitness”? Also to avoid confusion it should be clarified that the Repairs Notice in this section refers to a Housing Executive Repairs Notice and not a Notice of Disrepair served under PTO.
- **Page 23 – Property Condition**
This is in the section 1.4.11 regarding Rent Control. With regard to the 6th bullet point on this page we would be grateful if the Department could clarify if it is actually now necessary for a local authority to notify DSD of the service of a Notice of Disrepair. It was our understanding that a Notice of Disrepair had no implications for Rent Control.
- **Page 37 & 38 – Re 3.7 Best Practice**
“Name and Praise” is a better tactic than “Name and shame” but we question whether the document should be personalised in this way. This advice would be just as effective if the section opened with “one District Council has an innovative approach . . .”

Some of these 16 bullet points on pages 37 & 38 are in relation to items previously covered.

2nd bullet point – This could be better drafted. It appears to mix up Parts 3 and 4 of the Order. If you receive an application for a Certificate of Fitness and if the premises is unfit and informal action is ineffective then you must serve a Notice of Refusal. You must follow a procedure. It is not as if one notice is better than another. Both notices have their place.

3rd Bullet Point – We have difficulty in understanding with this means. If a landlord will not apply for a Certificate of Fitness then he may have committed an offence and you can then prosecute using article 68 of the PTO. Just because he does not apply does not mean that you can go ahead and issue a Notice of Refusal. To issue a Notice of Refusal (or a Certificate of Fitness) you first have to conduct an inspection.

4th Bullet Point – This appears to be at variance with the advice given in the 7th paragraph in 1.3 on page 8. We agree with the concept that a landlord should be given all the relevant information as early as possible. We would consider that you only list the unfitness items on a Notice of Refusal or Notice of Unfitness and that any additional disrepair items (if present) are notified separately by means, in the first instance, of an informal letter. This course of action often means a Notice of Disrepair is unnecessary.

5th Bullet Point – as drafted this 5th Bullet Point has similarities to the equally confusing 3rd Bullet Point. Do you mean to say something like ‘if after an informal request an application for a Certificate of Fitness does not materialise an EH Department is under an obligation to follow this up’.

6th Bullet Point – We can understand what is meant but would think it would be clearer if it stated ‘a’ tenant initiated inspection for a Certificate of Fitness can be free of charge, at the discretion of the Council.

8th Bullet Point – please see our earlier comments about provision of alternative accommodation.

- a. Annex A – Page 52. Three words are missing from the end of this subsection. Subsection 3 should read ‘Subsection (1) applies in relation to a house in multiple occupation with the substitution of a reference to the house for any reference to a house in multiple occupation.
- b. Annex B – Page 101.
Section 13 on appeals could be misunderstood because of the way it is drafted. It could be read that on appeal against a notice of unfitness the only two options possible would be the substitution of a Closing Order or of a Demolition Order. Our misunderstanding would be that ‘any person aggrieved’ could appeal that the dwelling is not unfit etc as well as that there are more satisfactory courses of action than the service of a Notice of Unfitness.
- c. Links with Housing Executive enforcement powers – Page 102. Paragraph 3 – we acknowledge that a local authority has a requirement to consult the Housing Executive if they intend to issue a Notice of Unfitness. But we were unaware of any similar provision in relation to Notices of Disrepair. We always considered there was no need to consult the Housing Executive if we are issuing a Notice of Disrepair.
- d. Page 104 – Pre-formal enforcement action procedures
Paragraph 9
In relation to ‘drawing this informally to the attention of the owner’ – could this be done verbally or would it be considered to be ‘good practice’ to do so in an informal letter?
- e. Page 104 – Pre-formal enforcement action procedures
Paragraph 10
Would the Department consider it appropriate to include a recommended period for representations to be made. We cannot have a process stalled if a landlord will not get back to us. The consensus of opinion within Environmental Health would be that a 2 week period may be a good balance.
- f. Page 109 – Paragraph 6
The case referred to was NCB v Thorne (not Thorpe). Also the ‘Thorne’ case involved which of the two limbs of the definition of a statutory nuisance the case should be taken on.
- g. Page 109 – Paragraphs 8&9
Our comments here would be similar to those stated earlier in relation to paragraphs 9 & 10 on page 104.

APPENDIX 1

A New Statutory Housing Standard for the Private Rented Sector

Background

There has been significant growth in Private Rented Sector and there are now more people living in the private rented sector than living in the social rented sector.

(NI House Condition Survey 2009)

As a consequence the DSD carried out a consultation process "Building Sound Foundations" (2009) and from the responses received launched the "Strategy for the Private Rented Sector" (2010).

The Strategy identified key areas where work will be focused in order to create the conditions in which the private rented sector contributes more fully to meeting housing needs and to ensure the provision of good quality, well managed accommodation supported by an appropriate regulatory framework. One key area identified is the Standard of Fitness.

As you are all aware, the standard of housing in the Private Rented Sector is the responsibility of Local Authority Environmental Health Departments and is currently the "Fitness Standard". This has been acknowledged as outdated (DSD, 2010) and needs replaced. In England and Wales the Housing Health and Safety Rating System (HHSRS) replaced the Fitness Standard as the statutory housing standard in 2005.

The DSD issued a discussion paper (attached) which was presented to selected groups they thought should be included in stakeholder meetings in order to take forward proposals on changing the housing standard. The Public Health and Regulatory Subgroup (PHARS) were included in this process and were allocated one place only.

In the discussion paper the DSD ruled out the HHSRS commenting that "the costs involved in moving to HHSRS for the private rented sector would be of such magnitude that it is not feasible in the short to medium term". It was therefore not being considered an option for discussion. Members of PHARS queried this comment and, after proactively contacting DSD, were allowed to present a paper advocating the HHSRS and questioning that the costs would be prohibitive. As a result, the DSD have appeared to have reversed their decision and are allowing the HHSRS to be considered an option for discussion.

PHARS wish to update CEHOG on these events, remind members on the strengths and advantages of the HHSRS and ask CEHOG to, again, endorse the HHSRS as the preferred option to replace the current fitness standard (as they did when responding to the "Building Sound Foundation" consultation document in August 2009).

PHARS would also ask if members of this subgroup could be allowed to approach and engage other Departments and bodies that could see benefits from the adoption of the HHSRS and ultimately gather support for the HHSRS that can be taken to the new Minister after the Assembly elections in May 2011.

The standard of any property has a significant impact on the health and wellbeing of the occupants. It is vital therefore that the statutory standard which applies to private rented sector accommodation makes a positive contribution to the health and wellbeing of those who live there.

The Fitness Standard

It has been widely acknowledged that the current statutory fitness standard is out of date and should be replaced by a modern standard.

The current Fitness Standard (Housing (NI) Order 1992) is a pass or fail model and dwellings are either fit or unfit. It is clearly not fit for purpose. It does not give an indication of whether a dwelling has just failed or is grossly unfit and, with fitness levels currently at 2.4 %, (NIHCS, 2009), it doesn't provide useful data to inform Housing strategies.

It is no longer a comprehensive measure of the suitability of a dwelling for occupation. It fails to address the areas of thermal comfort and safety among others. An example of this is that it only requires that the main living room has a fixed heat source and a socket in any other living/bedroom in order to pass the Heating element of the standard.

Housing Health and Safety Rating System (HHSRS)

In England and Wales the Housing Health and Safety Rating system was developed and adopted as the statutory fitness standard in 2005. Before the HHSRS was commissioned, a consultation paper was issued which resulted in overwhelming support for the concept of a Rating Approach.

The principle of the HHSRS is that a dwelling should provide a safe and healthy living environment for both occupants and any visitors. It involves an evidence –based risk assessment of the dwelling. The HHSRS is a flexible standard and the categories of hazards can be used to target grant aid. Using the HHSRS means that conditions can be graded and strategies can be focused. It can also adapt to the latest research and technology. For example, an extremely useful matrix has been developed by the CIEH to assist officers in identifying carbon monoxide hazards.

The risks can be categorised as follows:

1. Physiological Requirements.
 - Damp and Mould Growth.
 - Excess Cold.
 - Excess Heat.
 - Asbestos (and man-made fibres).
 - Biocides.
 - Carbon Monoxide etc.
 - Lead.
 - Radiation.
 - Uncombusted fuel
 - Volatile Organic Compounds.

2. Psychological Requirements.

- Crowding and space.
- Entry by Intruders.
- Lighting.
- Noise.

3. Protection against Infection.

- Domestic hygiene, pests and refuse.
- Food Safety.
- Personal Hygiene, sanitation & drainage.
- Water supply.

4. Protection against Accidents.

- Falls associated with baths.
- Falls on the level.
- Falls associated with stairs and steps.
- Falls between levels.
- Electrical hazards.
- Fire.
- Hot surfaces and materials.
- Collision and Entrapment.
- Explosions.
- Position and Operability of Amenities.
- Structural collapse and failing elements.

The HHSRS provides the assessor with a comprehensive evaluation as to the condition of the property using a risk based scoring system. Enforcement action by the local authority is taken based on the evaluation of the severity of risk to the occupants, not on whether a property has e.g. a carbon monoxide detector.

This risk based approach is in line with all other core work delivered by Environmental Health. Issues such as asbestos, overcrowding or radon may not occur often but if the risk score happened to be calculated at an actionable level then the occupant would be protected from a very serious hazard.

The recent tragedies involving carbon monoxide could also be transferred to a scenario involving asbestos, fire safety or VOCs. The HHSRS looks, not at a defect, but at the severity of the effect of a defect which ensures that the regulator can require the landlord to address those items which pose a severe risk to the health and/or safety of the tenant. What could be a relatively minor defect in terms of remedial costs could be a serious threat to the tenant or occupier. It would also provide a system to prioritise environmental health work.

One of the major changes with the HHSRS is the introduction of the protection against accidents hazards. Accidents in the home account for more than two thirds of admissions into hospital A&E. A person in Northern Ireland is more likely to die from an accident in the home than at work or on the road combined.

It is estimated that the total cost of Home Accidents in Northern Ireland is £1.5billion million every year, through costs to the health service and the economy. Each fatal home accident has an overall average cost of £1.6 million and a serious casualty admission costs £45,600. (Department of Health, 2010)

Proposed enhanced standard

The initial draft Department discussion paper wishes to address the following issues:

- physical fitness,
- thermal comfort
- health and safety.

The problem with using a physical based/buildings standard is that the severity of any failure is judged in relation to the extent and cost of remedial works, as per the guidance to the fitness standard.

The Department has acknowledged that when addressing disrepair, the general risk to health and safety should be considered. If disrepair can be assessed on a risk based approach it should be feasible and common sense that the other key elements should be assessed similarly.

One of the Department's proposals of an enhanced standard is that disrepair would need to have a clear and measurable threshold for action to be taken, and that general (and not specific) risks to the occupants would form part of the determination of fitness. For any fitness standard to address the issues of unhealthy and dangerous housing, all the risks need to be specified to ensure the assessors, tenants and landlords all understand what is expected of them.

Also in respect to health and safety, the Department's draft proposals mention fire and carbon monoxide. While this is welcomed, Environmental Health Practitioners would be concerned that there is a vast area of health and safety hazards which would not be addressed. The HHSRS assesses a wide range of hazards and highlights those which cause a severe risk to the occupant. The historic problem where dangerous/unsafe arrangements, which are not in disrepair cannot be addressed, may still exist under the Department's draft proposals.

NI Private Rented Sector Statistics

Research demonstrates that the most vulnerable people are more likely to live in the private rented sector yet this sector has the highest rate of unfitnes.

The Northern Ireland House Condition survey 2009 produced the following statistics:

- The highest levels of unfitnes (2.6%) exist in the over 75s population.
- 34.3% of lone parents live in the private rented sector.
- 21.6% of the private rented sector is occupied by unemployed persons.
- 13.2% of the private rented sector is occupied by permanently disable persons or those with caring responsibilities.
- The private rented sector has the highest percentage (5.2%) of those earning less than £4,999
- The survey indicated an unfitnes level of 23.8% for vacant homes. An assumption could be made that most of these would be considered to be in the privately rented sector.
- 60% of privately rented homes and 80% of social housing fail the thermal comfort standard of the decent homes standard. 15.8% and 8.1% of privately rented homes and social housing respectively fail the disrepair items of the decent homes standard. Therefore it can be seen that the thermal comfort aspect of any new enhanced standard will have the biggest impact on the privately rented and social housing sectors.

Research in the UK has shown that those with mental health problems are more likely to live in rented accommodation than to be owner occupiers. Also, housing problems are frequently cited as a reason for a person being admitted, or re-admitted, to inpatient mental health care. Johnson R, Griffiths C, Nottingham T (2006). At home? Mental health issues arising in social housing. London: NIMHE. www.socialinclusion.org.uk/publications/GNHFullReport.doc

Extra Benefits of the HHSRS

From the statistics above, the HHSRS can build on work in tackling health inequalities and social deprivation.

The HHSRS has been used in England and Wales as a tool to formulate a new grants strategy targeting vulnerable households and providing the neediest with financial or practical low cost assistance.

The HHSRS has proven benefits in relation to reduced costs to the health service. In England and Wales, local authorities utilize their responsibility for social housing and work in close partnerships with primary healthcare trusts to secure funding using the HHSRS to improve the health of the people in a specific area. <http://www.lacors.gov.uk/lacors/ContentDetails.aspx?id=23388>

In Northern Ireland, The Department of Health (DHSSPS), through the Investing for Health Strategy, currently fund a range of initiatives to meet its target of reducing accidents in the home. This funding could be used in conjunction with the HHSRS assessments to target those at risk

from a home accident and provide the necessary modifications. This type of initiative could reduce the potential financial burden on landlords.

Similarly, Community Safety Partnerships fund a range of Community Safety initiatives in partnership with local councils such as the Safer City projects. Projects such as the Good Morning schemes are funded this in way which also has a focus on health and well-being of vulnerable members of the community. This funding could be used to address category 1 hazards for prevention of entry by intruders in areas with high levels of burglary.

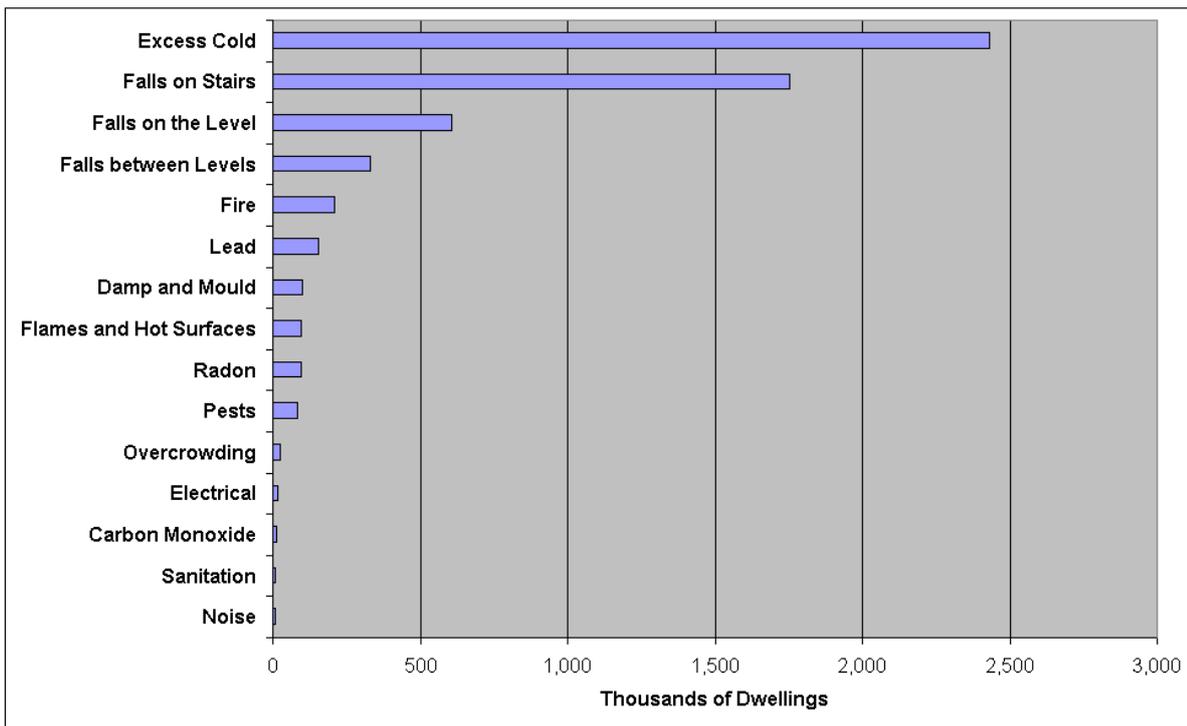
There is an opportunity for joint support for the principle of the HHSRS as the new Housing Standard for NI. It is therefore important to engage stakeholders now, and to keep them on board, in order to maximise influence on changing to the HHSRS so that the benefits are shared.

HHSRS Statistics and Costs

The HHSRS appears to have a reputation for being a financially onerous standard for landlords to adhere to. It would have to be acknowledged that any change in the fitness standard will incur costs for landlords considering that the current standard, which has been used for the past 30 years, is extremely basic.

The DSD commented that the costs involved in moving to HHSRS for the private rented sector would be of such magnitude that it is not feasible in the short to medium term however there has been a great deal of research into the costs of applying the HHSRS to the privately rented and social housing sector. Some key figures are outlined below:

The frequency of HHSRS Category 1 hazards (EHCS 2006)

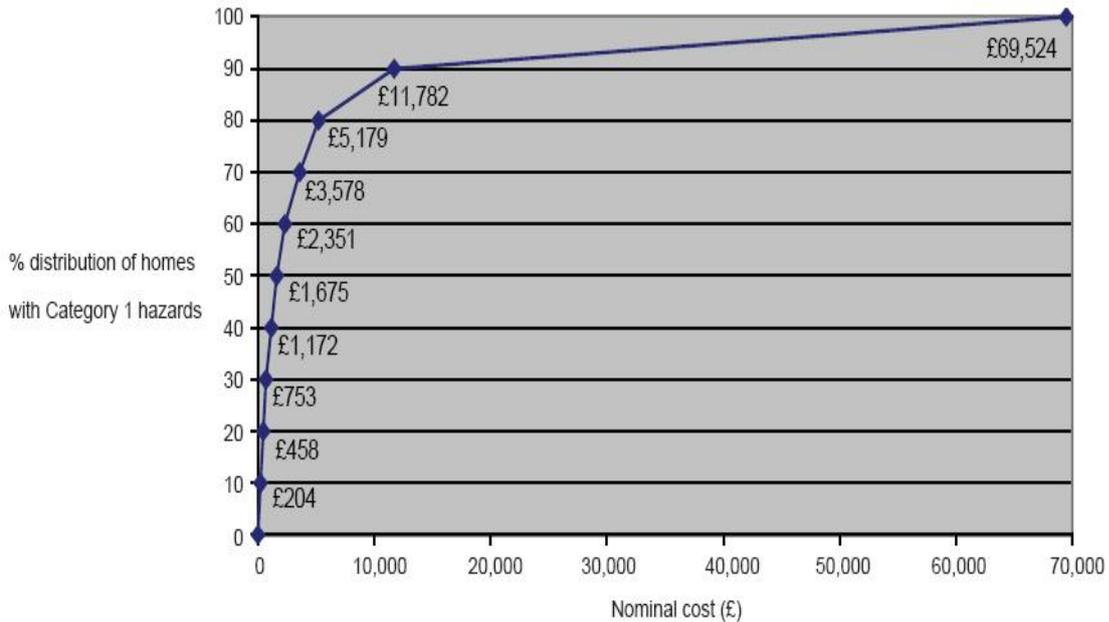


Note: Homes can have more than one HHSRS hazard, so the table above will not add up to the total number of homes with Cat 1 hazards (4.8 million)

(Quantifying the cost of Poor Housing: BRE Information paper IP16/10; M Davidson, M Roys, S Nicol, C Summers, D Ormandy and P Ambrose 2010)

- The graph illustrates that the most common failure/category 1 hazard of the HHSRS is the excess cold. This is also the most expensive to resolve making up 75% of all category 1 hazards. The Department has draft proposals which seek to address the issue of thermal comfort/ efficiency. Any new standard should address this issue.
- The graph also shows that falls are the 2nd, 3rd and 4th most frequently occurring category 1 hazards. The Environmental Health profession would lend itself to the opinion that any proposed new standard should include assessment of these risks. The DSD proposal would only address safety where there is disrepair and fails to address inherently dangerous conditions which are not occurring due to disrepair e.g. steep and winding staircase. There is reason to suggest that other Departments such as DHSSPS would also see the benefit in addressing safety in the home and NIFRS in relation to fire which is 5th most common hazard.

- The graph below indicates that
 - 66% of actions to remedy category one hazards cost less than £250 and
 - only 10% cost more than £3,000.
- The perception that HHSRS is prohibitively costly is not borne out by these figures.



(Quantifying the cost of Poor Housing: BRE Information paper IP16/10; M Davidson, M Roys, S Nicol, C Summers, D Ormandy and P Ambrose 2010)

- The table below illustrates that the highest costs to remedy hazards are those involving damp/mould growth and excess cold which would be dealt with under any proposed enhanced standard. It also shows how falls are relatively low cost to address. This emphasises how the adoption of the HHSRS will tackle the additional issues that EHP's, DHSSPS etc. would wish to address with relative little additional cost.

Hazard	Dwelling with Category 1 hazard*	Estimate number resulting in an improvement order	Estimated cost of mitigating hazard (£)
Damp and mould growth	71,000	2,000	15,600
Excess cold	304,000	8,700	13,570
Carbon monoxide and fuel combustion products	33,000	1,000	720
Lead	114,000	3,300	6,000
Radon (radiation)	85,000	2,400	600
Crowding and space	3,000	80	500
Noise	6,000	170	2,800
Domestic hygiene, pests, and refuse	1,000	40	1,000
Personal hygiene, sanitation and drainage	0	0	700
Falls on the level	297,000	8,500	1,250
Falls associated with stairs and steps	634,000	18,100	2,450
Falls between levels	149,000	4,250	400
Electrical hazards	24,000	700	4,600
Fire	121,000	3,500	6,700
Hot surfaces and materials	100,000	2,900	1,800
Total	1,943,000	55,600	0

(The Real Cost of Poor Housing: M Davidson, M Roys, S Nicol, D Ormandy and P Ambrose 2010)

The Chartered Institute of Environmental Health Officers developed a model to be used to estimate repair costs of rectifying a particular hazard. This table below demonstrates how relatively low the cost of addressing falls is.

Dwellings with 'average' risk of harm from the fully measured hazards

Hazard	Average cost to repair (£)		
	Cheapest 20%	Cheapest 50%	All
Falls between levels	99.19	332.41	1,276.2
Falls on the level	99.06	238.14	1,045.5
Falls associated with stairs and steps	119.54	243.41	1,084.0
Fire	79.28	950.43	3,311.6
Hot surfaces and materials	81	106.66	2,199.5
			0

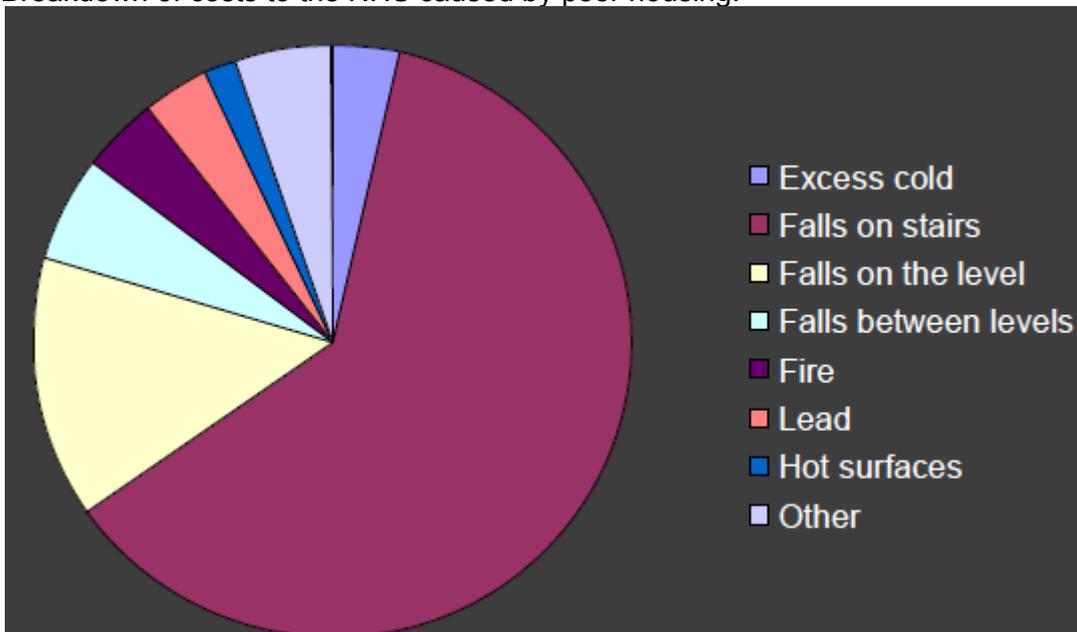
It can be demonstrated that using the HHSRS as the statutory fitness standard would prove a more cost effective option than introducing elements as proposed by the DSD.

Pilot studies where the HHSRS was introduced demonstrated the following :(Linking Housing Conditions and Health, a Report of a Pilot Study into the Health Benefits of Housing Interventions; Warwick Law School 2010)

- Money spent on dealing with poor housing is money invested in health – when local authorities act to improve housing conditions, there is a resulting financial benefit to the health sector.
- The opposite is also true – if money is not spent to improve poor housing, then society will pay, again and again.
- It is also clear that low cost interventions can give value for money.
- Every £1 spent on providing housing support for vulnerable people can save nearly £2 in reduced costs of health services, tenancy failure, crime and residential care. (Audit Commission (2009) Building better lives: Getting the strategic housing. Audit Commission, London.)
- In Bristol the average cost of making a privately rented property fit was £1,020 with costs as low as £10 for rectifying falls on the level.
- In Derby the average cost to make a property fit was £560 with the lowest cost being £20 for entry by intruders.
- In St Helens the highest cost to make a property fit was £11,600 for excess cold which would be the same for any enhanced standard.
- In Blackpool the average cost to make a property fit was £1405. The highest cost was £15,000 for rectifying structural collapse and failing elements which is covered under the present statutory fitness standard. The lowest cost was £500 for rectifying falls on the level.

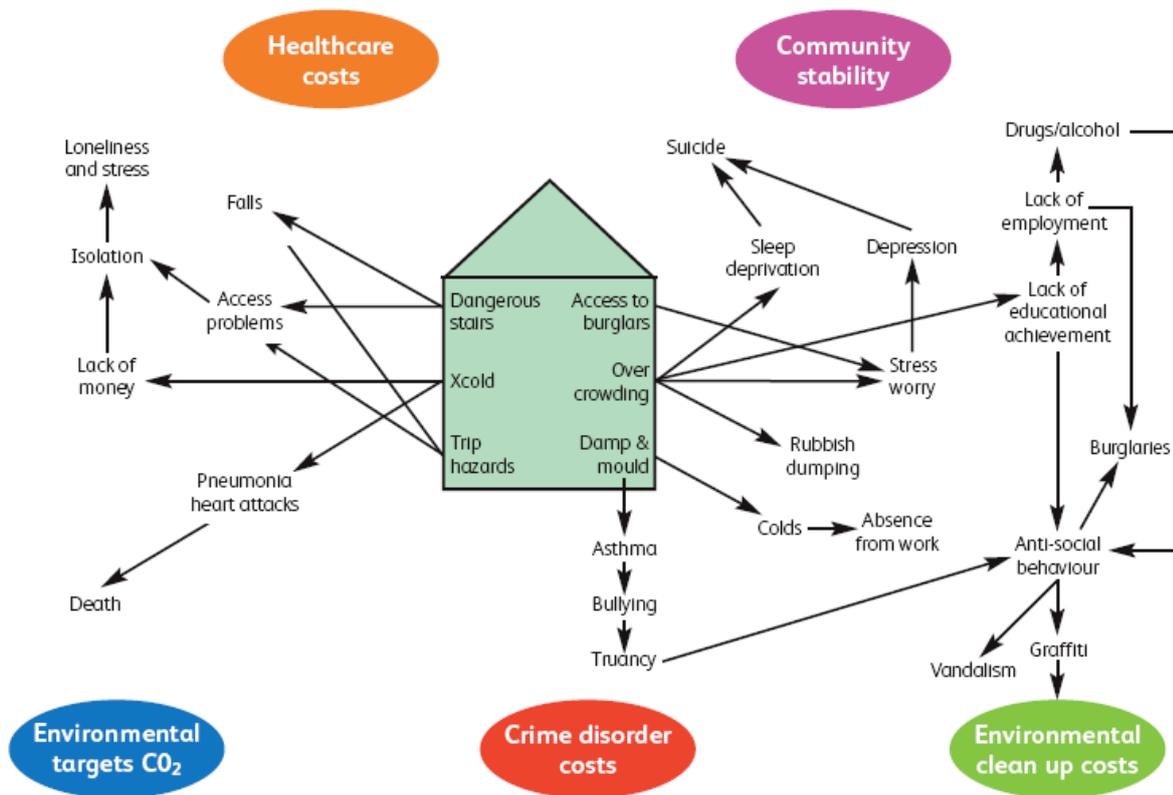
- In Manchester the average cost to make a property fit was £929. The highest cost was £3,600 for rectifying excess cold and the lowest cost was £50 for rectifying falls associated with stairs and steps.
- It has also shown that low cost interventions give particularly good value in terms of health and well-being benefits. For example, minor works carried out through the Home Improvement Agencies and Handyperson Schemes to deal with hazards such as Falling on Level Surfaces, Falling on Stairs, and Entry by Intruders can give a payback period (the time for the cost of the works to balance with the cost saving to the health service) of one or two years. (The Real Cost of Poor Housing: M Davidson, M Roys, S Nicol, D Ormandy and P Ambrose 2010)

Breakdown of costs to the NHS caused by poor housing:



(The Real Cost of Poor Housing: M Davidson, M Roys, S Nicol, D Ormandy and P Ambrose 2010)
 The above figure demonstrates how falls impact on the NHS despite being reasonably low cost to resolve. Conversely it can be seen that excess cold which can be costly to rectify has a much lower impact on the NHS.

The figure below illustrates the relationship between different aspects of poor housing and the resulting health issues. It demonstrates that poor housing is not only linked to negative health impacts but also has wider negative society, environmental and crime impacts.



The impact of poor housing (Dahlgren, G. and Whitehead, M. Policies and strategies to promote social equity in health.1991. Stockholm, Institute for Future Studies.)

Strategic Argument for HHSRS

The Independent Commission on the Future of Housing in Northern Ireland 2010 recommends that the current fitness standard should be replaced by a new HHSRS system which is comparable to that for England and Wales in order to improve the health, safety and well-being of tenants in the private rented sector.

If we are to change how we approach the assessment of standards in homes, is it sensible to adopt a standard which has been tested for 6 years by local authorities in England and Wales, has comprehensive guidance, has information materials and tools and established case law. This standard was established after years of research by academics from the University of Warwick law school in partnership with the Building Research Establishment (BRE) The HHSRS has been reviewed and guidance amended to reflect practice. This would ensure that assessors in Northern Ireland would be able to make immediate use of these resources both for training and enforcement purposes.

This will be the only opportunity to improve the standards for the private rented sector for many years so a proven, flexible system such as the HHSRS is essential. The DSD comment in the discussion document that “the costs involved in moving to HHSRS for the private rented sector would be of such magnitude that it is not feasible in the short to medium term” does not lend itself to sustainability in the future.

The private rented sector must become sustainable, given its rapid increase. Looking at the potential increased levels of unfitness when the standard changes, it could be questioned if the private rented grants strategy really worked in improving our housing. The Grant Strategy is to be reviewed and the HHSRS could be used in conjunction with any new grant strategy to identify areas of need for grant aid purposes. It provides flexibility and useful data for a justified targeted approach right down to focused areas of deprivation. (For example, the mandatory grant for public health nuisances could be replaced by grant aid assistance for Category one hazards for dampness, excess cold and falls.)

The Investment Strategy for Northern Ireland states that high quality and well-managed housing is a cornerstone for sustainable communities and is essential to creating and maintaining communities that reflect diversity in terms of income and ethnic background and contribute to a peaceful, fair and prosperous society.

The Northern Ireland Sustainable Development Implementation Plan has a target to improve health and life expectancy and reduce health inequalities. This includes reducing home accidents and lists DHSPSS as a key contributor. There is also a target to reduce neighbourhood crime involving a number of agencies including DHSPSS and DSD, with a key action to provide security fittings to reduce burglary. Funding bids could be made to secure grant assistance to deliver these targets through the private rented sector. These items are included in the HHSRS but would be missed under the proposed enhanced standard.

The enhanced standard proposed by the DSD takes elements from current thinking of some within the sector and other existing standards. It could therefore be viewed by some as a compromised and un-tested standard. Those, particularly the most vulnerable in society, who are increasingly turning to the privately rented sector to provide them with a home, deserve a standard which is comparable to those living in other jurisdictions (England and Wales) which has been tested and has been an overwhelming success. The only way of truly comparing the condition of NI's housing stock is to use the same standard.

The role of the DSD is to tackle disadvantage, build communities and encourage social responsibility. The adoption of the HHSRS would deliver on all three aims in partnership with local councils and other government departments.

The HHSRS also compliments many of the identified CEHOG key priority areas. It firmly addresses

- healthy homes and
- safe homes

as well as

- Inclusiveness
- Health Improvement
- Risk Management and
- Sustainable Communities

The HHSRS would also compliment other strategies including

- Community Safety
- Ending Fuel Poverty
- A Healthier Future (DHSSPS)
- Home Accident Prevention Strategy and Action Plan
- Investing for Health
- Sustainable Development
- Lifetime Opportunities (Anti Poverty and Social Inclusion Strategy)

Conclusion

The HHSRS is the preferred choice for the new statutory housing standard. It is:

- Evidence based
- Tested methodology
- Tested in tribunals
- Guidance already available
- Gives maximum protection to vulnerable people
- Offers flexibility (sliding scale) and continual improvement
- Allows prioritisation of other community based funds
- HHSRS contains cross cutting themes and allows inter-departmental working and joined up strategies
- Allows direct comparison with the condition of our housing stock with that of England.

Any alternative should also be based on sound evidence. It could be questioned if this is readily available in NI.

A strategic effort should be made to gain support for the HHSRS to be the preferred option for NI's new statutory housing standard.

PHARS members should be enabled to engage with stakeholders such as DHSSPS, NIHE, DSD, NIFRS, Community Safety, HSENI, etc. to inform them of the benefits of the HHSRS and gather momentum for support. This support can be taken to the new Minister for the DSD when appointed after the Assembly Elections in May 2011 in order to ensure priority on the Ministers agenda.



Subject:	BCC Response to DOE Consultation Paper On the Identification and Designation of Quiet Areas
Date:	12 th January 2016
Reporting Officer:	Siobhan Toland, Head of Environmental Health / Lead Operations Officer HESD
Contact Officer:	Nora Largey, Divisional Solicitor, Legal Services

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	The Department of Environment (DOE) has issued a public consultation on Policy Guidance relating to the identification and designation of Quiet Areas. This is a legal requirement of the Environmental Noise Directive (END) (Directive 2002/49/EC) and pursuant to the Environmental Noise Regulations (NI) 2006.
1.2	Two candidate Quiet Areas were identified in Belfast 1. Tullycarnett Park and Bowling Green, and 2. Ligoneil Park.
1.3	Whilst the Council is supportive of the principle of Quiet Areas and wishes to assist the Department in assuring compliance with Environmental Noise Directive (END) requirements, a number of concerns were identified.
1.4	The Council was consulted on 23 rd September 2015. Representatives from Legal Services, Environmental Health, Parks Services, Planning and Place and Estate Management/Property and Projects met with the DOE to explore the practical implications for the Council should the 2 proposed parks be designated as Quiet Areas.
1.5	The original deadline closed on 16 th November 2015 but this was extended until 15 th

	January 2016 to facilitate Committee consideration.
2.0	Recommendations
2.1	The Committee is asked to consider the report and key issues and recommend the Council write to the DOE expressing our concerns, stating that the Council does not support this designation and seek further dialogue.
3.0	Key Issues
3.1	<p>The purpose of a Quiet Area designation is to ensure that the Council manages the land and adjacent lands in such a way as to prevent increases in noise above the set criterion.</p> <ul style="list-style-type: none"> ▪ There is a legal obligation to protect Quiet Areas from increases in noise from all noise sources. ▪ The area must be maintained in its current noise environment and use of space. ▪ The Department has indicated it will insert a section into the Guidance regarding revoking a Quiet Area. However, given possible sanctions against the DOE should they fail to comply with END, revocations will be very rare.
3.2	Therefore concern exists regarding potential limitations and restrictions that the Council may face regarding any proposed future development of these 2 parks.
3.3	<p>The Council is responsible for maintaining and managing designated Quiet Areas. However,</p> <ul style="list-style-type: none"> ▪ There is a lack of existing policies or guidance to assist the Council in doing so. ▪ There is also no clarity on the consequences of failing to meet these responsibilities under END. ▪ It is for the Council to determine the most appropriate way to engage with the local community regarding the Quiet Area designation.
3.4	It is therefore suggested that the Council should oppose the designation of Tullycarnett Park and Bowling Green and Ligoneil Park as Quiet Areas.
3.5	Furthermore the DOE should revise and extend the criteria used to nominate candidate areas and look beyond council owned land.
3.6	Statutory guidance is also required for how Quiet Areas are to be maintained and managed.

	<p>The procedure for de-designating a Quiet Area needs to be developed to provide land owners some degree of reassurance that if they agree to their land being designated as a Quiet Area, the DOE will de-designate the Quiet Area provided the landowner can meet certain criteria.</p>
3.7	<p>A member of Legal Services will be present at the meeting.</p>
	<p><u>Financial & Resource Implications</u></p>
3.8	<p>Without clear guidance from the Department it is difficult to ascertain the cost of managing and maintaining Quiet Areas. Furthermore, concern exists that if these parks are declared as Quiet Areas their future use or development may be restricted.</p>
	<p><u>Equality or Good Relations Implications</u></p>
3.9	<p>There are no relevant equality considerations associated with the consultation.</p>
4.0	Appendices – Documents Attached
4.1	None

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Subject:	Request for The Use of Ormeau Park – Pretty Muddy Event
Date:	12 th January 2016
Reporting Officer:	Rose Crozier, Assistant Director of Parks and Leisure
Contact Officer:	Brian McKinley, Events 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
	<p>The Committee is asked to note that the Council has received a request from:</p> <ul style="list-style-type: none"> ▪ Cancer Research UK for the use of Ormeau Park <p>Cancer Research UK proposes to hold a Race For Life “Pretty Muddy” event at Ormeau Park on Saturday 3 September 2016 from 10 am. They will require access to the park on Friday 2 September for the set-up and will be on site on Saturday 3 September until 11 pm to dismantle the event. The event will require the closure of all or a substantial proportion of the facility.</p>
2.0	Recommendations
	<p>The Committee is asked to approve:</p> <p>The Cancer Research UK event at Ormeau Park on Saturday 3 September 2016 subject to the completion of the appropriate Event Management Plan and satisfactory terms being agreed by the Assistant Director of Parks & Leisure and on the condition that :</p> <ul style="list-style-type: none"> ▪ The Event Organisers resolve all operational issues to the Council’s satisfaction. ▪ An appropriate legal agreement is prepared by the Town Solicitor. ▪ The Event Organisers meet all statutory requirements including Public Liability Insurance cover, Health and Safety, and licensing responsibilities.

	<ul style="list-style-type: none"> ▪ The timely payment of the agreed charges and bonds as required in the legal agreements. ▪ The Event Organisers shall consult with adjoining public bodies and local communities as necessary.
3.0	Main report
	<p><u>Key Issues</u></p> <ul style="list-style-type: none"> ▪ Cancer Research UK proposes to hold a Race for Life “Pretty Muddy” event at Ormeau Park on Saturday 3 September 2016 from 10 am. ▪ Pretty Muddy is a 5k women only entry-level obstacle course. The event first came to Ormeau Park, Belfast in 2015 and attracted over 3000 ladies, helping Cancer Research UK to raise over £170 000, to help fund research into 200 different types of cancer. ▪ A participation fee of approximately £15 will be charged to cover the event organisation. The event will not be profit making. ▪ The Event Organisers will be required to submit an Event Management Plan to the Council prior to their event, in a timely manner and undertake the appropriate notifications, as necessary. <p><u>Financial & Resource Implications</u></p> <p>The event will not impact on any bookable facilities therefore no loss of revenue is expected. No Staff overtime is anticipated for the event.</p> <p><u>Asset and Other Implications</u></p> <p>A Reinstatement Bond of £5,000 will be required for the event.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are no known implications.</p>
4.0	Appendices – Documents Attached
4.1	None



Subject:	Choose to Live Better Programme
Date:	12th January 2016
Reporting Officer:	Cate Taggart, Community Development Manager
Contact Officer:	Clare Mullen, Community Services Unit Manager

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	The purpose of this report is to seek approval from members to accept a funding offer of £40,000 from The Public Health Agency (PHA) to deliver nutrition and physical activity programmes in the Council's 27 local community centres across Belfast from January-March 2016.
2.0	Recommendations
2.1	Members are asked to: <ul style="list-style-type: none"> i. Agree to accept the offer of income from PHA of £40,000 to run nutrition and physical activity programmes in the Council's 27 community centres across Belfast. ii. Consider and agree the programme objectives.
3.0	Main report
3.1	Rationale
3.2	Being more active is good for both the body and the mind. It helps to control weight, protect against heart disease, some cancers, type 2 diabetes and protect good mental health. By recognising the importance of engaging with those who do not engage in physical activity, this proposal utilises physical activity through joint working with Belfast City Council (BCC) to help meet the corporate objectives of the Public Health Agency and

	<p>Active Belfast in reducing health inequalities. This will be achieved by providing cookery demonstrations and physical activity opportunities to communities and neighbourhoods across Belfast with the ultimate aim of improving health and wellbeing.</p>
3.3	<p>The proposal builds on joint working arrangements with BCC and will provide visibility within 27 of the most deprived communities throughout the Belfast City Council area utilising Council's community centre facilities, which are located right in the heart of these disadvantaged communities.</p>
3.4	<p>Objectives:</p> <ul style="list-style-type: none"> • To promote the 2015-2017 phase of the PHA's Choose to Live Better campaign through provision of 27 programmes by the 31st March 2016; • To engage 27 hard to reach communities across Belfast by 31st March 2016 in becoming more physically active by giving them the opportunity to try new types of activity such as zumba, dancing, danderball; • To introduce the concept of the 10,000 steps campaign to 27 disadvantaged communities by the end of March 2016 and seek champions within those communities to disseminate the message; • To increase knowledge and awareness of the key healthy eating messages; • Encourage people to eat a healthy balanced diet; • Encourage people to reduce their portion sizes, particularly of high fat/sugar foods as a practical means to reduce and manage their weight; • Encourage people who are overweight or obese to visit www.choosetolivebetter.com for information and support.
3.5	<p>Officers are currently in the process of designing the programme and in doing so are liaising with relevant staff including the Health Development Unit. It is planned that a "fit families" programme will be delivered in each centre which will include a healthy eating programme and a series of physical activity programmes targeting parents and children to take part in the same activities. The range of activities being planned at this stage includes dance, zumba, football and boxercise. Dander ball and chair based exercise classes will also be available for older people. It is planned that the programme will be finalised by mid January with the programme being launched in February running until April 2016.</p>

3.6	<p><u>Financial & Resource Implications</u></p> <p>The PHA funding will cover all grant or associated project costs. Related assessment and administration resource requirements will be subsumed into current staff work programmes. There is no requirement for match funding from the Council.</p>
3.7	<p><u>Equality or Good Relations Implications</u></p> <p>There are no equality or Good Relations implications</p>
4.0	Appendices – Documents Attached
4.1	None

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of the Local Government Act (Northern Ireland) 2014.

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