

# Development Committee

Wednesday, 15th November, 2006

## MEETING OF DEVELOPMENT COMMITTEE

Members present: Councillor McCausland (Chairman);  
the High Sheriff (Councillor Humphrey); and  
Councillors Convery, Crozier, D. Dodds, Hartley,  
Kelly, Kirkpatrick, A. Maskey, McGimpsey, Newton  
and Smyth.

In attendance: Ms. M. T. McGivern, Director of Development;  
Ms. S. Wylie, Head of Urban Development; and  
Mr. J. Heaney, Committee Administrator.

### Apologies

Apologies for inability to attend were reported from Councillors P. Maskey, Ní Chuilín and Stoker.

### Minutes

The minutes of the meeting of 18th October were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st November.

### Arts Sub-Committee

Resolved – That the minutes of the meetings of the Arts Sub-Committee of 17th and 31st October be approved and adopted.

### Economic Development Sub-Committee

The Committee approved and adopted the minutes of the meeting of the Economic Development Sub-Committee of 31st October.

### Tourism and Promotion of Belfast Sub-Committee

Resolved – That the minutes of the meeting of the Tourism and Promotion of Belfast Sub-Committee of 8th November be approved and adopted.

### Judicial Review – Factotum (The Vacuum)

(Mr. J. Walsh, Principal Solicitor, attended in connection with this item.)

The Committee was reminded that on 15th June, 2004 two editions of the magazine “The Vacuum” had been published by an arts organisation known as Factotum, which had been awarded a grant by the Council. Those publications had contained offensive material and inappropriate images and, in order that it should not be associated with the publication of such material, the Council, at its meeting on 1st September, 2004, adopted a Committee recommendation that no funding be provided to Factotum until an apology had been received.

The editor of the publication had instigated a Judicial Review of the Council's decision, alleging that the decision had amounted to censorship and was contrary to the Human Rights Act 1998. The Principal Solicitor informed the Committee that this application had been dismissed and that the Judge had found that there had been no infringements of the editor's rights and that the Council's decision was within the range of appropriate responses open to local authorities.

The Committee was advised that the editor had subsequently initiated an appeal to the Court of Appeal in this matter which was listed presently for hearing on 11th December. In this regard, the Director of Legal Services had written to the Legal Services Commission arguing that the grant of Legal Aid to bring such an appeal was not in the public interest.

The Principal Solicitor pointed out that the initial application for Legal Aid had been refused, however, it had been granted subsequently on appeal. The Director of Legal Services had sought to establish the basis upon which the appeal had been allowed, however no formal response had yet been provided by the Legal Services Commission.

The Committee noted the information which had been provided and noted also that a further report would be submitted when the decision of the Court of Appeal was known.

### **City Branding**

The Director of Development suggested that, due to the transformation of the urban landscape of Belfast and the significant investment in tourism, culture and economic development, it would be an appropriate time to attempt to position the City on the international marketplace arena as a vibrant, dynamic and competitive European city. Therefore, it was important to deliver a single brand proposition which would represent a cohesive marketing image for the City, creating synergy and avoiding duplication and competition amongst marketing budgets. In this regard, a proposal had been received from the Belfast Visitor and Convention Bureau seeking approval to co-ordinate the development of a new brand which would reinforce the City's position as:

- a quality leisure, business, tourism and conference destination;
- a place for companies to locate and to grow their business;
- a location with a high quality of life for its citizens;
- a magnet for leading research, education and innovation; and
- a confident and contemporary city with a unique history and built heritage.

The Director advised the Committee that discussions had taken place with the Belfast City Centre Regeneration Directorate who had identified that it could, in principle, contribute £50,000 to either this initiative or the New Belfast Initiative which was a collection of public and private organisations investing currently in the development of the infrastructure of the City.

The Director pointed out that the development in 1996 of the now outdated and seldom used 'Smiley Face' logo had cost the Council approximately £86,000. She then outlined several options available to the Council in regard to the development of a new brand for the City and she highlighted the expected outcome of the process.

In response to Members' questions, the Director indicated that, in order to assist different communities within the City to develop sub-brands, each of the Area Partnership Boards would be invited to become involved in the planning process. The North Belfast Partnership Board, which was developing currently a brand image for the North of the City, had worked in conjunction with the Council and had benefited from the experience. She drew the Committee's attention also to the experience of other cities and, in particular, Edinburgh, Glasgow, Manchester and Nottingham, who had invested significant amounts of money towards the re-branding of their cities.

After discussion, the Committee approved the allocation of £150,000 in regard to the development of a new brand for the City, agreed that the Belfast Visitor and Convention Bureau project manage the brand development process and that the Department explore further the possibility of obtaining additional funding to supplement that provided by the Council in regard to development of the brand. The Committee agreed also that a report outlining how the brand would be launched and how it might be protected be submitted to a future meeting of the Committee.

#### **Renewing the Routes Update**

The Committee was reminded that work was ongoing in relation to the implementation of approved projects as part of the Renewing of the Routes Initiative on the Antrim Road and Lower York Road. The Head of Urban Development indicated that at both locations the majority of work had progressed satisfactorily and was either nearing or programmed for completion within the current financial year. However, the monitoring of the activities at both locations had identified a potential underspend of the allocated budgets.

Therefore, in order to meet the current spending targets for both the Antrim Road and York Road locations, she suggested that it would be necessary to identify additional projects within the prescribed areas which would be complementary to the existing work and proposed public art pieces.

Accordingly, the Head of Urban Development recommended that the underspend be allocated as follows:

<b><u>Antrim Road</u></b>	<b><u>Estimated Budget</u></b>
<u>Carlisle Circus:</u> Cosmetic enhancements to commercial properties at 2-14 Antrim Road	£25,000

<u>Lower York Road</u>	<u>Estimated Budget</u>
<u>North Queen Street:</u> shop frontage enhancement	£20,000
<u>Grove Primary School:</u> Replacement/upgrade of railing at North Queen Street	£15,000
<u>Castleton Playground:</u> Boundary enhancement and signage improvements	£10,000
<u>York Road:</u> Boundary enclosure works to York Road/North Queen Street	£10,000

After discussion, the Committee adopted the recommendations of the Head of Urban Development.

#### **Media Report August/October, 2006**

The Committee considered a report which outlined the amount of media coverage and the extent of press and media enquiries received concerning the work of the Committee during the period from 1st August till 31st October, 2006.

After discussion, the Committee noted the information which had been provided, agreed that it receive quarterly reports in respect of media coverage and agreed also that issues be identified at each meeting of the Committee on which a press statement might be released.

#### **New Partners for Smart Growth Annual Conference**

The Director informed the Committee that New Partners for Smart Growth was a major urban regeneration conference at which Members of the Committee had been represented in previous years.

The Director pointed out the benefits which had accrued to the City arising from attendance at previous annual conferences and, in particular, drew attention to the fact that, as a result of attendance at a conference workshop, the BERI network (Brownfield European Regeneration Initiative) had been developed, which had resulted in the Council obtaining funding in the sum of €1.5 million. In addition, the Renewing the Routes Programme had gained valuable insight which had resulted in further resources being made available to the Council. The most recent attendance at the 'communities and open space' workshop of the Conference had assisted directly in the achievement of an application for funding from which the Council had been awarded £250,000 in respect of the North Foreshore.

She informed the Committee that the next annual conference was scheduled to be held during the period from 8th till 10th February, 2007 in Los Angeles, with its theme being "Building Safer, Healthier and Liveable Communities". She recommended that the Chairman and the Deputy Chairman, together with the Director of Development and the Head of Urban Development (or their nominees), attend at a total cost not exceeding £14,000.

Several Members expressed concern at the cost that would be incurred by attending the conference and suggested that such expenditure must be justified in terms of the benefits that would accrue to the Council and the City.

After further discussion, it was

Moved by Councillor Crozier,  
Seconded by Councillor Kirkpatrick,

That the Chairman and the Deputy Chairman, together with the Director of Development and the Head of Urban Development (or their nominees), be authorised to attend the New Partners for Smart Growth Conference, at a total cost not to exceed £14,000.

On a vote by show of hands two Members voted for the proposal and one against and it was accordingly declared carried.

### **Belfast Metropolitan Area Plan**

(Mr. J. Walsh, Principal Solicitor, attended in connection with this item.)

The Committee was reminded that, in January, 2005, it had submitted a response to the Draft Belfast Metropolitan Area Plan and a further response had been submitted by the Committee to Plan Amendment No. 1 in April, 2006. The Head of Urban Development advised the Committee that the Department of the Environment had resolved to hold under the auspices of the Planning Appeals Commission a public enquiry for the purpose of considering objections to the Draft Plan, including Plan Amendment No. 1, and she outlined the timetable for such an enquiry.

The Committee was advised that, after extensive consultation and discussions with Members and officers, a number of objections relating to policies or zoning issues within the Belfast Metropolitan Area Plan had been identified under the following headings: Housing, Transport, Waste, Open Space, Arterial Routes, Cemetery Provision, Air Quality and Retail/City Centre.

The Head of Urban Development indicated that the Planning Service had categorised the Council's objections to the Draft Plan and to Plan Amendment No. 1 into a list of 158 issues of which 19 indicated support for elements within the Plan. The Council had a number of options as to how it might proceed with the objections to the Plan at the public enquiry stage:

- (i) The Council could indicate that it did not wish to pursue any individual objection as it could be or had been resolved or addressed through a different mechanism;

- (ii) A written submission could be submitted to the Planning Appeals Commission outlining the Council's issues in more detail and identifying possible alternative policies; or
- (iii) The Council could seek to be represented at the Public Enquiry with a detailed written submission accompanying such representation.

A table outlining the proposed action for each of the objections raised had been presented to the Committee for its consideration.

After discussion, during which it was noted that provision for expenditure in respect of legal and professional assistance which would be required had been provided for within the Departmental Budget, the Committee agreed to participate at the Public Enquiry by means of attendance and written representations as outlined in the report, a copy of which was available upon request from the Department.

#### **Local Government International Bureau Seminar**

The Committee granted retrospective approval for the attendance of Councillor M. Browne at the Local Government International Bureau Seminar held in Cookstown on 8th September and authorised the payment of the appropriate travelling, subsistence and attendance allowances in connection therewith.

#### **Estates Management – Interim Use of Maysfield**

The Committee considered the undernoted report in respect of the use of the former Maysfield Leisure Centre as a film studio:

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

**Appropriation of the former Maysfield Leisure Centre and site to Development Committee was approved by Council at its October 2006 meeting. The premises were occupied at that time by Titanic Studio's Ltd (TSL) and Council agreed that this Company should not be granted any further period of occupation beyond the limit of its current agreement expiring.**

**TSL have now vacated the premises leaving a certain level of structural fit-out in terms of dressing/make-up rooms in addition to the physical attributes of the former leisure centre that would be beneficial for future occupation by the film industry.**

**Due to the increasing attractiveness of Belfast as a film location, NIFTC are seeking Council's permission to retain Maysfield as a film studio for the immediate future. Appendix A. contains NIFTC's request to Council to allow Maysfield to be used by film companies.**

**From the proposal, Members will note that NIFTC estimate that the films produced at Maysfield have injected £5.8million into the local economy in the last 3 years due to 5 significant films being produced in Maysfield (Breakfast on Pluto, Closing the Ring, Johnny Was, Wilderness, Kings). NIFTC advise that several major**

productions are in the pipeline which are planning to use Maysfield in the imminent future.

Members should be aware that Council intervention in the creative industries and the Film and Television sector in particular, was identified as a priority action area in the Council's local Economic Development Plan 2002-2006, 'Sustaining Competitive Advantage' and Belfast's 'Capital City' agenda 2003-2006.

In light of Council's ongoing commitment to the local film industry through the support of the Creative Industries initiative, there is scope for the Council to consider NIFTC's request favourably.

#### Key Issues

NIFTC state that the presence of the Maysfield facility has played a critical role in attracting international film production to Belfast.

Two major productions are scheduled to use Maysfield in the coming months.

1. 'Initial' (part of Endemol Grouping) is behind a new children's series based around Rod Hull's 'Emu' and wants to use Maysfield as a film studio in January 2007.

If Maysfield is not available the series will not be produced in Belfast.

NIFTC are hopeful that Endemol may set up a permanent base in Belfast should they continue to film in Belfast.

2. Playtone (Tom Hanks' production company), is behind a new film entitled City of Ember and is potentially seeking to use Maysfield for support offices and set-build space in addition to filming at Painthall in Titanic Quarter in the New Year.

NIFTC are asking Council to consider allowing Maysfield to be used by film companies at nil or peppercorn rent to demonstrate Council's active interest in promoting Belfast as a centre for international film production.

Members should note that the annual running costs for Maysfield are approximate £35,000 even when vacant to account for ongoing security, insurance and building maintenance.

During 2005/2006 when the centre was occupied as a film studio by TSL additional premises' costs including gas, phone, electricity and some repairs were incurred by Belfast City Council giving the total actual running costs when occupied at £137,000.

The additional costs incurred by Belfast City Council by reason of Maysfield's occupation were therefore £102,000.

If Members wish to support further temporary use of Maysfield then the following options are open to Members.

1. To make Maysfield available to NIFTC on a temporary licence/hire arrangement on a full cost recovery basis whereby NIFTC pay all premises costs incurred by Belfast City Council regardless of the basic costs which Belfast City Council would incur on a vacant building. Total running costs for 2005/2006 were approximately £137,000.
2. To make Maysfield available to NIFTC on a temporary licence/hire arrangement under which NIFTC pay only those additional premises' costs resulting from its occupation. This was estimated to be £102,000 in 2005/2006.
3. To make Maysfield available to NIFTC at nil cost as above but with Belfast City Council incurring all additional premises' cost incurred by reason of its occupation. This was estimated to be £102,000 in 2005/2006.
4. To make Maysfield available to NIFTC as above but with Belfast City Council and NIFTC sharing on a 50/50 basis all additional premises costs incurred by reason of its occupation.

Under options 1, 2 and 4 costs will be collected as an advanced service charge and reconciled at the end of the hire period when the actual costs are known. The actual costs will depend on exactly how much the premises are used over the period and the extent of services required.

#### Resource Implications

##### Financial

The premises continue to incur running costs in terms of security, insurance, building/service maintenance commensurate with a vacant building.

##### Asset and Other Implications

The Maysfield Leisure Centre and site is a development opportunity awaiting demolition. The site is also associated with current bids for a Belfast Stadium.



### **Recommendations**

The Committee is requested to consider the matter and if minded to allow further temporary use of Maysfield to consider which of the options it supports.

### **Key to Abbreviations**

TSL – Titanic Studios Ltd

NIFTC – Northern Ireland Film and Television Commission”

After discussion, the Committee adopted Option 1 as set out in the report.

### **Estates Management – Balmoral Industrial Estate, vesting of lands at M1 Motorway**

The Committee was advised that the Department for Regional Development had acquired, by way of two Vesting Orders dated 2nd August, 2004 and 15th November, 2004, 1.63 acres of Council land at the Balmoral Industrial Estate in connection with the upgrading of the M1 Motorway. The area had been described as waste bog land with little or no amenity or other use and with access only from the motorway hard shoulder. The Department for Regional Development had disputed initially that it had any interest in much of the land, however, after further negotiations, research and argument by the Council, it was accepted that there may be a case for compensation to be paid.

The Committee was advised that the Estates Management Unit were of the view that the land could potentially be developed in conjunction with the adjoining Balmoral Estate and, following prolonged negotiations with the Valuation and Lands Agency, a figure of £1,499,000 had been provisionally agreed as compensation for the acquisition of Belfast City Council’s fee simple interest in the area. In addition, it had been agreed that interest would be paid by the Department for Regional Development, Roads Service on the agreed amount from the operative date of vesting to the date of payment and all reasonable Estates’ costs in settling the matter would be paid also.

After discussion, the Committee approved the compensation figure of £1,499,000 plus costs, as negotiated with the Valuation and Lands Agency for the land acquired by the Department for Regional Development, Roads Service at Balmoral Industrial Estate.

### **BERI – Additional Interreg IIIC Funding and Conference**

The Head of Urban Development reminded the Committee that the Brownfield European Regeneration Initiative, Interreg Project, which had been in existence since April, 2004, had been established to promote holistic brownfield development as an integral component of sustainable development and to bring a number of benefits to the City, including linkages with other European cities, raising the City’s profile in Europe and permitting access to expertise in Brownfield development.

She reminded the Committee that participation in the Initiative had necessitated the appointment of a Project Manager and a part-time Administrative Assistant on a fixed-term basis until December, 2006, the cost of which had been met through funding by the Interreg III Strand C Programme. She pointed out that the success of the

network in identifying common issues and challenges had been recognised by the Interreg IIC Secretariat which had approved an application for the extension of the current work programme. The extension phase had an approved budget of €390,000 (approximately £264,350) to cover the costs of planned activities and the administration elements of the initiative, including project management. Accordingly, she recommended the extension of the contract period applicable to the posts of Project Manager and Administrative Assistant for the duration of the additional phase of the project up to April, 2008.

The Committee adopted the recommendation.

### **Belfast International Airport**

The Committee agreed to receive at a future meeting a presentation from representatives of the Belfast International Airport in connection with the airport's Masterplan relating to an investment programme in new facilities and addition of air routes.

### **Estates Management – Advertising Hoarding**

The Director reminded the Committee that the Council let currently a site at the corner of Boucher Road/Balmoral Road by way of a licensing agreement with JC Decaux Limited, at a rental of £10,000 per annum. The site of approximately 220 square metres had a permanent illuminated advertising hoarding. She indicated that the licensing agreement was subject to renewal and, following discussions with the Company, it was now proposed that the Council should enter into a further licensing agreement, for a five year period, at a rent of £20,000 per annum.

After discussion, the Committee approved the granting of the licensing agreement to JC Decaux in respect of the advertising site at a revised rent of £20,000 per annum for the next five years.

### **Tender for the Provision of Cash Collection, Lodgement and Delivery Services**

The Director informed the Committee that it had been noted that four different companies provided cash collection, lodgement and delivery services for the Council. Accordingly, as part of the Council's drive for efficiency, it was considered appropriate that a corporate tender for a secure cash collection, lodgement and delivery service from one company for various Council locations be prepared.

She reported that, in response to public advertisement, one tender had been received from Brinks Limited, 30 Duncrue Road, Belfast. The tender submitted had satisfied all pre-agreed criteria and, accordingly, the Director recommended acceptance of the tender in the sum of £45,000 per year, subject to form of contract being drawn up by the Director of Legal Services.

The Committee adopted the recommendation.