

# People and Communities Committee

Tuesday, 8th November, 2022

## HYBRID MEETING OF THE PEOPLE AND COMMUNITIES COMMITTEE

Members present: Councillor McMullan (Chairperson);  
Alderman McCoubrey;  
Councillors Bunting, Bower, Canavan,  
Cobain, Michael Collins, Corr, Donnelly, de Faoite,  
Flynn, Garrett, Magee, Maghie, Murray, McAteer,  
Newton and O'Hara.

In attendance: Mr. D. Sales, Director of Neighbourhood Services;  
Mrs. S. Toland, Director of City Services;  
Mrs. C. Matthews, Director of Resources and Fleet; and  
Mrs. S. Steele, Democratic Services Officer.

### Apologies

An apology was reported on behalf of Councillor Verner.

### Minutes

The minutes of the meeting of 11th October were taken as read and signed as correct. It was reported that the minutes had been adopted by the Council at its meeting on 1st November.

### Declarations of Interest

Following a query, the Members were advised that the report in respect of item 3 (a), Community Provision Grants Update was an update report on previous allocations and that no decisions were required.

No Declarations were reported.

### Schedule of Meetings 2023

The Committee approved the schedule of meetings for the People and Communities Committee as outlined below and agreed that all meetings would commence at 5.15 pm:

- Tuesday 10th January at 5.15 pm
- Tuesday 7th February at 5.15 pm
- Tuesday 7th March at 5.15 pm
- Wednesday 22nd March at 5.15 pm – Special - Housing Update
- Tuesday 4th April at 5.15 pm

- (No Meeting in May – Local Government Elections)
- Tuesday 6th June at 5.15 pm
- Monday 26th June at 5.15 pm - Special - Youth Council
- Tuesday 8th August at 5.15 pm
- Wednesday 30th August at 5.15 pm – Special - Housing HIP Update
- Tuesday 12th September at 5.15 pm
- Wednesday 27th September at 5.15 pm – Special - Youth Council
- Tuesday 10th October at 5.15 pm
- Thursday 2nd November at 5.15 pm – Special – Housing Update
- Tuesday 7th November at 5.15 pm
- Tuesday 5th December at 5.15 pm
- Monday 18th December at 5.15 pm – Special - Youth Council

### **Restricted Items**

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

Resolved – That the Committee agrees to exclude the Members of the Press and public from the Committee meeting during discussion on the following 2 items as, due to their nature, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (Northern Ireland) 2014.

### **Requests for the use of Belfast Parks 2023**

The Committee considered requests seeking permission for the use of various parks and facilities during 2023, as follows:

- Belfast Vital / Emerge - Additional Dates – Boucher Road Playing Fields;
- Panoramic Wheel – Botanic Gardens; and
- Fundamania – Boucher Road Playing Fields.

The Members discussed the requests and stated that, whilst they acknowledged the value of such events to the city, they were keen to ensure that disruption for local residents was mitigated for where possible.

Following a query, the Director of Neighbourhood Services confirmed that, as agreed at the August meeting, officers were currently liaising with the various stakeholders and Elected Members to arrange a 'mop up' meeting to consider the issues that had been raised immediately following this year's events.

Several Members welcomed the meeting as they felt that there was learning that could be taken from this year's events, specifically regarding noise and security. They stated that they were keen to progress a more collaborative approach with the event organisers and statutory partners to ensure the successful delivery of such events.

Some discussion ensued regarding areas that could be further improved, this included enhanced disability access and the provision of changing places facilities.

The Committee granted authority for the aforementioned requests and delegated authority to the Director of Neighbourhood Services to:

- negotiate a fee where appropriate which recognised the costs to Council and endeavoured to minimise any negative impact on the immediate area and take account of the potential wider benefit to the city economy, in conjunction with the Council's Commercial Manager; and
- negotiate satisfactory terms and conditions of use via an appropriate legal agreement to be prepared by the City Solicitor, including managing final booking confirmation dates and flexibility around 'set up' and take down' periods, and booking amendments, subject to:
  - The organisers resolving any operational issues to the Council's satisfaction;
  - Compliance with Coronavirus restrictions in place at the time of the event;
  - the organisers meeting all the statutory requirements of the Planning and Building Control Service, including the terms and conditions of the Park's Entertainment Licence.

The Committee also granted multiple year approval for Fundamania at the Boucher Road Playing Fields and the Panoramic Wheel at Botanic for a three-year period (2023 – 2025), with the provision that all events with a multiple year approval would be subject to an annual review. The Director of Neighbourhood Services was granted authority, under the scheme of delegation, to remove the permission for subsequent years, if necessary, based on findings from annual reviews and upon officer recommendation.

The Committee noted that the above recommendations were taken as a pre-policy position, in advance of the Council agreeing a more structured framework and policy for 'Events', which was currently being taken forward in conjunction with the Council's Commercial Team.

### **Diesel-HVO Vehicle Emissions Trial Report**

The Director of Resources and Fleet drew the Members' attention to a report detailing the findings of the use of Hydrotreated Vegetable Oil (HVO) as a replacement for fossil diesel in terms of greenhouse gas and air quality emissions.

A Member referred to the use of palm oil in the production of HVO, stating that he had grave concerns regarding its use as it was not the sustainable alternative that it was purported to be.

The Members noted that in the twelve-month period September 2021 – August 2022, the Council Fleet had consumed approximately 1,062,693 litres of diesel of which 936,710 litres had been supplied from the bulk storage at Duncrue Complex. This represented approximately 88% of diesel usage and would be the figure affected by the transition to HVO.

The Director also referred to the AECOM fleet strategy report that had been commissioned in 2021. As a key interim measure, prior to introducing electric powered

vehicles, AECOM had recommended that the fleet should be powered by a non-fossil fuel, namely HVO, a low carbon fuel with less pollutants in terms of air quality.

The Director advised that, following the recommendation, Resources and Fleet had run a trial on HVO during the summer of 2022 using a small cross section of fleet vehicles and she referred to the results, which included detail in respect of vehicle performance.

The Director outlined that the proposed transition from diesel to HVO would incur more cost, given the increased fuel costs due to worldwide events, HVO had now been quoted at £1.75 per litre. Extrapolating this cost variance of 30 pence per litre (for diesel) across the current 936,710 litres of bunker fuel would indicate an approximate annual uplift of £281k. She advised that these revised figures would be absorbed under Resources and Fleet Uncontrollable Costs for the financial year 2023/24.

The Committee noted the intention to transition all bunker fuelled vehicles to Hydrotreated Vegetable Oil (HVO) as soon as it could be procured.

### **Committee/Strategic Issues**

#### **Community Provision Grants Update**

(Mrs. M. Higgins, Lead Officer – Community Provision, attended in connection with this item.)

The Committee considered the following report:

#### **“1.0 Purpose of Report or Summary of main Issues**

##### **1.1 The purpose of this paper is to:**

- **Provide information requested by members at P&C committee meeting in October 22.**

#### **2.0 Recommendations**

##### **2.1 The Committee is asked to:**

- **Note the contents of the report.**

#### **3.0 Main report**

##### **3.1 Background**

**At October committee members requested that officers present the following information:**

- 1. Analysis of how capacity and revenue grants had been allocated on a geographic basis previously.**

2. Identification of capacity issues including potential solutions to this in terms of enhancing/increasing capacity to apply for, and be successful in availing of, these grants.
3. Further breakdown in relation to community of interest/targeting of section 75 groups.

### 3.2 Geographic analysis of awards

Council made the decision to make some level of award to all applications that were received through the last open call for Capacity and Revenue funding in 20/21. Awards were made across 4 bands with the allocation being linked to the score achieved, further detail on the allocations is provided below. The quality threshold was 50%. Members agreed to include a 4th funding band for groups falling below the quality threshold.

Capacity Building				
Funding Band	Scores	Maximum Award	Number of Applicants	Potential Allocation
1	70% and above	Up to £42,000	13	£548,600
2	60-69%	Up to £28,150	10	£281,500
3	50-59%	Up to £23,500	10	£235,000
4	49% and Below	Up to £9,700	1	£9,700
Revenue				
Funding Band	Scores	Maximum Award	Number of Applicants	Potential Allocation
1	70% and above	Up to £18,000	30	£558,000
2	60-69%	Up to £13,000	26	£338,000
3	50-59%	Up to £9,000	20	£180,000
4	49% and Below	Up to £3,000	8	£24,000

A breakdown of awards by geographic area and community of interest and the band that they were awarded funding is provided below. The highlighted row indicates the % allocation that each area would receive if the current population/deprivation figures were used.

3.3

**Capacity Building Grant**

	North	South	East	West	Total
% Allocation using Area model	25%	17%	24%	34%	100%
% of Successful Capacity Building Applications by Area	29.41%	26.47%	14.71%	29.41%	100%
Number of Organisations	10	9	5	10	34
Level of Award by Funding Band	B1-3	B1-3	B1-3	B1-4	B1-13
	B2-4	B2-2	B2-2	B2-2	B2-10
	B3-2	B3-4	B3-0	B3-4	B3-10
	B4-1	B4-0	B4-0	B4-0	B4-1
<b>Allocation</b>	<b>£288,138.00</b>	<b>£276,900.00</b>	<b>£168,850.00</b>	<b>£287,448.12</b>	<b>£1,021,336.12</b>

3.4

**Revenue Grants for Community Buildings**

	North	South	East	West	Total
% Allocation using Area Model	25%	17%	24%	34%	100%
% of Successful Revenue Applications by Area	33.33%	14.29%	11.90%	40.48%	100%
Number of Organisations	28	12	10	34	84
Level of Award by Funding Band	B1 -10	B1-2	B1-4	B1-14	B1-30
	B2-7	B2-5	B2-4	B2-10	B2-26
	B3-11	B3-1	B3-1	B3-7	B3-20
	B4-0	B4-4	B4-1	B4-3	B4-8
<b>Allocation</b>	<b>£322,973.79</b>	<b>£122,000.00</b>	<b>£127,733.00</b>	<b>£412,698.84</b>	<b>£985,405.63</b>

3.5 **Identification and Response to Capacity issues**

Council officers previously carried out an analysis of capacity issues with a range of community organisations in Summer/Autumn 2019. At that point the priority areas, as identified by the sector, were:

- Ensuring compliance with GDPR
- Financial planning
- Ensuring appropriate policies/procedures are in place

Council officers currently respond to these, and other identified needs, by providing mentoring support and training to groups and the team has also developed 3 toolkits; *Running a Community Organisation*, *Facilities Management*, and *Collaborative Working*, to support organisations. Officers will also support groups to access external funding opportunities.

Furthermore, the recent introduction of the micro/medium grant approach allowed 115 new organisations to access funding and develop experience in delivering small scale programmes in 20/21, 21/22 and 22/23.

Officers provide support for groups who wish to make applications for a range of Council funding and grants opportunities. In advance of the recent round of capacity and revenue funding officers provided 1-2-1 guidance to applicants, and also held 5 Information sessions with a total of 94 representatives from a wide range of organisations attending these sessions.

The sector has been significantly impacted by Covid 19 and the cost-of-living crisis which has seen many organisations review their areas of priority. Increasing costs have also created challenges with some organisations having to reduce their hours of operation. Community Development Officers and other staff are in regular contact with organisations at a local level and are aware of the challenges that they are experiencing.

Once decisions have been made in relation to the 23/26 Capacity and Revenue funding awards, officers will make contact with those organisations who were unsuccessful in receiving funding and offer support for them to plan services and access support through other means.

As per the City & Neighbourhood Department's 3-Year Business Plan, as well as in support of the draft actions identified under the 'Community and Neighbourhood Regeneration' theme of the Belfast Agenda Refresh 22-26 (e.g. 'Develop models for capacity building across all sectors and mainstream learning across the city'), officers will continue to review, revise and refresh our approaches to building capacity, and provision of community development support, working alongside stakeholders to ensure we are incorporating good/ best practice and responding to current and emerging needs.

### 3.6 Communities of interest/targeting of Section 75 groups

Capacity and Revenue Grants are administered through the Central Grants Unit within Council. Grants are widely advertised, and information is shared with officers from across council who can raise awareness of funding opportunities with groups and partners that they work with. The availability of these grants is promoted through a campaign which includes the placing of advertisements in local and regional newspapers as well as promotion across Belfast City Council's website, social media and officer networks. Applications to the Capacity & Revenue Grants, as with all grants through the Central Grants Unit, are open and equitable to all eligible organisations.

In addition, as outlined in 3.6, information sessions are held to provide further detail on the criteria and application process.

Council does not collect information specific to applications from S75 groups or community of interest groups. However, officers have carried out an analysis of the applications supported in the 2020/21 round of Capacity and Revenue funding which shows that 12% of Capacity Building and 16% of Revenue awards were made to organisations working with identified/or easily identifiable communities of interest. Capacity grant awardees included 2 BME, 1 LGBTQ+ and 1 Women's Group, and Revenue grant awardees included 8 Women's Centres, 3 BME and 2 Special Needs.

Prior to the advertising of the 23/26 Revenue and Capacity Grants Programme, officers sought approval from committee to ensure that the definition of 'community' within the guidance and criteria for the programme was extended to include communities of interest and as a result the guidance stated that the grants scheme was open to *'community development organisations that support, advocate and take action in relation to the interests of their members and communities, where communities will be defined as geographic communities and/or communities of interest.'*

### 3.7 Current applications

An initial analysis of the number of applications received for the 23/26 programme is outlined in the table below and shows the number of applications received by area compared with the area allocation model which is used for some council funding and is based on figures for population size and levels of deprivation within DEAs. Please note that these are initial figures that may differ once applications have been considered and scored (i.e. when the assessment



stages is complete). It is worth noting that some organisations who previously applied have not on this occasion and that there is also a total of 27 new applicants to the 23/26 grant programmes, (18 – Revenue, 9 Capacity).

Area	Capacity	Revenue	Total	Allocation per area based on population size and deprivation	Capacity and Revenue Total %
North	12	26	38	25%	28.8%
South	10	14	24	17%	18.2%
East	6	11	17	24%	12.9%
West	15	38	53	34%	40.2%
Total	43	89	132	100%	100%

Officers will bring an update on the outcome of 23/26 application assessments to committee with options for an allocation approach in December 2022.

### 3.8 Financial Implications

All activity outlined in this report can be delivered within existing budgets.

### 3.9 Equality or Good Relations Implications and Rural Needs Assessment

No issues have been identified at present. Any implications will be considered throughout and highlighted to Members.”

Several Members referred to the differing levels of allocation across the District Electoral Areas (DEAs) with discussion around South Belfast, specifically the low number of applications from the Balmoral area.

Discussion ensued regarding the ongoing issues that some organisations and groups had with capacity and how they could be assisted to optimize their ability to access the funding streams available.

During discussion the Members noted that there were often significant variances in the capacity from one group to another, with many simply not having the expertise to fill in the application forms as they were such small groups/organisations.

A Member encouraged the other Elected Members to liaise with these groups to ensure that they were aware of any funding opportunities and to also signpost them to where assistance might be available.

A further Member referred to the fact that monitoring statistics were not available for either geographic groups or Section 75 Groups.

Another Member also asked officers to investigate any assistance that might be available to people from the deaf community to help them with the application process.

The Lead Officer – Community Provision, advised that applications to these funding programmes were made via the online grants platform. Although the system sought information on the geographic and Section 75 background of participants this information was not regularly provided by applicants. She undertook to engage with the Central Grants Unit to explore ways in which this information could be sought on a mandatory basis. However, she advised that this could not be completed retrospectively and that it would take some time to amend the online system.

The Committee noted the update and agreed that officers would include an analysis of allocations on a DEA level in the December report and that they would engage with the Central Grants Unit to explore ways to gather and report on information on applicants from geographic and Section 75 backgrounds for future rounds of funding.

**Tree Strategy (including a short Presentation on the Strategy)**

(Mr. A. McHaffie, Senior Woodland and Recreation Officer, and Ms. M. McAleer, Performance and Improvement Officer, attended in connection with this item.)

The Chairperson welcomed to the meeting Mr. K. Rogers from Treeconomics, who joined remotely via Teams.

Mr. Rogers commenced by providing a brief overview of the key aspects of the work to date on the Belfast Tree Strategy 2022 – 2032, this included detail regarding the consultative process with the various stakeholders, including the public.

He referred to the future vision for woodlands, hedges, and tree provision in the city, detailing that the strategy proposed to incorporate the aims of the Council and key city partners and to also be reflective of existing programmes, such as, Belfast One Million Trees, the Belfast Local Development Plan, the Belfast Agenda and to ensure that the final strategy would ultimately link with Belfast's climate and well-being ambitions.

He drew the Members' attention to the vision of the Belfast Tree Strategy and discussed how this vision could be achieved, noting that the strategy would have a 10-year life span from its launch date and would set out a commitment to delivering key priorities and actions through a fully resources action plan which would be reviewed at approximately three yearly intervals.

The representative concluded by providing an overview of the targets, priorities and actions that had been identified, along with specific detail regarding how it was proposed that these could be delivered through the strategy.

The Committee then considered the undernoted report:

**“1.0 Purpose of Report or Summary of main Issues**

- 1.1 The purpose of this summary report is to update Members on the outcome of the Belfast Tree Strategy Survey and final steps in the development of the Council's draft Tree strategy.**

**2.0 Recommendation**

**2.1 The Committee is asked to consider the report and:**

1. Note the results of the tree strategy survey and summary of respondent comments.
2. Note the draft strategy and the final phase of consultation and engagement on it.

**3.0 Main report**

**Key Issues**

- 3.1 Following a procurement exercise, Council appointed Treeconomics to work with to produce a Tree Strategy for Belfast. Company details can be viewed via this link [About - Treeconomics](#) Treeconomics works internationally with community groups, research organisations, public bodies, municipalities, and private business to complete projects which highlight the value of trees. They have a wealth of experience in this area of work having worked on similar projects with Birmingham City Council producing The Urban Forest Master Plan [Birmingham's Urban Forest Master Plan - Treeconomics](#) ,The London Borough of Ealing and a tree study for the Royal Parks in Hyde Park , London.
- 3.2 The draft strategy focuses on the maintenance and development of the natural environment. Produced in accordance with national guidance, it is designed to provide robust and objective justification for future tree provision across Belfast.
- 3.3 In order to produce the draft strategy, we have engaged with key stakeholders through a series of workshops. Details of the stakeholders are acknowledged in the draft strategy and listed in the appendix of the report, available on mod.gov.
- 3.4 As an initial step and on the advice of key stakeholders, we invited the public to fill in a survey so we could capture people's views as to what they wanted to see in our tree strategy. This survey (available on mod.gov) ran via Your Say Belfast from 27 July to 27 August 2022 and received 615 responses which will help inform the strategy and future policy.
- 3.5 The strategy will have a 10-year lifespan from its launch date and will set out a commitment to delivering key priorities and actions in a fully resourced action plan which will be reviewed at approximately three yearly intervals starting from February 2023. The strategy will incorporate the aims of council and key city partners and will reflect existing programmes such as Belfast One Million Trees, the Belfast

Local Development Plan, the Belfast Agenda and clearly links tree planting and management with Belfast's climate ambitions and the benefits that trees provide to health and wellbeing.

**3.6 The proposed Belfast Tree Strategy lays out a clear vision:**

'That Belfast is a city which focuses on protecting, enhancing and expanding its woodlands, hedges, and trees, connecting people to nature, and ensuring that these continue to be a major asset to everyone who lives, works, and visits our city.'

**3.7 C&NS had hoped to issue the draft strategy in September 2022, but the volume of responses received was higher than anticipated and the project team needed more time to consider the views of the public and incorporate them into the final draft strategy which is attached at Appendix 2 and available on mod.gov. Consultation on the draft strategy will include its publication in December 2022 on Your Say Belfast and all stakeholders will have 12 weeks to comment on the document. This will be supported by several tree management webinars and education events aimed at community groups during that period which will be publicised in the local media.**

**3.8 The Council received 615 responses to the initial public survey which ran in July and August of this year. A summary of the responses to the survey questions can be found in Appendix 4, available on mod.gov. A synopsis of the headline results included the following:**

- Council received 615 responses from in total with the District Electoral Area (DEA) with the three highest number of respondents as follows.
- Botanic (Blackstaff, Central , Ormeau Stranmillis, and Windsor) with 160 respondents.
- Lisnasharragh (Cregagh, Hillfoot, Merok, Orangefield, Ravenhill and Rosetta) with 120 respondents
- Balmoral (Belvoir, Finaghy, Malone, Musgrave and Upper Malone) with 116 respondents.
- 95% of all responses came from the members of the public and every DEA returned a response.
- 93.5% of all respondents felt there are too few trees in Belfast
- 81.1% of respondents could see a tree from their property
- 92.7% of all respondents felt that Belfast would benefit from having a dedicated tree strategy in place.
- Approx.33% of all respondents disagreed/somewhat disagreed that street trees seemed well cared for in Belfast

- **Approx. 88% of all respondents felt that trees are worth the financial cost of maintaining them.**
- **Approx. 78% of all respondents agreed that planting new trees on private property in Belfast is important.**

**3.9 In addition, to answering questions there was an opportunity to provide commentary and many respondents took time to do this providing feedback and insight about trees and what they mean to both Belfast’s residents and visitors alike. A synopsis of the comments received included the following:**

- **Protecting Belfast’s Tree’s, woodlands, and hedges for future generations**
- **Producing a comprehensive tree strategy for the city and moving forward with its delivery**
- **Environmental education, community, and volunteer opportunities to get involved with the delivery of the strategy**
- **Concerns regarding tree felling, tree management, health and safety, woodland, and hedgerow maintenance**
- **Tree provision and planting to ensure equality of distribution across the City**
- **Planning advice and concerns regarding trees**
- **Biodiversity and concerns for native species**
- **Environmental and climate change concerns**

**3.10 Treeconomics will be present at committee and will deliver a short presentation to members that will provide the committee with a summary of the key aspects of the work to date and future actions needed to deliver the strategy. The presentation will cover**

- **the history and current state of the Urban Forest**
- **the future vision for Woodlands, Hedges and trees provision in the city**
- **the action plan in particular the Targets, Priorities and Actions identified to deliver the strategy**

**3.11 The Belfast tree strategy 2023 -2033 and the associated action delivery plan will be taken forward by relevant staff from City and Neighbourhood Services and Council partners as identified in the action plan that will accompany the strategy. It is proposed that this action plan will be independently evaluated in February 2024 following year one and at three yearly intervals thereafter. The reports produced will be presented to elected members of this committee for review and comments post evaluation and review by CNS DMT. Council will also comply with any associated monitoring requirements as set out by external funders of the strategy and agreed by council.**

**Financial and Resource Implications**

- 3.12 The project total to date is £30k. The Council has contributed £20k and provision from this was made from existing revenue estimates. The remaining £10k was kindly provided by the Woodland Trust.
- 3.13 Resourcing of staff and equipment required to deliver the strategy and associated activity for Years 1 to 3 will be included in the Action plan which will be reported to members in February/March of 2023

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

- 3.14 An equality screening exercise and rural needs assessment will be carried out and approved by the Council's Equality and Diversity Officer for issue with the draft strategy."

During discussion, the Members highlighted the following points:

- the use of plastic protection covering on whips and whether this could be replaced by a biodegradable alternative;
- the better use of educational campaigns to promote the benefits of trees in the city, including the trees in the city challenge;
- the lack off and need for more green spaces in the city;
- the need for utility companies to try and find better alternatives when accessing sites, to avoid cutting down established trees;
- the use of tree planting in helping to alleviate flooding issues;
- the use of small ornamental trees in built up areas, for example, alleyways;
- the need for a proper and established maintenance programme for trees in the city; and
- the possibility of tree giveaways to try and encourage people to plant trees on their own properties.

A Member raised the issue of Tree Protection Orders and whether these could be extended across the City but was advised that this was within the remit of the planning Committee.

During discussion in regard to Street Trees, the Senior Woodland and Recreation Officer advised that he was currently liaising with representatives from the Department for Infrastructure who were also keen to plant more trees in the city. He advised that both the Council and DfI were keen to plant more trees, but that cognizance needed to be given to the location of utilities.

At this stage in proceedings the Chairperson thanked Mr. Rodgers for his input, following which he left the meeting.

The Committee:

- agreed to recommend to the Planning Committee that it give consideration to extending Tree Protection Orders (TPOs) across the city;
- noted the results of the tree strategy survey and summary of respondent comments; and
- noted the draft strategy and the final phase of consultation and engagement.

### **Building Regulation fees for applications including insulation**

(Ms. K. Bentley, Director of Planning and Building Control, and Mr. I. Harper, Building Control Manager, attended in connection with this item.)

The Director of Planning and Place took the Committee through a report which considered the potential to waive Building Regulation inspection fees for applications which included the provision of insulation.

The Committee agreed to defer consideration of the report to the Strategic Policy and Resources Committee to enable it to be considered as part of the overall rate setting process.

### **Liaison Agreement for the Investigation of Work-Related Deaths**

The Director of City Services drew the Members' attention to the updated Liaison Agreement between Northern Ireland District Councils, the Health and Safety Executive for NI (HSENI), the Police Service of Northern Ireland (PSNI) and the Police Ombudsman for Northern Ireland (PONI) available [here](#). She explained that this document enabled the various statutory agencies to work together effectively during investigations of work-related deaths.

The Members noted that the original document had been signed in 2007 and this revised protocol ensured that the agreement was up to date with current legislation and practice.

The Committee agreed that the Council sign up to the revised Liaison Agreement for the Investigation of Work-Related Deaths.

### **Update on Air Quality Detailed Assessment for Nitrogen dioxide (NO2) and Fine Particulate Matter (PM2.5)**

The Committee considered the following report:

#### **“1.0 Purpose of Report or Summary of Main Issues**

- 1.1 **The Committee will be aware that the council has appointed Aecom Consultants via a competitive tender process to undertake a detailed ambient air quality assessment for the**

Belfast City Council area for nitrogen dioxide (NO<sub>2</sub>) and fine particulate matter (PM<sub>2.5</sub>). The council has declared four Air Quality Management Areas (AQMAs) across the city for a combination of exceedances of annual and 1-hour mean nitrogen dioxide (NO<sub>2</sub>) air quality objectives. These exceedances are related principally to road transport emissions and so the AQMAs encompass arterial road routes. No AQMAs are currently declared for particulate matter (PM<sub>10</sub>). Fine particulate matter (PM<sub>2.5</sub>) is not currently in regulation for the purposes of the council's statutory local air quality management functions but it is nevertheless being addressed as a component of the detailed assessment process.

1.2 Information concerning progress with the detailed assessment was last formally provided to Committee at its meeting of 9th November 2021 as a component of a wider Air Quality Monitoring Report (Agenda item 9).

1.3 At the meeting of the People and Communities Committee of 11th October 2022, the Committee requested that a report be brought to the November or December 2022 meeting concerning progress with the detailed assessment. This report serves to address that request.

## 2.0 Recommendations

2.1 The Committee is requested to:

- Note the contents of this report.
- Consider whether the formal presentation by Aecom for the detailed assessment project can be considered as an agenda item at either the February or March 2023 scheduled meeting of the People and Communities Committee, or whether the Committee would wish to receive the presentation at a special meeting of the Committee.

## 3.0 Main report

### Key Issues

3.1 The Committee will be aware that the detailed assessment for nitrogen dioxide (NO<sub>2</sub>) and fine particulate matter (PM<sub>2.5</sub>) is comprised of a number of key components; namely, additional ambient monitoring for nitrogen dioxide (NO<sub>2</sub>) and fine particulate matter (PM<sub>2.5</sub>); automatic number plate recognition (ANPR) surveys to more accurately characterise the local road fleet and road transport emissions; development of an emission inventory for nitrogen dioxide (NO<sub>2</sub>) and fine particulate matter (PM<sub>2.5</sub>) for the Belfast City Council area and; detailed atmospheric dispersion modelling



studies to identify the location and geographic extent of any exceedances of UK, European or World Health Organisation (WHO) air quality objectives, standards or guideline values. The Committee is advised that the WHO global air quality guideline values have been updated since the detailed assessment project was commenced.

- 3.2 In addition to the council's extensive air quality monitoring network, Aecom had recommended the installation of an additional six Zephyr small scale air quality monitors for NO<sub>2</sub> and PM<sub>2,5</sub>, located so as to characterise principal sources of these pollutants across the city in greater detail. The monitors have therefore been located on the A55 Upper Knockbreda Road adjacent to St. Bernard's Primary School in order to characterise road transport related ambient concentrations at this location; at Clara Street in order to characterise local domestic related concentrations; at the boundary of George Best Belfast City Airport; adjacent to the A12 Westlink to characterise road transport concentrations; at Mount Eagles Glen in order to characterise domestic, transport and other sources of NO<sub>2</sub> and PM<sub>2,5</sub> at this location, and at Lombard Street in the city centre in order to characterise the concentrations of NO<sub>2</sub> and PM<sub>2,5</sub> to which those visiting, living and working in the city centre are being exposed.
- 3.3 It should be noted that the Belfast Harbour have separately installed additional Zephyr small scale air quality monitors across the harbour area in order to characterise ambient air quality at that location. It is understood that data from the Belfast Harbour monitoring network will be made available to Aecom as an addition to the detailed assessment monitoring data. Members will be aware that Belfast Harbour Commissioners are a key partner and contributor to development and implementation of the Belfast City Air Quality Action Plan 2021-2026.
- 3.4 Ambient monitoring was undertaken by Aecom during 2021, into early 2022, with ownership of the monitors and responsibility for their operation now transferred to the council. The Zephyr small scale air quality monitors have been retained in their locations and continue to be operated pending the outcome of the detailed assessment, whereupon they may be relocated to focus on any new areas of exceedance identified through the detailed assessment.
- 3.5 A monitoring report is presently being finalised by Aecom and it is proposed that a 'standalone' monitoring report will be added to the Member's Library once completed. The monitoring data will additionally be used to validate, verify and adjust the subsequent dispersion modelling studies for nitrogen dioxide (NO<sub>2</sub>) and fine particulate matter

(PM<sub>2.5</sub>); and it will form a component of the final project report and presentation to Committee.

- 3.6 Whilst the monitoring report and data interpretation are not yet finalised, Aecom have indicated that there were no exceedances of the statutory Air Quality Strategy objectives at the Zephyr monitoring locations, with the exception of scaled data for the A12 Westlink site, which exhibited monitored NO<sub>2</sub> concentrations in excess of the 40 µgm<sup>-3</sup> annual mean objective during 2019 and 2021. Aecom have added that it is important to note that this site is located immediately adjacent to the A12 Westlink and so when the data is adjusted for distance, it is likely that the site would not exceed the annual mean objective at a location of relevant human health exposure. This comment is in keeping with Belfast City Council's nitrogen dioxide monitoring data and conclusions detailed within, '*Section 2.2 Comparison of Monitoring Results with Air Quality Objectives*' of the council's 2022 Air Quality Progress Report. For PM<sub>10</sub>, annual mean concentrations were below the 40 µgm<sup>-3</sup> annual mean objective during 2019 and 2021 for ratified and scaled data. Whilst Aecom have considered the monitoring data against the WHO Air Quality Guidelines detailed in the 2005 Global Update, council officers have asked Aecom to reconsider the data against the 2021 revised WHO values in the final monitoring report. However, preliminary ratified and scaled annual mean concentrations for PM<sub>2.5</sub> across the Zephyr monitoring sites ranged from approximately 7.1 – 13 µgm<sup>-3</sup> in 2019 and from approximately 7 – 12.1 µgm<sup>-3</sup> in 2021. These concentrations are above the 2021 WHO recommended annual air quality guideline level of 5 µgm<sup>-3</sup> for PM<sub>2.5</sub>.
- 3.7 Aecom are currently completing an emissions inventory for the Belfast City Council area in conjunction with the council's Air Quality Officers and undertaking preliminary dispersion modelling and associated model validation, verification and adjustment works. The emissions inventory comprises data derived from the National Atmospheric Emissions Inventory, road transport and road geometry data obtained from the Department for Infrastructure (DfI) Roads, industrial emissions data from the Public Register for Pollution, Prevention and Control Permitted Processes, and relevant activity data for the Port of Belfast and George Best Belfast City Airport, etc.
- 3.8 The Committee will be aware that the detailed assessment project is scheduled to conclude at the end of March 2023. As part of the project reporting requirements, Aecom is to provide a formal presentation to the People and Communities Committee in February or March 2023. The Committee is invited therefore to consider whether the

project presentation by Aecom can be considered as an agenda item at either the February or March 2023 scheduled meeting of the People and Communities Committee or whether the Committee would wish to receive the Aecom detailed assessment presentation at a special meeting of the Committee, on a date to be agreed.

- 3.9 As an addendum to this report, the Committee is invited to note that the council's 2022 Air Quality Progress Report, which was considered at Committee on 9th August 2022, has been appraised by the technical assessors, it has been accepted and it is available via the DAERA NI Air website as follows: <https://www.airqualityni.co.uk/laqm/district-council-reports#511>

#### **Finance and Resource Implications**

3.10 **Financial**

There are no financial or resource implications for the council in connection with this report. The Committee is advised that in addition to revenue funding from the council supporting this detailed air quality assessment project, the assessment is also being supported by the Department of Agriculture, Environment and Rural Affairs (DAERA) through the local air quality management grant process.

3.11 **Human Resources**

There are no human resource implications for the council in connection with this report. The detailed assessment project is being delivered from within existing Environmental Protection, Public Health and Housing Unit staffing resources.

3.12 **Asset and Other Implications**

There are no asset or other implications for the council in connection with this report.

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

There are no Equality or Good Relations Implications / Rural Needs Assessment implications for the council in connection with this report.”

The Committee noted the update and agreed to convene a special meeting of the People and Communities Committee during February 2023, at which representatives from the appointed consultants, Aecom, would present an update on the detailed assessment project.

## Physical Programme and Asset Management

### Community Infrastructure Pilots

The Committee considered the following report:

#### **“1.0 Purpose of Report or Summary of main Issues**

1.1 The purpose of this report is to update members on the proposed Community Infrastructure Pilot approved by Committee on 9th November 2021.

#### **2.0 Recommendations**

2.1 Members are asked to note and approve the update in terms of revised governance and timescales for the Community Infrastructure Pilot projects.

#### **3.0 Main report**

##### **3.1 Background**

Community infrastructure is commonly defined as a complex system of facilities, programmes, and social networks that aims to improve people’s quality of life. These services, networks and physical assets work in tandem to form the foundation of a strong neighbourhood.

3.2 During Summer/Autumn 2021, Council commenced their engagement process to update the community plan for Belfast, the Belfast Agenda. The need to build and enhance community infrastructure and to contribute to neighbourhood regeneration across the four quadrants of the city has been identified as a priority and is a key commitment in the draft refreshed Belfast Agenda plan (due to be formally consulted on Jan-Mar 2023).

3.3 Committee (alongside Area Working Groups) previously considered reports in May and November 2021 which agreed the approach proposed within them (namely the development of Community Infrastructure Pilots) to help address weak community infrastructure in targeted localities, with members subsequently deciding that there should be 8 pilot projects developed (2 per area – N, S, E & W, rather than the 4 – one per area of the city initially proposed).

3.4 It was agreed that Neighbourhood Integration Managers, supported by the Neighbourhood Services Manager aligned with community planning and the community provision

review, within Neighbourhood Services/CNS would lead on developing and delivering the approach, working alongside identified internal and external stakeholders, and key communities/community groups within the 8 areas selected. The table below, outlines the NIM for each area, as well as the areas chosen by members for targeting.

<b>East</b> Neighbourhood Integration Manager – Kathy Watters	<ul style="list-style-type: none"> <li>• Ormiston DEA – Braniel</li> <li>• Lisnasharragh DEA – Clonduff</li> </ul>
<b>South</b> Neighbourhood Integration Manager – Denise Smith	<ul style="list-style-type: none"> <li>• Botanic DEA – Ballynafeigh (including Annadale)</li> <li>• Balmoral DEA – Finaghy</li> </ul>
<b>North</b> Neighbourhood Integration Manager – Eimear McCullough	<ul style="list-style-type: none"> <li>• Oldpark DEA – Mid Antrim Road (Limestone/Glandore)</li> <li>• Castle DEA – Lower Shore Road</li> </ul>
<b>West</b> Neighbourhood Integration Manager – Alice McGlone	<ul style="list-style-type: none"> <li>• Colin DEA – Black’s Gate (former Visteon site)</li> <li>• Court DEA – Glencairn</li> </ul>

**3.5 Explanation for delay – resource pressures within CNS/Neighbourhood Services**

Planned development and delivery of the initiative has been significantly impacted since committee/council approval was given in late 2021. In particular, the high level of vacancies which have existed within Neighbourhood Services (95 posts as at October 2022), has adversely impacted on the delivery of business-as-usual activities as well as any new or emerging work. In addition, in early 2022, the departures of both the Neighbourhood Services Director and one of the four Neighbourhood Services Managers, meant that the capacity of the senior team was also reduced by 40% for several months. These factors, along with the need to reinstate business-as-usual activities which had been de-prioritised during Covid, severely impacted the ability to progress the pilot initiatives.

However, as per the recent updates to Area Working Groups – there has been a realignment of portfolio areas with one NSM now focussed on community funding and capacity and neighbourhood integration – specifically supported by the NIMs as well as staff within the Belfast Health Development Unit and Community Resource Unit to take forward more developmental, opportunistic and problem-solving related actions – as identified by members and via community planning. Now that the fourth Neighbourhood Services Manager is in post (from October 2022), it will mean that this

team will have more capacity – certainly in the last quarter of the year to pick up some of the priority developmental action (albeit with a caveat that there is now an urgent need to take forward member and community priorities in relation to addressing cost-of-living pressures).

Appendix 2 (available on mod.gov) outlines in more detail the actions identified under the draft Belfast Agenda Community and Neighbourhood Regeneration theme, you will see that these include development of four place-based community plans, as well as to develop local demonstrator interventions, models for capacity building, and new and innovative ways of strengthening civic voice and participation – as well as a number of other actions relevant to what was originally intended by Council in taking forward the community infrastructure pilots. Incorporating these aims within community planning will allow us to broaden the approach to include other partners, maximising opportunities for collaborative gain and focus.

### **3.6 Neighbourhood Integration linkages with Community Planning**

It had been previously recommended to establish a new advisory group for developing and overseeing the Community Infrastructure Pilots initiative which would be made up of representatives from the Living Here Board, AWGs, DfC, NICVA, NIHE, Volunteer Now and relevant BCC staff. However, as work has developed over the past year in relation to community planning and refreshing the Belfast Agenda (particularly under the ‘Community and Neighbourhood Regeneration’ theme) officers are now recommending that the group which has been established to develop and deliver the action plan under this theme is potentially best placed to consider how we (Council and wider stakeholders) improve our community capacity building approaches going forward (as per the draft actions outlined in 3.6). Core membership of this group includes: BCC, BHSCT, DfC, NIHE, PHA, PSNI, SPPG (formerly HSCB) along with reps from each of the Belfast Area Partnerships (North rep selected via North NRPs) and two reps from the VCSE Panel under Community Planning.

### **3.7 In-year actions**

Neighbourhood Integration Managers have been working alongside key staff from across CNS and wider Council on an area basis during 2022/23 – and this has included work and engagement within the localities identified for targeting within the original community infrastructure pilot approach. However, during this time the NIMs have also been tasked with supporting a broad range of other developmental efforts

such as Covid response and recovery funding-main link for strategic and thematic partners, introduction of Social Supermarkets, Urban Villages (planning/community engagement/monitoring), thematic working in support of community planning (connectivity-Complex Lives-Children & Young People), being the key 'area' link and navigator internally (obo Directors, Senior Managers and members) as well as externally obo VCSE and statutory partners and stakeholders.

### **3.8 Financial and Resource Implications**

P&C Committee originally agreed 15k per area (x 4) in May 2021, community infrastructure pilots were referenced in a broader report on 'Community Development and Capacity Building Support' brought to P&C Committee in November 2021 which stated, 'further detail will be provided the next round of Area Working Groups when areas will be selected.' AWGs then met during Nov and Dec 2021 with a proposal tabled that each AWG should select two pilot sites and that 15k per pilot would be allocated for a 2-year period (from Apr 22 to Mar 24). A subsequent report was then taken through SP&R Committee in December 2021 which noted the 8 pilots (2 per area) selected by the AWGs.

- 3.9 In each of the reports from that time, it was stated that *'all financial resources outlined in this report can be delivered through existing budgets'* and it was originally intended to use departmental underspends to provide funding for the pilots.

Members will be aware of the current deficit reported to SP&R in August and that all underspends are to be used to address these significant costs in-year.

Updated forecasts for Quarter 2 are due to be reported to SP&R on 18th November. Finance colleagues are aware of the priority of these pilots and are currently working to identify how these costs might be met from future departmental underspends or the realignment of specified reserves as part of the medium term financial plan in line with the other pressures facing the council at this time.

In late December/early January, Council will also finalise decisions on the Capacity and Revenue Grant funding awards. Thus, early in the New Year, we will have a clearer position in relation to available budget, as well as knowledge of who will be the lead capacity building Council-funded organisations for the next 3-year period 23/24-25/26, and furthermore we will have the final version of the refreshed Belfast Agenda produced in March 2023, meaning that we

will then be able to review how best we improve our efforts to address capacity at a citywide and neighbourhood level.

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

**3.10 The activity outlined in this report will be Equality and Rural Needs screened as part of the screening exercise on the overall Community Planning approach.”**

A Member welcomed the report but stated that she felt it was a complex approach, she suggested that a meeting be arranged to enable officers and Elected Members to further explore any short-term actions that could be taken to try and improve community capacity in the participating areas.

Discussion ensued regarding the specific lack of community capacity in certain geographic areas and the need to ensure that communities of interest were assisted.

The Committee noted the report and agreed that a meeting be convened between officers and Elected Members to further explore any short-term actions that could be taken to support the participating areas identified in the Community Infrastructure Pilot.

**Installation of Gates at Crescent Park**

The Committee noted that this item had been withdrawn from the agenda.

**Operational Issues**

**Pre-Loved Toys – Pilot**

The Director of Resources and Fleet advised the Members that, during early October 2022, Council officers had met with Councillor Groogan to explore the possibility of launching a pre-loved toys scheme which would aim to ease the financial burden on families during these challenging times. They were reminded that this suggestion had been raised previously as a Motion.

The Director advised that officers had discussed the scheme with their counterparts in neighbouring councils which had operated similar successful initiatives in recent years, to establish good practice and to fast-track the project.

She reported that it was proposed that the pilot would accept a range of pre-loved toys at the Council's four recycling centres over a 3–4-week period in November. The toys would be stored in the re-use containers and East Belfast Mission (EBM), the organisation that currently collects re-use materials from the containers, and it had agreed to include the pre-loved toys in their collection round.

The Members were advised that a social media campaign would inform the public as to which pre-loved toys were suitable for the scheme and the EBM would assess the toys for acceptability for sale and/or onward gifting. The EBM would store the toys and distribute to the distribution partners/charities. The toys would then be sold at a reduced rate by the distribution partners to members of the public or also be gifted



by these parties. She reported that the distribution partners who had indicated a willingness to participate had established outlets located on main arterial routes; Newtownards Road (East), Park Centre off Falls Road (West), Antrim Road (North) and Botanic Avenue (South).

The Director advised that, at the end of the pilot, the scheme would be evaluated to determine its success and to enable any learning points to be captured and considered for any similar future schemes.

A Member welcomed the scheme and stated that she felt this would be a valuable pilot to study from a learning perspective as other potential schemes, such as a school uniform scheme, could learn from the pilot.

A Member raised the fact that other organisations or groups might also wish to be involved with the distribution in their local areas.

The Director stated that the proposed distribution partner list was not exclusive and advised the Members that should other groups or organisations be interested they should be asked to contact her, however, she reiterated the extremely tight timescales involved.

The Committee granted delegated authority to the Director of Resources and Fleet to operate a pre-loved toys scheme in line with the proposal set out in the report and noted that should other groups or organisations be interested in helping with the distribution of the toys that their details should be forwarded to the Director.

### **Enforcement Action within Smoke Control Areas**

(Mr. A. Curran, Environmental Protection Manager, attended in connection with this item.)

The Committee considered the undernoted report:

#### **“1.0 Purpose of Report or Summary of Main Issues**

- 1.1 At its hybrid meeting of 9th August 2022, under restricted agenda item 2e, wherein the Committee considered the Belfast City Council 2022 Air Quality Progress Report, as part of the resultant discussion concerning the Progress Report, a member of the Committee asked for an update on enforcement action within the smokeless zones across the city. This report serves to address that request.**
- 1.2 The Committee is advised that within Northern Ireland, statutory smoke control functions and enforcement are provided for via the Clean Air (Northern Ireland) Order 1981 and so is reflective of common industrial and domestic combustion processes and abatement technologies of that time.**
- 1.3 Under the auspices of the above legislation, Smoke Control Areas were created to control emissions of smoke from**

industrial premises and homes in the city at a time when there was a greater reliance on coal fired appliances as the primary heating source for domestic premises. A grant was provided to domestic occupiers to assist with the conversion to approved 'smokeless' appliances.

- 1.4 Within Smoke Control Areas, residents are required to use authorised fuels commonly known as 'smokeless fuels' unless an exempt appliance has been installed. Businesses and industries are also required to take steps to ensure that dust, fumes grit and gases are minimised.
- 1.5 Smoke control works were substantially completed for the Belfast City Council area towards the late nineties, with most of the developed areas of the city designated as Smoke Control Areas, with the exception of the mountainous areas to the west / north west of the city, the port area and those areas subsumed from neighbouring councils under the 2015 Local Government Reform that were not designated as Smoke Control Areas by their previous council.
- 1.6 In view of more recent legislative controls for industrial and commercial activities, combined with consumer preferences for alternative heating systems such as gas, oil and renewable technologies, the prevalence of solid fuel appliances in use across the city has declined over recent years. Accordingly, whilst particulate matter (PM<sub>10</sub>) continues to be monitored at a number of locations across the city, concentrations do not currently warrant action under the Council's local air quality management processes and objectives. The Committee will be aware that our current Air Quality Management Areas, which have been designated along a number of the city's arterial routes, combined with our 2021-2026 Air Quality Action Plan, are primarily aimed at addressing the few remaining transport related nitrogen dioxide (NO<sub>2</sub>) hotspots.
- 1.7 The Council continues to use its range of enforcement powers to address ambient air quality issues and complaints using a proportionate and graduated approach.

## 2.0 Recommendations

- 2.1 The Committee is requested to

Note the contents of this report.

## 3.0 Main report

### Key Issues

- 3.1 The Committee is advised that the Clean Air (Northern Ireland) Order 1981 was commenced on 10th February 1981

and includes a number of statutory tools for addressing emissions of particulate matter in order to improve ambient air quality. The legislation is reflective of common industrial and domestic combustion processes and abatement technologies of that time.

- 3.2 The Order contains a general provision at Article 3 relating to the prohibition of dark smoke from chimneys, i.e., *‘Subject to the provisions of this Order, dark smoke shall not be emitted from a chimney of any building, and if, on any day, dark smoke is so emitted, the occupier of the building shall be guilty of an offence’*. Dark smoke is defined as smoke which, if compared in the appropriate manner with a chart of the type known on 9th June 1964 as the Ringelmann Chart, would appear to be as dark as, or darker than shade 2 on that chart.
- 3.3 The Order also addresses dark smoke from industrial or trade premises at Article 4, and smoke, grit and dust from furnaces at Articles 5, 7, 8, 9, 11, 12 and 13. These interventions have however largely been superseded by newer emissions control legislation. The Industrial Pollution Control (Northern Ireland) Order 1997 and more recently the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013, recognise that certain industrial processes and activities can cause harm to the surrounding environment and as a consequence, those activities must be operated under a permit. Within Northern Ireland, the Northern Ireland Environment Agency (NIEA) regulates what are referred to in legislation as the larger and potentially more polluting Part A and B activities, whereas district councils regulate smaller Part C installations for emissions to air only. Permits relating to combustion and incineration activities routinely include detailed ambient air pollution emission limits for sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO) and total particulate matter, along with monitoring and compliance conditions. Permits for other industrial activities that involve dust generation also routinely include emission limits, monitoring and compliance requirements for particulate matter. Medium combustion plant and specified generators have also recently become regulated under the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013.
- 3.4 Articles 14 and 15 of the Clean Air (Northern Ireland) Order 1981 address chimney heights to ensure that chimneys are installed to avoid the potential for nuisance from smoke, grit, dust or gas emissions. At present, chimney height matters are mostly dealt with as a component of the council’s local air quality management functions through the planning process, via the submission of a rigorous Air Quality Impact Assessment for a proposed development. The Committee

will be aware that the Belfast City Council 2022 Air Quality Progress Report, considered by Committee during its meeting of 9th August 2022, contained at, 'Section 4 Planning Applications' a list of major new developments across the city that had the potential to have a negative impact on ambient air quality during the 2021 period, where ambient air quality impacts were managed through the planning process.

- 3.5 Under Article 17 of the Order, which relates to Smoke Control Areas, a council may declare the whole or any part of its district as a Smoke Control Area. If on any day, smoke is emitted from a chimney of any building within a Smoke Control Area, the occupier of that building shall be guilty of an offence, unless they can prove that the fuel used was authorised or that the appliance used are approved by the Departments and are capable of not producing smoke.
- 3.6 A list of currently authorised fuels for Northern Ireland, including inherently smokeless generic fuels such as anthracite, semi-anthracite, electricity, gas and low volatile steam coals, is available via the following Defra weblink:  
<https://smokecontrol.defra.gov.uk/fuels.php?country=northern-ireland>
- 3.7 It should be noted that home heating oil is not an authorised fuel as it is not inherently smokeless but under the subordinate legislation, appliances using oil are exempt from the provisions of Article 17 of the Clean Air (Northern Ireland) Order 1981. This exemption is conditional upon the appliance being installed, maintained and operated so as to minimise the emission of smoke.
- 3.8 Currently exempted combustion appliances within Northern Ireland and any associated exemption conditions are available via the following Defra weblink:  
<https://smokecontrol.defra.gov.uk/appliances.php?country=northern-ireland>  
The exempted appliances listed typically include what are termed multi-fuel stoves, wood burning stoves, wood pellet stoves, room heater stoves or various light and ultra-light boilers. The exemption process is presently administered by the Heating Equipment Testing and Approval Scheme (HETAS) and involves the manufacturer of the appliance demonstrating through accredited emissions testing that the appliance can achieve permitted smoke emissions limits that are related to the appliance's output in kilowatts.  
<https://www.gov.uk/government/publications/apply-for-exemption-of-an-appliance-in-a-smoke-control-area>
- 3.9 When a Smoke Control Area was declared by a council, domestic property owners were able to claim a grant of up to 70% of the approved adaptation expenditure incurred in

complying with the requirements of the Smoke Control Area, providing that the house was built before 1st March 1969 and was not in the ownership of the NIHE or Housing Association. The grants were funded by the Council (30% ) and DoENI / DAERA (40%).

- 3.10 Reasonable works in connection with compliance or adaptation works included; adapting or converting a fireplace; replacing any fireplace with another fireplace or some other means of heating or cooking; altering a chimney which serves a fireplace; providing gas ignition, electric ignition or any other special means of ignition; or carrying out any other incidental operation.
- 3.11 The Committee is advised that the Department of the Environment for Northern Ireland (DoENI), now the Department of Agriculture, Environment and Rural Affairs (DAERA), issued guidance in October 2006 concerning, '*Policy Guidance on Smoke Control Areas LAQM.SCANI(06)*'. The guidance advises that there are a number of situations where a district council may consider it appropriate to declare a Smoke Control Area. For example, as part of a strategy to improve local air quality, where there is evidence of elevated concentrations of emissions from coal burning, or as part of an Action Plan within an Air Quality Management Area. The Committee will be aware that the principal focus of the council's recently adopted Air Quality Action Plan 2021-2026 is to address the few remaining transport related nitrogen dioxide (NO<sub>2</sub>) 'hot spots' within our four Air Quality Management Areas. There is no evidence to support the need for further Smoke Control Areas in the undesignated areas and nor has funding provision been agreed with DAERA to support grants to householders.
- 3.12 All complaints are investigated using a graduated approach and in the first instance, officers will seek to establish if the smoke is due to lighting up which is permissible. Thereafter, advice will be provided to the occupier/homeowner on the types of fuels that are permissible for use within Smoke Control Areas. Whilst the Council has the power to prosecute for offences under the Order, officers will always seek to use a graduated approach to achieve compliance. Complaints are mostly resolved through dialogue and advice.
- 3.13 To support compliance, we highlighted our smoke control areas in June 2022 as part of this year's Clean Air Day promotions. Officers are presently developing an awareness campaign with Corporate Communications, to be delivered during the colder winter months via the council's social media channels, to highlight our smoke control areas and the use of authorised fuels. We are also working with the Community Awareness Team to incorporate key air quality

messages into their schools education programme which will include this aspect of air quality.

- 3.14 In light of the current cost of living crisis however, any enforcement action taken must be proportionate and in the public interest. A person guilty of an offence under Article 17 Smoke Control Areas is liable upon summary conviction to a fine not exceeding level 3 on the standard scale (£1,000).

#### **Finance and Resource Implications**

##### **Financial**

- 3.15 There are no financial or resource implications for the council in connection with this report.

##### **Human Resources**

- 3.16 There are no human resource implications for the council in connection with this report. Smoke control enforcement works are undertaken by staff within the Environmental Protection, Public Health and Housing Unit from within existing resources.

##### **Asset and Other Implications**

- 3.17 There are no asset or other implications for the council in connection with this report.

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

- 3.18 There are no Equality or Good Relations Implications / Rural Needs Assessment implications for the council in connection with this report.”

A Member sought further clarity in respect of data around the number of enforcements actions taken and the specific number of households that were not covered by smokeless zones.

A further Member raised the issue of emissions from bonfires and the impact on Air Pollution.

Following discussion, the Committee noted the report and agreed that officers would meet with Councillor O’Hara to discuss further the specific data around smokeless zone areas.

Chairperson