

**Democratic Services Section  
Legal and Civic Services Department  
Belfast City Council  
City Hall  
Belfast  
BT1 5GS**



**Belfast  
City Council**

30th August, 2022

## **MEETING OF THE COUNCIL**

Dear Alderman/Councillor,

The Council will meet in hybrid format, both in the Council Chamber and remotely, via Microsoft Teams, on Thursday, 1st September, 2022 at 6.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

## **AGENDA:**

1. Summons
2. Apologies
3. Declarations of Interest
4. Minutes of the Council (Pages 1 - 10)
5. Official Announcements
6. Change of Membership on Committees/Outside Bodies
7. Minutes of Strategic Policy and Resources Committee (Pages 11 - 70)
8. Minutes of People and Communities Committee (Pages 71 - 94)
9. Minutes of City Growth and Regeneration Committee (Pages 95 - 116)
10. Minutes of Licensing Committee (Pages 117 - 160)
11. Minutes of Planning Committee (Pages 161 - 212)

12. Minutes of Climate and City Resilience Committee (Pages 213 - 218)
13. Minutes of Standards and Business Committee (Pages 219 - 224)
14. Motions
  - (a) Motion - Devolution of Local Transport Powers (Pages 225 - 226)
  - (b) Motion - Commonwealth Games Success (Pages 227 - 228)

## **Council**

### **SPECIAL MEETING OF BELFAST CITY COUNCIL**

Held in the City Hall and remotely via Microsoft Teams on Friday, 1st July, 2022  
at the hour of 10.45 o'clock a.m., pursuant to Notice.

Members present: The Right Honourable the Lord Mayor  
(Councillor Black) (Chairperson);  
The Deputy Lord Mayor, Councillor M. Kelly;  
The High Sheriff of Belfast, Councillor Hussey;  
Aldermen Dorrian, McCoubrey, Rodgers and Sandford; and  
Councillors Beattie, Bower, Bunting, Carson,  
Donnelly, Douglas, Duffy, Garrett, Gormley,  
Hutchinson, Kyle, Lyons, Maghie, Maskey,  
McCullough, McLaughlin, Murphy, Murray, Nelson,  
O'Hara, Thompson, Verner, Walsh and Whyte.

### **Summons**

The Chief Executive submitted the summons convening the meeting.

### **Apologies**

Apologies for inability to attend were reported from Alderman Copeland and Councillors Cobain, Flynn, Groogan, Heading, Howard, T. Kelly, Long, McMullan, Newton, Pankhurst, Spratt and Smyth.

### **Battle of the Somme Anniversary**

Moved by the Lord Mayor (Councillor Black)  
Seconded by the Deputy Lord Mayor (Councillor M. Kelly) and

Resolved – That we, the Lord Mayor and Citizens of the City of Belfast, on the 106th Anniversary of the Battle of the Somme, desire again to record our feelings of gratitude to the brave men of the 36th (Ulster) Division, the 16th (Irish) Division and other forces who, by their glorious conduct in that battle, made an imperishable name for themselves and their people and whose heroism will never be forgotten.

The Council stood in silence for one minute as a mark of respect to all those who had lost their lives in the Battle of the Somme.

Lord Mayor  
Chairperson

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# **Council**

## **MEETING OF BELFAST CITY COUNCIL**

Held in the Council Chamber, City Hall and remotely, via Microsoft Teams, on Monday, 4th July, 2022 at 6.00 p.m., pursuant to notice.

Members present: The Right Honourable the Lord Mayor; (Councillor Black) (Chairperson);  
The Deputy Lord Mayor, (Councillor M. Kelly);  
The High Sheriff, (Councillor Hussey);  
Aldermen Dorrian, Haire, McCoubrey, Rodgers and Sandford; and  
Councillors Beattie, Bradley, Bower, Bunting, Canavan, Carson, Matt Collins, Michael Collins, Corr, de Faoite, Donnelly, Douglas, Duffy, Ferguson, Flynn, Garrett, Gormley, Groogan, Hanvey, Heading, Howard, Hutchinson, Kyle, Long, Magee, Maghie, Maskey, McAteer, McCabe, McCann, McCullough, McCusker, McDonough-Brown, McKeown, McLaughlin, McMullan, Murphy, Murray, Nelson, Newton, O'Hara, Pankhurst, Smyth, Spratt, Thompson, Verner, Walsh and Whyte.

### **Summons**

The Chief Executive submitted the summons convening the meeting.

### **Apologies**

Apologies for inability to attend were reported on behalf of Alderman Copeland and Councillors Cobain, Lyons and T. Kelly.

### **Declarations of Interest**

The Lord Mayor (Councillor Black) and Councillors Canavan, Flynn, Garrett, Magee, McAteer, Newton, Verner and Walsh declared an interest in respect of the item "Bright Lights Event at Botanic Gardens" within the Special People and Communities minutes, as they had either accepted or indicated that they had accepted complimentary tickets for the 2021/22 event.

### **Minutes of the Council**

Moved by the Lord Mayor (Councillor Black),  
Seconded by Councillor McLaughlin and

Resolved - That the minutes of the proceedings of the monthly meeting of the Council of 1st June be taken as read and signed as correct.

**Meeting of Council,  
Monday, 4th July, 2022**

**Official Announcements**

**Condolences**

The Lord Mayor and representative from all the Political Parties in the Chamber expressed their condolences to former Councillor S. Magennis and his family, upon the recent death of his wife, Tricia.

Condolences were also paid to the family of Jim Fitzpatrick, proprietor of the Irish News, who had recently died at the age of 92.

A Member also paid tribute to Mr. B. Bingham, MBE, former Northern Ireland international footballer and football manager, who had recently passed away and the Lord Mayor agreed to forward a letter of condolence to his family.

**Congratulations**

A Member offered congratulations to Councillor McMullan and his family, on the recent birth of his daughter, Olive.

Congratulations and best wishes for a happy retirement were also extended to Mrs. Rose Crozier, who had retired after almost 42 years' service with the Council.

**Hazelwood Integrated College**

At the request of a Member, the Lord Mayor agreed to extend an invitation to representative from Hazelwood Integrated College to attend a reception in the Lord Mayor's Parlour to mark the college having been awarded the prize of secondary school of the year in the Tes School Awards.

**Publication of Pride Guide**

A Member referred to the 50th Anniversary of London Pride which was an important milestone and also welcomed the publication of the 'Pride Guide' and he encouraged the Members to attend the official launch on 22nd July.

**US Supreme Court – Roe v Wade**

A Member referred to the recent decision of the US Supreme Court to overturn Roe v Wade and encouraged the access to abortion services in Northern Ireland.

**Briefing with Financial Services Union**

A Members referred to the recent useful briefing with the Financial Services Union regarding the potential job losses at the Ulster Bank and thanked the Lord Mayor's Unit for organising it.

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**Antrim Hurling Team – Joe McDonagh Cup**

At the request of a Member, the Lord Mayor agreed to write to the Antrim Hurling Team to congratulate the Team on its recent success winning the Joe McDonagh Cup and to invite representatives to attend a reception to mark the achievement.

**Thanks from Lord Mayor**

The Lord Mayor stated that she wished to place on record her personal thanks to the numerous groups and organisations that had welcomed and congratulated her following her recent appointment as Lord Mayor.

**Change of Membership on Committees/Outside Bodies**

The Chief Executive reported that notification had been received of the following changes in membership:

**Alliance**

- Councillor Nelson to replace former Councillor McAllister on the Cathedral Quarter Trust;
- Councillor Maghie to replace former Councillor Mulholland on the Northern Ireland Local Government Association;
- Councillor Murray to replace former Councillor Nicholl on the Lagan Rural Partnership Action Group, the Lagan Valley Regional Park Advisory Committee and the Forward South Partnership;
- Councillor Long to replace former Councillor McReynolds on the Northern Ireland Amenity Council;
- Councillor McMullan to replace former Councillor McReynolds on the Arc21 Joint Committee; and
- Councillor Maghie to replace former Councillor McReynolds on the Eastside Partnership.

**DUP**

- Councillor Douglas to replace Councillor Newton on the East Belfast Policing and Community Safety Partnership; and
- Councillor Thompson to replace former Alderman Kingston on the Greater Shankill Partnership Board.

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**Green**

- Councillor Smyth to replace Councillor Flynn on the Eastside Partnership.

**Sinn Fein**

- Councillor Duffy to replace former Councillor Baker on the West Belfast Partnership Board.

The Council noted the changes.

**Minutes of Committee Meetings**

**Minutes of Strategic Policy and Resources Committee**

Moved by Councillor McDonough-Brown,  
Seconded by Councillor Walsh,

That the minutes of the proceedings of the Strategic Policy and Resources Committee of 17th June, 2022, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

**Amendment**

**City Hall: Proposed Recovery Plan**

In response to a Member's request, and with the agreement of both the Chairman and Lord Mayor, the Council agreed that the Lord Mayor would convene a multi-agency meeting to help speed up and coordinate the City Recovery Programme.

**Adoption of Minutes**

Subject to the aforementioned amendment, the minutes of the proceedings of the Strategic Policy and Resources Committee of 17th June were approved and adopted.

**Minutes of People and Communities Committee**

Moved by Councillor McMullan,  
Seconded by Councillor Flynn,

Resolved - That the minutes of the proceedings of the People and Communities Committee of 7th and 21st June, be approved and adopted.

**Meeting of Council,  
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**Minute of the Meeting of the People and Communities  
Committee of 11th January - Erection of Dual Language  
Street Sign at Clifton Street**

Moved by Councillor McMullan,  
Seconded by Councillor McLaughlin,

That the minute of the proceedings of the People and Communities Committee of 11th January, 2022 re: Erection of Dual Language Street Sign at Clifton Street be approved and adopted.

On a vote to adopt the minute, thirty-nine Members voted for and fourteen against and accordingly the minute was approved and adopted.

**Minutes of City Growth and Regeneration Committee**

Moved by Councillor Murphy,  
Seconded by Councillor Murray,

That the minutes of the proceedings of the City Growth and Regeneration Committee of 8th and 22nd June, be approved and adopted.

**Amendment**

Moved by Councillor Murphy,  
Seconded by Councillor Maskey,

That the decision of the City Growth and Regeneration Committee of 8th June, under the heading "Renewed Ambition Programme Update", in relation to MIPIM 2023, be amended to provide that the Council be represented by officers only, with no Political representation.

On a vote, nineteen Members voted for the amendment and thirty-two against and it was declared lost.

**Amendment**

Moved by Councillor Groogan,  
Seconded by Councillor Ferguson,

That the decision of the City Growth and Regeneration Committee of 8th June, under the heading "Renewed Ambition Programme Update", in relation to MIPIM 2023, be amended to provide that the Council would not have any representation at the event.

On a recorded vote, seven Members voted for the amendment, twenty-five against and with nineteen no votes it was declared lost.

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<b><u>For 7</u></b>	<b><u>Against 25</u></b>	<b><u>No Vote 19</u></b>
Councillors Matt Collins, Michael Collins, Ferguson, Flynn, Groogan, O'Hara and Smyth.	The Deputy Lord Mayor (Councillor Kelly); The High Sheriff Councillor Hussey; Aldermen Dorrian, Haire, McCoubrey, Rodgers and Sandford; Councillors Bower, Bunting, Douglas, Hanvey, Howard, Hutchinson, Kyle, Long, Maghie, McCullough, McDonough-Brown, Murray, Nelson, Newton, Pankhurst, Spratt, Thompson and Verner.	The Lord Mayor (Councillor Black); Councillors Beattie, Bradley, Canavan, Corr, Donnelly, Duffy, Garrett, Gormley, Heading, Magee, Maskey, McAteer, McCabe, McCann, McLaughlin, Murphy, Walsh and Whyte.

Councillor Spratt requested that the minutes be amended to reflect that he had been in attendance at the 8th June Committee.

**Adoption of Minutes**

Subject to the aforementioned amendment, the minutes of the proceedings of the City Growth and Regeneration Committees of 8th and 22nd June, be approved and adopted.

**Minutes of Licensing Committee**

Moved by Councillor Matt Collins,  
Seconded by Councillor Smyth,

That the minutes of the proceedings of the Licensing Committee of 30th May and 15th June, be approved and adopted.

**Minutes of Planning Committee**

Moved by Councillor Whyte,  
Seconded by Councillor Murphy,

Resolved - That the minutes of the proceedings of the Planning Committee of 14th June, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

**Meeting of Council,  
Monday, 4th July, 2022**

**Minutes of Belfast Waterfront and Ulster Hall Ltd  
Shareholders' Committee**

Moved by Councillor Maghie,  
Seconded by Councillor Howard,

Resolved - That the minutes of the proceedings of the Belfast Waterfront and Ulster Hall Ltd Shareholders Committee of 20th June, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

**Minutes of Climate and City Resilience Committee**

Moved by Councillor Walsh,  
Seconded by Councillor Murphy,

Councillor Thompson requested that the minutes be amended to reflect that she had attended the meeting.

**Adoption of Minutes**

Subject to the aforementioned amendment, the minutes of the proceedings of the Climate and City Resilience Committee of 9th June, omitting matters in respect of which the Council has delegated its powers to the Committee, were approved and adopted.

**Minutes of Standards and Business Committee**

Moved by Councillor Hanvey,  
Seconded by Councillor Douglas,

Resolved - That the minutes of the proceedings of the Standards and Business Committee of 28th June, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

**Motion - Continuance of Hybrid Meetings**

In accordance with notice on the agenda, Councillor M. Kelly proposed:

“This Council supports taking measures to encourage a broader demographic to stand for, become elected and remain as local Councillors.

It recognises that hybrid meetings enable easier participation from those with young families and caring responsibilities and disabled people, amongst others, therefore, they are more likely to consider elected roles.

The Council, therefore, supports maintaining a mixture of online and in-person access to meetings.

**Meeting of Council,  
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Notwithstanding the outcome of the recent call for evidence from the Department of Communities on Remote/Hybrid meetings, the Council will write to that Department expressing its desire for the ability to continue to hold both full Council and Committee meetings in hybrid form.”

The motion was seconded by Councillor Bower.

The motion was put to the meeting and passed.

Lord Mayor  
Chairperson

## Strategic Policy and Resources Committee

Friday, 19th August, 2022

MEETING OF THE STRATEGIC  
POLICY AND RESOURCES COMMITTEE

HELD IN THE COUNCIL CHAMBER AND  
REMOTELY VIA MICROSOFT TEAMS

Members present: Councillor McDonough-Brown (Chairperson);  
The Deputy Lord Mayor (Councillor M. Kelly);  
Aldermen Dorrian and Sandford; and  
Councillors Beattie, Bradley, Bunting, Ferguson,  
Garrett, Groogan, Long, Lyons, McLaughlin, McMullan,  
Murphy, Pankhurst, Spratt and Walsh.

In attendance: Mr. J. Walsh, Chief Executive;  
Mr. J. Tully, Director of City and Organisational Strategy;  
Ms. S. Grimes, Director of Physical Programmes;  
Ms. C. Reynolds, Director of City Regeneration and  
Development;  
Mr. D. Sales, Director of City and Neighbourhood  
Services;  
Ms. C. Sheridan, Head of Human Resources;  
Mr. T. Wallace, Head of Finance;  
Mr. J. Hanna, Senior Democratic Services Officer; and  
Mr. H. Downey, Democratic Services Officer.

### **Apologies**

An apology was reported on behalf of Alderman Haire.

### **Minutes**

The minutes of the meeting of 17th June were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council, at its meeting on 4th July, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

### **Declarations of Interest**

Councillor Bunting declared an interest in relation to agenda item 5b – Asset Management, on the basis that she acted as Secretary to the Belvoir Area Residents Group, which had applied to lease a portion of Council land at Belvoir Drive, and left the meeting whilst that item was being considered.

**B4152**

**Strategic Policy and Resources Committee,  
Friday, 19th August, 2022**

Councillors Beattie, Garrett and McLaughlin declared an interest in respect of agenda item 8b - Requests for Use of the City Hall and the Provision of Hospitality, in that they were on the West Belfast Partnership Board, which was being recommended for the use of the City Hall. However, as those were Council appointments, they were not required to leave the meeting whilst that item was being considered.

**Restricted Items**

**The information contained in the reports associated with the following ten 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 meeting during discussion of the following ten items as, due to the nature of the items, 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.

**Financial Reporting – Quarter 1 2022/23**

The Head of Finance submitted for the Committee's consideration a report providing information on the financial position for Quarter 1 2022/23, based upon the five step Finance Strategy which had been approved in June, 2020 to protect existing budgets from the impact of Covid-19. The continuation of this Strategy was being recommended throughout 2022/23 to again protect the financial sustainability of the Council, in what was a difficult period of unbudgeted pressures.

He reported that, at the end of Quarter 1, the financial position for the Council had shown an underspend of £2.8m, representing 6.8% of the net expenditure budget. This underspend could be attributed to employee vacancies. The Quarter 1 Departmental forecast was an underspend of £2.5m, representing 1.6% of the net expenditure budget. There was also a forecast underspend of £422k in the Covid-19 reserve fund.

He stressed that the Quarter 1 forecast did not include the significant pressures caused by the current rate of inflation and made specific reference to the 2022/23 pay award, cost of living support and a community centre utility overspend. These, together with the Committee's decision to defer the reallocation of £2.3m from the 2021/22 year-end surplus would, he confirmed, be considered in a separate report on non-recurrent allocations later in the meeting.

He went on to provide an update on the forecast reserves position, rates finalisation and the overall Investment Programme.

The Committee noted the information which had been provided and granted approval to continue with the five step Finance Strategy throughout 2022/23.

**B4153**

**Strategic Policy and Resources Committee,  
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**Non-Recurrent Reallocations/  
Update on Engagement with Trades  
Unions on Cost-of-Living Demands**

(The Committee agreed, given that these two items were closely linked, to consider them simultaneously.)

The Committee:

- i. agreed, in response to a request from the Trades Unions, that cost-of-living payments of £666 be made in September and November to all Council staff below Chief Officer grade, at a total cost of approximately £3.5m;
- ii. agreed, in principle, to also provide cost-of-living payments to agency staff, with a report on how that might be managed to be submitted to its meeting in September;
- iii. approved a request from the People and Communities Committee for £57k to be made available to meet the utility cost increases in community centres and noted the comments of the Chief Executive that any further funding shortfalls would have to be considered in the wider context of the financial challenges facing the Council;
- iv. agreed that any in-year underspends would be set aside to meet the cost of the 2022/23 pay deal;
- v. agreed that no further reallocations or cash flow payments be considered until the Quarter 3 position was presented to the Committee in February 2023;
- vi. agreed, in response to a request from the Trades Unions, to undertake a review of pay and grading, to include the development of proposals on a pay and grading structure and consultation with the Trades Unions on harmonising the outstanding single status matters;
- vii. agreed, in response to a request from the Trades Unions, that annual leave entitlements be harmonised for all staff below Chief Officer grade; and
- viii. agreed, in light of issues which had been raised by Members around the failure by many agency staff to secure posts in the Council, that a report be submitted to a future meeting outlining ways in which they could be supported through the recruitment process.

**B4154**

**Strategic Policy and Resources Committee,  
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**Update on the Work of the Marketing  
and Communications Service**

The Committee noted the contents of a report providing an update on the work of the Marketing and Communications Service for the period from January to June, 2022.

**City Hall Recovery Plan - Update on Progress**

The Committee noted the contents of a report providing an update on the progress being made across each of the operational areas in implementing the City Hall re-opening and recovery plan.

**Update on Naming of Lagan Gateway Bridge**

The Director of Physical Programmes reminded the Committee that Phase 1 of the Lagan Gateway project in South Belfast had included the construction of an iconic foot and cycle bridge. The bridge had opened officially in September, 2021 and had proven to be extremely popular, with high levels of usage.

She reported that a public competition to name the bridge had been undertaken in 2021, in line with the Council's agreed naming policy, which had been used for other similar projects. She outlined the general principles of the policy and provided details of the eight potential names which had been shortlisted by the panel, at the conclusion of the first stage of the naming process. The second stage of the process would comprise a final vote.

She reported further that a number of returns had suggested names which had fallen outside the scope of the policy. Upon review it had been discovered that, since the criteria had not been included within the communication announcing the competition, those making the suggestions had been unaware of the restrictions governing the policy.

One such suggestion, which had received a significant level of public support, had called for the bridge to be named after Noah Donohoe. Senior officers had subsequently met with Noah's mother and her legal representative to inform them of the outcome of the first stage in the naming process. It had been agreed that the Council would explore a number of options which might be reflective of Noah's life and then present these to his family.

The Donohoe family had since confirmed that they would welcome the proposal to name the bridge after Noah and had expressed their gratitude for the public's support in favour of this option. It had been pointed out that the Lagan Towpath had been a favourite place for the family to visit and that it would be a fitting legacy to name the new bridge there after Noah.

Accordingly, the Committee agreed, in view of the level of support, to set the naming policy aside on this occasion and name the Lagan Gateway Bridge after Noah Donohoe, with the final name to be agreed with the family, without the need to proceed to the second stage of the naming process.

**B4155**

### **Complex Lives – Supporting Vulnerable Individuals**

The Director of City and Organisational Strategy submitted for the Committee's consideration a report providing an update on the Complex Lives multi-agency approach which had been developed to support vulnerable people in the City.

After discussion, the Committee:

- i. noted the current status of the Complex Lives model;
- ii. agreed to commit £58K towards the Complex Lives programme, which was commensurate to the commitments from other core partners;
- iii. agreed that a further two-year commitment (2023/24 and 2024/25) of £58k be secured, in principle, to be ringfenced in budget forecasts and to be subject to future consideration as part of the revenue estimates process; and
- iv. approved the appointment of a dedicated fixed-term Programme Co-ordinator, for two-years, to help support the Council's direct involvement and leadership of the Complex Lives approach, as well as co-ordinating the strategic planning and required internal and external responses to the wide-ranging vulnerability challenges facing the City centre.

### **Update on Living Wage Accreditation**

The Committee noted the contents of a report outlining the next steps in the Real Living Wage accreditation process and delegated authority to officers to proceed with the application to the Living Wage Foundation.

### **PEACEPLUS Investment Area 1.4 (Reimagining Communities)**

The Committee noted the contents of a report providing an update on the recent launch of a Concept Note process by the Special European Union Programme Board for PEACEPLUS Investment Area 1.4 (Reimagining Communities), which would act as a preliminary means for potential applicants to express an interest in advance of a formal call for applications for funding.

### **Recruitment of Post of Director of Finance and Resources/Interim Arrangements pending the Retirement of the Deputy Chief Executive/Director of Finance and Resources**

(With the exception of the Chief Executive, the Director of City and Organisational Strategy, the Head of Human Resources, the Senior Democratic Services Officer and the

**Strategic Policy and Resources Committee,  
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Democratic Services Officer, all officers left the meeting whilst this item was under discussion.)

The Committee was reminded that, at its meeting on 22nd October, 2021, it had agreed to amend the role of Deputy Chief Executive/Director of Finance and Resources, as part of a structural review, and had granted approval for the current postholder to retire on partial efficiency grounds no later than 31st October, 2022.

The Chief Executive reported that, following his appointment, the Committee had, on 15th April, approved the recruitment of a Director of Finance and Resources on a permanent basis. A recruitment exercise had commenced on 28th April, however, that had been halted at Stage 3 of the shortlisting process. He provided details in that regard and explained that, due to the failure to appoint a person, interim arrangements were required to be put in place to ensure that continuity would be maintained after the Deputy Chief Executive/Director of Finance and Resources had retired and a review of the Corporate Management Tier had been completed.

Accordingly, the Chief Executive recommended that, in order to support him in his role, the Committee grant approval for the Director of Finance and Resources/Deputy Chief Executive to provide consultancy support, up to a maximum of ten days each month until March, 2023. The arrangement would, he confirmed, be fee based and would be in line with the payment made to other consultants employed by the Council.

He went on to state that a revised proposal for the role of Director of Finance and Resources would be presented to the Committee in September, along with a proposed structure and implementation plan for the Corporate Management Tier.

The Committee adopted the recommendation.

**Matters referred back from Council/Motions**

**Motion: Continuance of Hybrid Meetings –  
Response from Department for Communities**

The Committee was reminded that the Council, at its meeting on 4th July, had passed the following motion on the Continuance of Hybrid Meetings, which had been proposed by the Deputy Lord Mayor (Councillor M. Kelly) and seconded by Councillor Bower:

“This Council supports taking measures to encourage a broader demographic to stand for, become elected and remain as local Councillors.

It recognises that hybrid meetings enable easier participation from those with young families and caring responsibilities and disabled people, amongst others, therefore, they are more likely to consider elected roles.

**B4157**

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The Council, therefore, supports maintaining a mixture of online and in-person access to meetings.

Notwithstanding the outcome of the recent call for evidence from the Department of Communities on Remote/Hybrid meetings, the Council will write to that Department expressing its desire for the ability to continue to hold both full Council and Committee meetings in hybrid form.”

The Chief Executive informed the Members that a response had been received from Mr. A. Carleton, Director of the Local Government and Housing Regulation Division, on behalf of the Minister for Communities.

Mr. Carleton had begun by stating that the Local Government (Meetings and Performance) Act (Northern Ireland) 2021 contained an enabling power to allow the Department for Communities to bring forward further Regulations to provide for remote/hybrid meetings, which included making permanent provision for such meetings. The Department was developing proposals for the Minister’s consideration on further regulations for remote/hybrid meetings to be made under the 2021 Act, taking account of the comments received in the recent call for evidence. A working group, with membership comprising Departmental officials and Council officers, had recently been established to assist in developing these proposals.

He had then pointed out that the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (Northern Ireland) 2020, which had been made under Section 78 of the Coronavirus Act 2020, were due to remain in force until 24th September, 2022, as the Department had extended the date of expiry of section 78 of that Act until that date.

Mr. Carleton had concluded by stating that, subject to the Minister’s agreement, the Department for Communities intended to further extend the expiry date of Section 78 of the Coronavirus Act 2020, allowing the current regulations to remain in force beyond 24th September. That would allow time for the proposals for the Regulations under the 2021 Act, to be fully developed.

The Committee noted the information which had been provided.

**Motion: Care Homes and Top Up Fees**  
**- Response from Minister of Health**

The Committee was reminded that the Standards and Business Committee, at its meeting on 28th June, had passed the following motion on Care Homes and Top Up Fees, which had been proposed by Councillor Heading and seconded by Councillor Lyons:

“This Council notes that Residential Care of Older People is a statutory function of the Department of Health and delivered through a number of private Care Home companies. The Council also notes that costs for standard care is paid from the budget of the Department of Health. Placement in a care home can be means tested and affecting savings and

**B4158**

**Strategic Policy and Resources Committee,  
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property owned by the resident. There are some cases where top up fees are introduced and paid for by either the resident and/or family and introduces a second level of care, which profits the residential care home company. Furthermore, these top fees vary from care home and company to company and is not always reflected in the level of care or the wages of staff employed in care homes. The care of our older people is important to society and accordingly this Council calls upon the Department of Health to investigate the top up costs charged by care homes.”

The Chief Executive drew the Committee’s attention to a response which had been received from Mr. R. Swann MLA, Minister of Health.

The Minister had pointed out that the policy on charging top-up fees, or third-party charges, was set out in Departmental guidance ECCU 1/2010 ‘Care Management, Provision of Services and Charging Guidance’.

That guidance stated that Health and Social Care Trusts must contract for placements at the most competitive rate available, which it considered suitable for meeting an individual’s assessed need, even where this was not obtainable at the regional rate. Where a Trust had contracted at that rate there was no top-up.

He had explained that, should a service user select accommodation which was more expensive than other appropriate accommodation which the Health and Social Care Trust could secure at a lower rate, the Trust would facilitate that choice. However, the additional cost must be met by a third party, such as a family member or friend, which was referred to as a top-up.

The Minister had gone on to state that, whilst the aim should always be to facilitate choice for service users, Trusts had a parallel responsibility to secure the best value for money option and to protect the public funds for which they were accountable.

He had concluded by confirming that these additional charges (top-ups) related to the cost of accommodation provided by independent care providers and were set by them at a level which they deemed appropriate to reflect market prices. As such, it was not appropriate for his Department to investigate the level of these charges.

The Committee noted the information which had been provided.

**Motions – Leave Arrangements**

The Committee considered the following report:

**1.0 Purpose of Report/Summary of Main Issues**

**1.1 Three motions were passed by the Council in 2021 relating to leave arrangements for parental bereavement leave and pay, miscarriage leave and fertility treatment leave.**

**B4159**

1.2 This report makes recommendations to the Committee on those motions and seeks approval to consult with Trades Unions on the recommendations set out below.

2.0 Recommendations

2.1 The Committee is asked to agree that the Council consults with the Trades Unions on the proposed enhanced leave arrangements as follows:

Parental Bereavement Leave and Pay

To award 10 consecutive days bereavement leave, not solely in the case of a child under 18, but for the death of a close relative.

To award 10 consecutive days full pay, not statutory pay, as a day one right with no qualifying service required.

To award 1 days paid leave to attend the funeral of an extended family member

Paid Leave for Miscarriage:

To treat miscarriage as a bereavement and offer 10 days' bereavement leave on full pay to employees who suffer a miscarriage as a day one right.

Fertility Treatment Leave:

To award 10 days full paid leave following any unsuccessful IVF treatment to employees who have undergone IVF treatment, as a day one right, in addition to the paid time off for medical appointments that already exists.

3.0 Main Report

3.1 Notices of Motion

3.2 Parental Bereavement Leave and Pay- proposed by Councillor Matt Collins on 4th October, 2021 states that:

*“This Council welcomes legislation at committee stage in Stormont for Parental Bereavement Leave and Pay (this was in reference to the legislation for Parental Bereavement Leave and Pay which came into effect in Northern Ireland from the 6th April 2022); Notes the Coalition for Bereaved Workers concern that this bill is a*

***‘missed opportunity’ and ‘does not go far enough’; Will write to the Stormont Economy Committee to urge that they further the legislation on bereavement policy so that everyone who is bereaved of a close relative or partner is entitled to 2 weeks statutory bereavement leave and pay in line with the Coalition for Bereaved Workers campaign objectives; and will also undertake a review of its own bereavement policy, in conjunction with the unions, that seeks to establish 2 weeks statutory bereavement leave and pay for all Council workers in line with the Coalition for Bereaved Workers “Call to action” document.’***

Under the Parental Bereavement (Leave and Pay) Bill introduced in April 2022, working parents are entitled to two weeks’ statutory leave paid at statutory flat weekly rate of £156.66 following the death of a child under 18 or a stillbirth (at least 24 weeks of pregnancy). The 2 weeks of Parental Bereavement Leave will be a ‘day one right’. To qualify for Parental Bereavement Pay, a worker must have at least 26 weeks of continuous service and earnings over the Lower Earnings Limit on the date of the bereavement.

Council employees are currently allowed up to 3 days paid bereavement leave, up to the date of the funeral, for a spouse, partner, mother, father, son, daughter, brother or sister. In other cases, the employee’s Head of Service can grant leave up to a maximum of 3 days if the employee had sole responsibility for the care of the deceased or has sole responsibility for funeral arrangements.

Employees who take sick leave due to bereavement, are sympathetically managed under the Council’s attendance policy, with discretion being considered for such absences.

It is proposed that the Council extend the statutory provisions by offering:

- 10 consecutive days’ bereavement leave, not solely in the case of a child under 18, but for the death of a close relative
- offer the 10 consecutive days’ full pay, not just statutory pay, as a day one right with no qualifying service required
- offer one days paid leave to attend the funeral of an extended family member

3.3 Paid Leave for miscarriage – proposed by Councillor Michelle Kelly on 1st July, 2021 states that:

*“The Council recognises the emotional trauma and loss suffered by parents as a result of stillbirths and miscarriages. The Council also notes a growing number of employers across the UK and Ireland are offering paid leave to employees who have experienced or been affected by early pregnancy loss and miscarriage.*

*As such the Council will bring forward compassionate, fair, and progressive proposals for bereavement leave to provide leave for miscarriage and for stillbirth so employees who have been impacted do not have to use sick or annual holiday leave.”*

At present, if a miscarriage happens in the first 24 weeks of pregnancy, there's no entitlement to maternity, paternity or parental bereavement leave or pay either in legislation or in the Council.

Council employees who take sick leave due to miscarriage, are sympathetically managed under the Council's attendance policy, with discretion being considered for such absences.

In the case of stillbirth (after 24 weeks of pregnancy), National Joint Council (NJC) full maternity provisions apply entitling Council employees to both leave and pay, as does paternity and shared parental leave for those who have applied for it.

It is proposed that the Council treats miscarriage as a bereavement and offer 10 days' bereavement leave on full pay to officers who suffer a miscarriage as a day one right.

3.4 Fertility Treatment Leave – proposed by Councillor Murphy on 21st October, 2021, states that:

*“This Council recognises that 1 in 6 couples across these islands experience infertility and that receiving treatment such as IVF can bring with it stress and pressure.*

*This Council acknowledges that the World Health Organisation recognises infertility as a disability.*

*This Council further acknowledges that Council staff at present are having to take unpaid leave or annual leave to receive treatment, which is unacceptable.*

*In view of this, the Council will seek to implement a new leave provision for staff, which caters for those who need leave for fertility treatment and offers the same protections as sick leave.*

*The Council will include in any such provision a safety net period of two weeks' paid leave following any unsuccessful treatment."*

It is proposed that the Council awards 10 days full paid leave to employees who have undergone IVF treatment as a day one right. This is in addition to the paid time off for medical appointments that already exists.

The Fertility Treatment motion was amended at the SP and R Committee meeting on 21st October 2021 to include the consideration of menopause leave. A Menopause Policy has been consulted on and agreed with trade unions and is being presented to Committee separately for approval.

### **3.5 Financial and Resource Implications**

There will be an impact in terms of increased leave entitlement in the case of bereavement, miscarriage and IVF as outlined above.

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

Introducing such proposals should have a positive equality and good relations impact as more favourable terms are being offered to employees in the case of bereavement, miscarriage and IVF.

The Committee adopted the recommendations

## **Belfast Agenda/Strategic Issues**

### **Update on Belfast Region City Deal**

The Committee considered the following report:

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

- 1.1 This report provides an update on the progress of the Belfast Region City Deal (BRCD), including an update on the Funding**

and Governance arrangements for Belfast City Council, as the Lead Authority and Accountable Body for the Deal.

**2.0 Recommendations**

**2.1 The Committee is asked to:**

- i. note the update on progress being made to agree the Contracts for Funding which are required for each of the capital projects delivered through the Deal;
- ii. approve the revised Financial Agreement with the Treasury and Department of Finance, as set out in Appendix 1;
- iii. note that the work to formalise permanent structures and resources to allow the Council to carry out its role as Lead authority and Accountable Body has been completed;
- iv. note the overview on key pieces of work in relation to the Social Value, Net Zero and Sustainability elements of the Deal; and
- v. note the update in respect of the BRCD Council Panel, as provided in Appendix 2.

**3.0 Main Report**

**Contracts for Funding**

- 3.1** Since the last Committee update in June, intensive work has continued with government departments, departmental solicitors and partners on the development of a consistent framework for the Contracts for Funding in order to inform the individual funding agreements. This work has been guided by BCC's legal team and has now resulted in the finalisation of the first individual contract for Studio Ulster. All clauses have been agreed with back-to-back contracts signed between the Department of the Economy (DfE) and BCC as the Accountable Body and then BCC (as accountable body) with Ulster University representing a key milestone for deal delivery.
- 3.2** Work is ongoing with Queens University Belfast for the Advanced Manufacturing Innovation Centre (AMIC), with the contract for funding and funding agreement nearing completion. Engagement is also now progressing with the

Department for Communities (DfC) and partners in relation to the Regeneration Projects.

- 3.3 Members are asked to note that subsequent Contracts for Funding will be developed using the same framework and agreed clauses and as agreed by the BRCD Executive Board future agreements will be made between the relevant parties without needing specific individual Board approvals. As part of the regular BRCD update reports, the Committee will be advised of progress to agree the funding agreements for each project (following business case approval).

#### Financial Agreement

- 3.4 The tripartite Financial Agreement between BCC, the Department of Finance (DoF) and HM Treasury sets out the financial commitments and protocols in relation to funding the BRCD. The agreement formalises arrangements between the governments and the Accountable Body that have been set-out in other deal documentation. A copy of this agreement was presented to Members at the June Committee meeting. Subsequently DoF proposed an amendment to Annex A which now contains the total financial contributions over 15 years rather than the annual profiles set out in the previous version. This will help with flexibility in financing the deal over the period to enable matching of BRCD profiles as much as possible. Members are asked to approve the updated Financial agreement attached at Appendix 1.

#### BRCD Programme Office

- 3.5 Members will be aware that, following the signing of the deal, Belfast City Council (BCC) took on the role of the Accountable Body ensuring that the partnership makes decisions in accordance with all legal, financial, and administrative requirements. At its June meeting the committee noted that the Programme Management Office (PMO) had been working with partners to formalise permanent structures and resources for the delivery of the deal. The committee delegated authority to the Director of Finance and Resources to formalise these structures and members are asked to note that this has now been completed.

#### Social Value

- 3.6 Work is continuing on the delivery of the Employability and Skills Action Plan including the social value approach for BRCD projects which will follow the Strategic Investment

Board (SIB) new 'points-based model'. To support the integration of this requirement within relevant contracts training sessions facilitated by SIB have been delivered with Project Sponsors with nearly 50 individuals completing the training to date and further sessions scheduled for late August 2022. A process for integrating and managing social value, in line with BRCD monitoring arrangements has also been developed, engagement has taken place to inform this process with BRCD sponsors and contract managers which will ensure mechanisms exist to manage social value delivery at a project, pillar and programme level. In specific reference to employability and skills related social value delivery, work is underway to provide through the BRCD Employability & Skills team a social value co-ordination service which will essentially work with contractors to connect them with appropriate interventions available through councils, colleges and universities assisting them to source the people to meet social value obligations in this area.

#### Sustainability / Net-Zero

- 3.7 Work has commenced on strengthening the environmental sustainability of the Deal and Members are asked to note that partners have commissioned an assessment of the decarbonisation priorities for the region. Professor Andy Gouldson, Leeds University has been appointed to produce a Belfast Region Mini Stern to develop a robust evidence base for the Belfast City Region Partners. Members will be kept updated as this work progresses.
- 3.8 The PMO has also continued to examine how Net-Zero consideration can be more effectively integrated into programme and project development and engagement has been ongoing with the Climate Commissioner and with colleagues in the Scottish Government where Net-Zero proposals are more developed. The Scottish Government City Deal Sustainable Development Manager has agreed to lead an awareness session for BRCD Partners at the end of September.

#### BRCD Council Panel

- 3.9 A hybrid meeting of the BRCD Council Panel was held on 22nd June, hosted by Lisburn and Castlereagh City Council. Panel Members were updated on the development of the key documents underpinning the deal and the key governance and assurance processes being put in place to support delivery. Members also discussed the emerging investment

opportunities and contribution to tourism recovery in Northern Ireland. The minutes of the February meeting hosted by Antrim and Newtownabbey Borough Council were approved and are attached at Appendix 2.

- 3.10 The next meeting is to be hosted by Mid and East Antrim Borough Council on 28th September.

**Financial and Resource Implications**

- 3.11 All costs associated with the BRCD are within existing budgets.

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

- 3.12 The approach taken to develop the City Deal has been subject to independent equality screening and rural proofing and states that:

*'BRCD is inherently inclusive, affording an opportunity for the region to grow in a way that will benefit the economy of Northern Ireland as a whole, thereby enhancing the lives and well-being of its citizens. If during further development of the programme it becomes apparent that there may be an adverse impact on certain groups or communities then the partnership commits to carrying out further Section 75 work and including screening and EQIAs as and when appropriate.'*

The Committee adopted the recommendations.

**Corporate Plan 2021/22 – Year End Report**

The Committee was reminded that, at its meeting on 20th March, 2020, it had approved a new four-year Corporate Plan, covering the period from 2020 to 2024.

The Director of City and Organisational Strategy reported that, following the onset of the Covid-19 pandemic, resources had been redirected towards the Council's and the City's response efforts. The focus on the delivery of the Corporate Plan had, however, been re-established in April, 2021 and an Annual Delivery Plan had been agreed by the Committee on 18th June, 2021.

He went on to explain that, whilst updates on specific priorities were presented to the appropriate Standing Committees throughout the year, it had been agreed that a year-end progress report, comparing organisational performance against the priorities committed to in the Annual Delivery Plan, would be presented to this Committee for approval. He pointed out that substantial progress had been made across the priority programmes of work and that more data driven performance targets would, in future, be

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presented to the Committee for agreement. Work was underway to develop a revised performance management framework, which would underpin the Corporate Plan, which would also be presented to the Committee prior to agreement and implementation.

The Committee noted the information which had been provided and approved the year-end report for the Corporate Delivery Plan 2021/22.

**Belfast Agenda Refresh – Update on Progress**

The Committee considered the following report:

**“1.0 Purpose of Report/Summary of Main Issues**

**1.1 The purpose of this report is to update the Committee on the progress of the Belfast Agenda review, including the plans to commence Phase 2 engagement in September, beginning with a proposed Members workshop on 7th September.**

**2.0 Recommendations**

**2.1 The Committee is asked to:**

- a) note the progress of the development of the refreshed Belfast Agenda and supporting four-year Delivery Action Plans as set out in this report;**
- b) note the planned Phase 2 engagement, subject to endorsement by the Community Planning Partnership;**
- c) agree to commence the Phase 2 engagement with a Member Workshop to be held on 7th September, from 5 p.m. to 7 p.m. in the Assembly Buildings, City Centre; and**
- d) note the timeline for progressing the revised Belfast Agenda to public consultation.**

**3.0 Main Report**

**Background**

**3.1 In November 2021 and March 2022, Members received an update on the emerging findings and recommendations following the Phase 1 of Belfast Agenda: Continuing the Conversation engagement process which has help inform the refresh and focus of the Belfast Agenda (BA) for the period 2022-2026. As reported at the November meeting, there was**

broad agreement that the existing long-term vision and outcomes of the BA remain relevant, and the proposed priorities for focus were the things that stakeholders and communities believed community planning could help address over the next 4-year period.

- 3.2 At the SP and R Committee meeting in March, Members noted an early draft of the strategic intents and stretch goals that were being developed in collaboration with our community planning partners for each priority. Since the March meeting, a significant amount of collaborative effort has gone into further developing and refining these priorities. These are now approaching a state of readiness for wider engagement on the strategic intent, stretch goals and actions for each priority.

#### Refreshed Belfast Agenda – Citywide Strategy Document

- 3.3 Since it was launched in 2017, the Belfast Agenda has been a city leadership document, coalescing partners beyond the core legislative requirements of community planning with a focus on addressing key city challenges. The approach adopted has enhanced the relationship between the public, voluntary and community private sector to drive forward real change addressing inequalities and improve quality of life within and across the city.
- 3.4 The refreshed Belfast Agenda will maintain the same level of ambition and collective leadership commitment to deliver the long-term vision and outcomes previously agreed. It will be delivery and outcome focused and will be positioned as a City Strategy which will identify the major transformational programmes and investment opportunities for the city.

#### Community Planning Priority Actions

- 3.5 Work continues with community planning partners and wider stakeholders to unpack and understand the scope of the agreed priority areas for focus over the next four years, Underpinning and composite delivery action plans are being co-designed and agreed with partners. A core set of guiding principles have been applied in developing the action plans to test and identify the most appropriate interventions to delivery greatest impact. These include:
- *Adding clear value.* We can achieve significant gains by collaborating across our partnership and sectors in

a way we cannot through our existing single agency or thematic 'business as usual'.

- *Impact for Belfast's people, place, economy.* The work we deliver together will be felt in practical ways by individuals, families, communities, residents and businesses in Belfast, delivering tangible outcomes.
- *With Belfast's Communities.* The work we do will fully engage Belfast's residents, communities and businesses, building on their strengths and ensuring their voice is central to planning and delivery. We will work 'with and alongside' our communities, not 'To or For' them.
- *Intelligence led priorities and action.* We will focus our collaboration on the things that data, evidence and community insights tell us matter most to Belfast and we will deliver together in ways that evidence tells us will make a real difference.
- *Resourcing.* Delivery will require joint resourcing and effort, (i.e. staff time, services or investment). Should be a leadership commitment to jointly resource the initiative.

- 3.6 The draft emerging action plans remain live documents and will be subject to further discussions and refinement with Members and wider stakeholders as set out below.

#### Phase 2 Engagement

- 3.7 Phase 1 engagement, as previously reported, provided an opportunity for citizens and the wider voluntary and community sectors to shape the emerging strategic framework and priorities of the Belfast Agenda for the next four years. We now intend to move to phase 2 engagement with a greater focus, discussion and input around the strategic intent and scope of the priority areas, how success would be measured in terms of stretch goals and the high-level delivery action plans.
- 3.8 A cross-sectoral Belfast Agenda Review delivery subgroup had been reconvened to help develop the approach to phase 2 engagement. The group has proposed that a multi-layered approach should be adopted with a series of area, thematic, sectoral and communities of interest events scheduled. The following events are proposed and will be publicised online, via the VCSE panel network and via posters in local community-based assets and facilities.

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<b>EVENT</b>	<b>DATE &amp; TIME</b>	<b>VENUE</b>
All Member Workshop	7th September 5pm – 7pm	Assembly Buildings
Community Planning Partnership	15th September 3.30pm-5.00pm	2 Royal Avenue
East Belfast	20th September 10am-1pm	Skainos Centre
Business workshop	21st September 10am-1pm	Belfast Chamber (TBC)
West Belfast	22nd September 10am-1pm	St. Comgall's Centre
City Centre Workshop	26th September 5pm – 7pm	2 Royal Avenue
Communities of Interest	29th September 5pm-7pm	City Hall, Banqueting Hall
North Belfast	11th October 10am-1pm	Girdwood
South Belfast	13th October 10am-1pm	Crescent Arts Centre
Belfast Agenda Delivery Boards	August-September	On-line

**3.9 In addition, two online and facilitated engagement sessions will be organised for those that are not able to make the above events or would feel more comfortable attending an online session. Dates for these are currently being finalised. We will also continue to use a range of engagement tools, including Your Say Belfast platform, to extend the reach and enable people to input into the process.**

**3.10 An independent facilitator is being procured to help host the engagement events and to prepare an independent report with an analysis of the main issues raised during the sessions and how this is reflected in the refreshed Belfast Agenda and action plans.**

**Phase 3 Engagement - Formal Consultation**

**3.11 Feedback from the phase 2 engagement will be reflected in the draft strategy document and action plans. These will be brought through the Community Planning Partnership, established CPP Delivery Boards and the SP and R Committee for consideration and approval in advance of being published for a 12-week formal consultation period. Members are asked to note that an easy read version will also be created to help make the document more accessible.**

**Financial and Resource Implications**

**3.12 Any financial implications arising from this report will be covered from existing budgets.**

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

- 3.13 It is recommended that the consultation and engagement activities to review the Belfast Agenda will take account of the draft Audit of Inequalities and include specific sessions with targeted harder to reach groups to ensure that equality implications are considered as part of the review process. The refreshed Belfast Agenda and action plans will also be subject to an equality screening exercise.”

The Committee adopted the recommendations.

**All-Party Working Group on the City Centre**

The Committee considered the following report:

**“1.0 Purpose of Report/Summary of Main Issues**

- 1.1 The purpose of this report is to seek approval from the Committee on the draft Terms of Reference for establishing an All-Party Working Group on the City Centre, within the context of the emerging wider city centre governance structures.

**2.0 Recommendations**

- 2.1 The Committee is asked to:

- I. agree the draft Terms of Reference for the All-Party Working Group on the City Centre, as set out in Appendix 1, and membership of Party Leaders or their nominees; and
- II. note the emerging wider city centre governance structures in the context of various independent priorities including the long-term regeneration and diversification of the city centre and vulnerability, cleanliness and safety issues.

**3.0 Background and Context**

- 3.1 The City Growth and Regeneration Committee at its meeting in June 2022 approved the establishment of an All-Party Working Group on the City Centre, with further details to be brought back on the Terms of Reference and membership. A further update was brought to the that Committee in August

2022 and the draft Terms of Reference were discussed at Party Group Leaders Consultative Forum on 11th August.

3.2 At the same time as this proposal coming forward for an All-Party Working Group on the City Centre, it is of relevance and to provide context to the emerging wider city centre governance to highlight the following:

- Current challenges facing the city centre focused on vulnerability, safety and cleanliness, were becoming increasingly prevalent. In response to this there has been various meetings between Council Elected Members and officers, statutory partners and various city centre stakeholders including BCTC, BIDs etc. It is recognised that it is difficult to totally separate these often-interdependent issues, however, to effectively address the significance and severity of these issues dedicated and focused governance groups are required.
- In June 2022, the People and Communities Committee adopted a motion in relation to Cleansing Task Force, put forward at the Standards and Business Committee and agreed to establish a Cleansing Task Force, made up of Elected Members from each Political Party and Council officers. The first meeting of the Task Force took place on 29th June.

3.3 Members will be aware the Council has been leading on a Future City Centre (FCC) Programme - a multi-faceted framework to take forward the long-term regeneration and diversification of the city centre across a number of pillars, as enclosed with the report to the CG&R Committee attached at Appendix 2. This six-pillar approach has also been considered by the Community Planning Partnership – City Development Board under the priority area of the Future City Centre. As reported through the People and Communities Committee, the City and Neighbourhood Services Department have also led on a Clean, Green, Inclusive and Safe (CGIS) City Centre Study. An emerging CGIS action plan is in draft, with city centre governance highlighted as a key immediate priority action.

**Main Report**

**All-Party Working Group on the City Centre**

- 3.4 As discussed at the City Growth and Regeneration Committee meeting on 10th August and the Party Leaders' Consultative Forum on 11th August, it is proposed that the Group be convened to provide a forum to allow, as appropriate, public and private city stakeholders, including representatives from business and community organisations, the development, tourism and cultural, housing and education sectors and BID's, to engage with Members to address the short- and longer-term challenges facing the city centre.
- 3.5 The proposed overarching role of the All-Party Working Group on the City Centre is to identify and prioritise issues and opportunities to address specific needs of the city centre with the aim of regenerating and improving the vibrancy of the city centre, linked to the council's growth aspirations and the Community Planning Partnership – City Development Board. The Working Group will not have a decision-making function, rather it will make recommendations and report to the City Growth and Regeneration, People and Communities and Strategic Policy and Resources Committees as appropriate.
- 3.6 Given the important role of the city centre as a hub for investment, culture, tourism, learning and employment, it is felt that an All-Party Working Group could help to ensure it can continue to perform these important roles for the benefit of all areas of the city to derive the benefits. Given the importance of continued public /private partnership working it could also serve as a useful forum to consider some of the matters raised via various fora such as the Renewed Ambition (public/private) Partnership; specific developer/BCC regeneration focused Reference Groups etc and seek input of Members as appropriate.
- 3.7 Members are asked to agree the draft Terms of Reference for the All-Party Working Group on the City Centre, a copy of which has been circulated, and to agree that membership will be via Party Leaders or their nominees.

**Emerging wider City Centre Governance**

- 3.8 In response to the emerging city centre issues and ongoing related work strands, as highlighted in Background and Context of this report, a review has been undertaken of existing mechanisms for engagement and improved

governance to bring together the various city centre related facets and ensure synergy whilst avoiding duplication and silo approaches. An overview of governance proposals was discussed at the August meeting of the CG and R Committee.

- 3.9** Members will note that the emerging governance seeks to give focus to each of the city centre priority areas to ensure that the structures and processes are in place to address the immediate challenges whilst simultaneously ensuring the long-term strategic regeneration and development of the city centre. A separate report is on the Committee Agenda in relation to a key priority within the wider city centre governance, Complex Lives – Supporting Vulnerable Individuals.

**Financial and Resource Implications**

- 3.10** None directly associated with this report. A separate report is being brought to this Committee in relation to Complex Lives – Supporting Vulnerable Individuals.

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

- 3.11** None associated with this report.”

After discussion, the Committee adopted the recommendations.

**Stratagem Conference**

The Committee was informed that the Council had received an invitation from Stratagem to sponsor a forthcoming conference entitled ‘Future of Politics: Delivering Effective Government’, being held in Belfast on 16th September.

The Chief Executive explained that Stratagem was a public affairs consultancy firm based in Belfast which provided advice, support and services to help inform policy/strategy development and decision-making processes. It drew upon expertise and experience from across a range of sectors to inform its work.

Stratagem had stated that the conference would provide an opportunity to reflect on how the political system operated, its relationship with policy development and the wider political framework and to consider workable solutions which could deliver better outcomes for people and communities. This was the inaugural annual conference and would feature international speakers and provide a platform to showcase the City’s leadership.

The Chief Executive pointed out that the Council had been asked to consider providing sponsorship of £5k for the event, which would, if approved, be met from existing

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Departmental budgets and be commensurate to that being provided by similar organisations. The Council would, in return, receive:

- five places to attend the conference;
- a speaker place on one of the panel discussions;
- an invitation to the pre-conference dinner event on 15th September; and
- acknowledgment of its sponsorship and a promotion opportunity.

He stated that, should the Committee agree to the Council sponsoring the conference event, it was proposed that:

- i. the five places be offered to Elected Members, via Party Group Leaders;
- ii. the opportunity to participate on panel discussions be offered to the Chairperson of the Strategic Policy and Resources Committee (or his nominee); and
- iii. the invitation to the pre-conference event be offered to the Chairperson of the Strategic Policy and Resources Committee (or his nominee).

After discussion, the Committee agreed, in light of the financial challenges being faced by the Council currently and the limited outcomes to be derived, not to sponsor the conference. It did, however, grant approval for Council officers to discuss with Stratagem the potential for offering in kind support.

**Review of Invest NI – Call for Evidence**

(Mrs. L. Toland, Senior Manager (Economy), attended in connection with this item.)

The Committee considered the following report:

**1.0 Purpose of Report/Summary of Main Issues**

**1.1 The purpose of this report is to update the Committee on the review of Invest NI which is currently underway, chaired by Sir Michael Lyons, and to provide details of the proposed input to the review on behalf of the Council.**

**2.0 Recommendations**

**2.1 The Committee is asked to:**

- **note the ongoing review of Invest NI, including the scope and timelines**

**B4176**

- endorse the proposed Council response, as agreed by the City Growth and Regeneration Committee on 10th August and attached below; and
- note the likelihood of further engagement between the Review Team and the Council as the review progresses and in advance of its October 2022 publication.

### **3.0 Main Report**

#### **Key Issues**

- 3.1 The Independent Review of Invest NI was announced by the Minister for the Economy, Gordon Lyons, on 26th January 2022. The objective of the Independent Review is “To provide an independent assessment of Invest NI’s efficiency and effectiveness and, looking forward, its capacity to strategically align with and operationally deliver the 10X Economic Vision”.
- 3.2 The Review Panel is chaired by Sir Michael Lyons. He is joined by Dame Rotha Johnston and Maureen O’Reilly, an independent economist. Members will recall that Sir Michael Lyons previously chaired the Innovation and Inclusive Growth Commission which produced its “Reset for Growth” report in June 2021. He will re-engage with Commission members for a year one review session in September 2022.
- 3.3 Sir Michael has significant experience across the public sector, including local government. In 2007, he undertook an extensive inquiry into the functions and funding of local government: “Place-shaping: a shared ambition for the future of local government”. He is currently Chair of the English Cities Fund.
- 3.4 The Panel has been taking views from a range of key stakeholders since its establishment, meeting with more than 280 stakeholders through 70 engagement sessions. They have also undertaken a public consultation on the review. The current timetable for completion of the report is October 2022.
- 3.5 As part of its engagement work, the Panel met with Party Group Leaders in early July 2022. They had an extensive discussion on a number of key areas, principally focusing on the efficiency and effectiveness of Invest NI in its role as the main economic development agency in NI and also looking at whether Invest NI was appropriately and adequately resourced and structured to support the delivery of the 10X strategy.

**3.6 In addition to the engagement with Members, the Review Panel has confirmed that it would be keen to receive further written responses from key partners. Given the importance of the working relationship with Invest NI and the need to ensure that the organisation is structured in a way that can support the future economic growth of the city, it is proposed that the response be submitted to the Review Panel, reflecting the Council's views on key areas of opportunity and challenge. It covers a number of key points, namely:**

- a need to consider current budget alignment – supportive of focus on FDI but need to enhance support for entrepreneurship and innovation in support of 10x ambitions**
- a commitment to building a stronger collaborative engagement between councils and Invest NI in order to enhance the referral process for businesses seeking to access support across both organisations**
- a need to enhance commitments around sustainable and inclusive growth – and ensure that these are reflected in overall budget allocations as well as in ways of working – using influence to encourage positive behaviours among client businesses**
- a need to explore place-based approaches to investment – good examples of how this works in other locations**
- concerns at impact of recent budget cuts and apparently arbitrary approach to how these have been implemented – specific areas of concern around support for accelerator and proof of concept support that will have a detrimental impact on local businesses.**

**3.7 The Council has a strong working relationship with Invest NI. This is focused on a number of areas, namely:**

- Collaboration on FDI and positioning: we work closely with Invest NI on key target markets and showcase the city as an investment location to prospective investors. The Council takes the lead (with other public and private sector partners) on the physical infrastructure investments to support FDI**

- **Supporting the indigenous businesses:** the council has developed a good referral process with Invest NI. This means that companies progressing from our start-up and early-stage growth support can move into a more formal relationship with Invest NI as a client business, thereby accessing a suite of support to help in their future growth. We also work collaboratively with Invest NI and other partners (e.g. Catalyst) on joint initiatives such as Way to Scale – our targeted scaling intervention for companies that have significant growth potential
- **Reframing start-up and growth support:** one of the key areas of work at present for the council is our plan to significantly rescope the support for business starts. The ambition is to increase the overall number of start-ups as well as increasing the number of growth-focused, job-creating companies, including those that have the potential to scale. Invest NI has traditionally match-funded this activity (alongside council and ERDF resources). Our collective view is that this support needs to be revamped, with better outreach and engagement for potential entrepreneurs, moving towards a strong support offering that is commensurate with the potential of the business to grow and create jobs. Both Invest NI and the Department for Economy (DfE) have worked closely with the councils to date and consider that this new approach aligns with the 10x ambition and is in keeping with their wider plan to overhaul the support system for local businesses, based on the REAP (Regional Entrepreneurship Acceleration Programme) model that has been developed at MIT
- **City Deal development:** Invest NI is DfE's lead agency on the City and Growth Deals. It has established a team to support the progress of the business cases for key investment projects.

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

- 3.8 No specific financial and resource implications associated with this report.

#### **Equality and Good Relations Implications/ Rural Impact Assessment**

- 3.9 No specific equality or good relations implications/negative rural impact.

**Council Response to Invest NI Review**

**Draft Response**

Belfast City Council is delighted to have been engaged in the consultation process to inform the Invest NI review. This has provided us with an opportunity to discuss key areas relating to the efficiency and effectiveness of Invest NI in its role and also to consider if Invest NI is appropriately and adequately resourced and structured to support the delivery of the 10X Economy. Following internal discussions relating to these matters we wish to highlight a number of key areas for opportunity and challenge through the review.

While ongoing engagement with Invest NI and Belfast City Council has been positive, the current approach to engagement is largely transactional, there is limited sense of a shared view of priorities and an associated allocation of resources to bring this forward. There is also a need for greater role clarity, there is an opportunity to use this review to reframe the roles and responsibilities across the economic development support system, in order to ensure clarity both for businesses and for delivery partners. This should also include a focus on common goals and objectives related to supporting inclusive and sustainable economic development.

Through the review there is an opportunity to reflect on how Invest NI intend to support the “inclusive growth” ambitions set out in Programme for Government and emerging 10X. There is a need for Invest NI to enhance commitments around sustainable and inclusive growth and ensure that these are reflected in overall budget allocations as well as in ways of working. There are also opportunities for Invest NI to use their role to encourage positive behaviours among client businesses.

This also presents an opportunity for Invest NI to review the need to explore place-based approaches to investment. While Invest NI has local contacts, there is no clear approach to shared planning on a local level. With falling levels of government finance, we believe a concerted effort is required to move to a new partnership between central and local government to design and resource an economic recovery plan which prioritises investment in critical local/regional infrastructure such as water, waste, roads, telecoms, skills and innovation. This investment in physical infrastructure must sit alongside the development of an ambitious and outward looking

industrial strategy, offering incentives for firms to innovate and invest in new technology, facilitating supply chain collaboration, stimulating local demand, focusing on high value sectors and incentivising employees and employers to reskill and upskill. Together, these measures have the capacity to shape the long-term resilience of Northern Ireland's firms and our regional economy.

The current budget alignment should be a key consideration through the review process. In recent years FDI investment has been a key part of jobs growth and investment, and while we are supportive of Invest NI's focus on FDI we would suggest that there is a need to review the balance and potentially enhance the level of resource and support for entrepreneurship and innovation aligned with the ambitions of 10X Economy. Consideration should also be given to the level of resource to support activity to drive export sales, the levels of businesses exporting in Belfast is relatively low and the current volume of activity is significantly lower than other regions.

In relation to budgets, we would also wish to take this opportunity to raise our concerns relating to the impact of recent budget cuts and the apparent arbitrary approach to how these have been implemented. Our specific areas of concern around support for accelerator and proof of concept support that will have a detrimental impact on local businesses, and it is unclear that 10x has been a consideration in this decision making, therefore through the review there are opportunities to better align the organisational structure to the 10X ambitions.

In more recent times councils have been progressing work to significantly rescope support for business start-ups. Our ambition is to increase the overall number of start-ups as well as increasing the number of growth-focused, job-creating companies, including those that have the potential to scale. Invest NI has traditionally match-funded this activity (alongside council and ERDF resources). Our collective view is that this support needs to be revamped, with better outreach and engagement for potential entrepreneurs, moving towards a strong support offering that is commensurate with the potential of the business to grow and create jobs. Both Invest NI and the Department for Economy (DfE) have worked closely with the councils to date and consider that this new approach aligns with the 10X ambition and is in keeping with their wider plan to overhaul the support system for local businesses, based on the Regional Entrepreneurship Acceleration Programme model that has been developed at MIT.

Belfast City Council would like to use this opportunity to highlight the need for Invest NI to commit to working in partnership with councils

to overhaul current delivery models to enable the development of an ecosystem which creates an environment in which innovative local start-ups can flourish. We would also request that Invest NI through the review maintain their commitment to match-funding shared priority investments and support ongoing discussions with DfE to revisit the funding settlement for councils in the delivery of local economic development activity. Invest NI's role in relation to this programme of work should be a key consideration through this review.

We welcome the opportunity to provide an official response to the review and in doing so wish to highlight the strong working relationship Belfast City Council has with Invest NI and the ongoing willingness to work together to support future delivery across a range of areas including:

- Collaborating on FDI and city positioning in key target markets to showcase the city as an investment location to prospective investors
- Providing support for indigenous businesses through ongoing referrals to enable new businesses to progress through supports and delivering joint initiatives such as Way to Scale in partnership with Invest NI and Catalyst
- Reframing start-up and growth support to develop a new approach which aligns with the 10X ambition and is in keeping with wider plans to overhaul the support system for local businesses
- Ongoing work to develop the City and Growth deals through the provision of support to progress of the business cases for key investment projects.

Belfast City Council is keen to continue to work with Invest NI to build on the strength of our ongoing relationship to deliver sustainable and inclusive economic growth across the City and wider region.

Should you wish to pick up on any of the issues identified within this response, please do not hesitate to get in contact.

The Committee noted the contents of the report and endorsed the foregoing response.

### **Menopause Policy and Guidance**

The Committee was reminded that the Council, at its meeting on 3rd February, 2020, had passed the following motion on menopause awareness, which had been

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proposed by the Deputy Lord Mayor (Councillor M. Kelly) and seconded by Councillor Long:

“This Council resolves to work with organisations, such as Trade Unions, to ensure that Belfast City Council and its staff are Menopause Aware, have an understanding of the support available should they be concerned over symptoms which they might be experiencing, and recognises menopause as a workplace issue.”

The Director of City and Organisational Strategy reported that, in response to the motion, it had been agreed that the Council should develop a Menopause Policy and associated guidance. A subgroup of the Council’s Women’s Network Group, which had been established to progress that work, had undertaken a benchmarking exercise to assess good practice in other organisations. It had also consulted widely with the Women’s Network Group and Women’s Steering Group.

He drew the Members’ attention to the final draft policy which was being presented to the Committee for approval and confirmed that it had been agreed by both management side and the Trades Union side of the Joint Negotiation and Consultative Committee. The aims and objectives of the policy were to:

- break the stigma surrounding the menopause;
- ensure increased awareness of menopause issues among employees and managers;
- outline how employees could be supported by their managers;
- set out what employees needed to do if they are experiencing menopause symptoms that are impacting on their health, wellbeing and work;
- provide guidance on facilitating conversations between managers and staff about menopause related symptoms impacting and what managers can do to provide the necessary support;
- create an environment where women feel confident enough to raise issues about their symptoms and ask for reasonable adjustments at work, if necessary; and
- promote a greater understanding of the menopause and how employees are affected.

The Director of City and Organisational Strategy confirmed that a communication and training plan would be developed to implement the policy, when fully agreed, and an informal menopause support network would be set up, via the Women’s Network Group, to facilitate ongoing support for employees.

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He went on to remind the Committee that, at its meeting on 21st October, 2021, it had amended a motion on Fertility Treatment Leave to include menopause leave. He explained that, where an employee was absent from work due to menopause symptoms, sickness absence was dealt with sensitively through the Attendance Policy. Furthermore, through consultation with the Trades Unions, it had been agreed that the list of potential reasons for the use of discretion would be amended in the Attendance Booklet to include menopause specifically.

After discussion, the Committee approved the Menopause Policy and accompanying guidance, with:

- i. the wording in part 8.1 of the policy, requiring Council employees to *“be open and honest with their managers/HR or Occupational Health if they are struggling with menopausal symptoms and need support, to enable them to continue to be effective in their job”*, to be reviewed to correspond with the advice for managers provided within the guidance document, where the emphasis was on sensitivity, privacy and support; and
- ii. a link to be inserted at the end of the guidance document to the Menopause Support Toolkit for Employers, which had been developed by the Trades Union Congress.

**France - United Kingdom Local Government Forum**

The Chief Executive informed the Committee that the city of Nancy would, on 24th and 25th October, be hosting the next meeting of the France – United Kingdom Local Government Forum. The Committee, at its meeting on 24th September, 2021, had granted approval for a deputation from the Council to attend last year’s event. However, it had been cancelled.

He pointed out that the Forum would focus upon the common values linking local and regional government, in the new European and international context, as well as green transition, global challenges and local solutions. NILGA, which was involved in developing the overall programme, had confirmed that the costs of attendance of Elected Members would be recoverable. However, officer costs would be required to be met from existing Departmental budgets.

Accordingly, he recommended that, given the subject matter, the Committee approve the attendance at the event of the Chairperson and the Deputy Chairperson of the Climate and City Resilience Committee and the Director of City and Organisational Strategy, or another senior officer.

After discussion, the Committee agreed, in light of the financial challenges being faced by the Council currently, not to participate in this year’s France – United Kingdom Local Government Forum.

**B4184**

## **Ban the Box Campaign**

The Committee considered the following report:

### **1.0 Purpose of Report/Summary of Main Issues**

1.1 To seek approval for the Council to sign up to Business in the Community's (BITC) 'Ban the Box' campaign, which lets applicants with criminal convictions know that they have a fair chance when competing for jobs in the Council.

1.2 To seek approval for the Council to demonstrate its commitment to the 'Ban the Box' campaign by publicly announcing it on relevant social media feeds.

### **2.0 Recommendations**

2.1 The Committee is asked to agree:

- that the Council signs up to BITC's 'Ban the Box' campaign and that the Chief Executive or the Head of HR provides a quote explaining why the Council has "banned the box"; and
- that the Council demonstrates its commitment to 'Ban the Box' by publicly announcing it on BCC social media and other relevant feeds.

### **3.0 Main Report**

#### **Background information**

3.1 Belfast City Council has, for over 15 years, been committed to the fair recruitment of applicants with criminal convictions. The Human Resources Section has worked closely with the Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO) to develop detailed guidance for dealing with applicants with convictions to ensure our recruitment policies and procedures follow best practice in terms of fairness and equity for applicants with convictions.

3.2 For the past 15 years, in line with best practice from NIACRO, the question regarding applicants' criminal convictions has been removed from the Council's jobs application form and only asked of applicants who are recommended for appointment as part of the pre-employment checking process when they are required to complete a Council Disclosure of

**Criminal Convictions Form.** This means that any information provided by the applicant in respect of conviction(s) is not considered by the short-listing and interviewing panels and the applicant is recommended for appointment solely based on the merit principal and their ability to do the job as demonstrated at interview.

- 3.3** If a conviction is disclosed at this stage, a structured 'risk assessment' process takes place which involves a meeting with the applicant to gain additional information on the precise nature, context, and date of the conviction so that an informed decision can be taken in terms of whether an appointment should be made. It also gives the individual the opportunity to state their case and offer any mitigating circumstances that they feel should be taken into consideration. The formal risk assessment process is then documented assessing the risk and relevance of the offence against best practice guidelines.
- 3.4** If an applicant has an unspent conviction relating to a period of imprisonment of more than 6 months, the matter is escalated to a Recruitment Assurance Panel comprising a balanced panel of BCC Chief Officers. A fair and objective assessment takes place in terms of whether the conviction is materially relevant to the post that the applicant has been recommended for appointment to.
- 3.5** As well as reducing barriers to employment for applicants with convictions, the Council has participated in various outreach programmes as part of its overall commitment to employability / inclusive growth by visiting prisons and young offenders' centres to try to encourage job applications from applicants with convictions.
- 3.6** Business in the Community's (BITC) Ban the Box campaign is a public campaign that calls on employers to create fair opportunities for ex-offenders to compete for jobs, by encouraging companies to ask the conviction question at a later point in the application process. Companies that sign up to Ban the Box commit to:
- removing any tick box from job application forms that asks about criminal convictions;
  - considering applicants' skills, experience and ability to do the job before asking about criminal convictions;

- reviewing their recruitment processes to ensure that when a candidate discloses a criminal conviction, they are given a full opportunity to explain the situation; and
  - ensuring that the circumstances of any conviction are fairly assessed against their relevance and potential risk within the role before a decision is made.
- 3.7 Business in the Community (BITC) has confirmed that the Council's recruitment processes meet all the criteria and is requesting that the Council formally signs up to their campaign. This will enable the Council to gain recognition for the work it has done over the years to reduce barriers to employment for those with convictions by providing fair access to work.
- 3.8 So far, nine employers in Northern Ireland have signed up to Ban the Box, including other public sector bodies such as the Belfast Health and Social Care Trust and the NI Civil Service.
- 3.9 If the Council agrees to sign up to the Ban the Box campaign, it will be the first NI Council to do so. The Ban the Box logo will be included on the relevant section of BITC's websites for both Northern Ireland and UK. For the signing up process the Council has to provide a quote from a senior officer. The following quote from the Chief Executive will explain why the Council has "banned the box". *"At Belfast City Council, we believe that everyone deserves a second chance. Our recruitment process focuses on a person's skills, experience and ability to do the job. Having a conviction does not debar an applicant from obtaining employment with us unless, via a fair and structured risk assessment process, we feel that the conviction is manifestly incompatible with the role."*
- 3.10 This will not be used on the website but may be referred to in case studies or literature about the campaign; but only after BITC has sought permission from the Council for it to be used in the context and material that it is planning.
- 3.11 The Council also has the option of undertaking additional publicity. BITC would like the Council to promote that it has signed up to 'Ban the Box' on social media which may encourage other employers to sign up and adopt similar practices. This publicity would further encourage applicants with convictions to apply for posts within the Council and support our approach to employability/inclusive growth.

**Financial and Resource Implications**

- 3.12 There are no financial implications to this report.

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

- 3.13 There are no specific equality or good relations implications. All Council recruitment is and will continue to be based strictly on the merit principle.

The Committee adopted the recommendations.

**Sustainable Period Products - Phase 2**

The Committee considered the following report:

**1.0 Purpose of Report/Summary of Main Issues**

- 1.1 The purpose of this report is to provide the Committee with an update on proposals to build on the success of the initial Period Waste Pilot Initiative (March - May 2022).

- 1.2 An update report was presented to the People and Communities Committee on 10th May. It agreed that, given the success of the initiative, a request be submitted to the Strategic Policy and Resources Committee to find the budget to enable the provision of reusable sanitary products to continue to be funded and, where possible, that these products should continue to be offered free of charge or for a nominal charge at a minimum.

**2.0 Recommendations**

- 2.1 The Committee is asked to:

- i. note the contents of the report, consider the options presented within it and make a recommendation on whether the initiative should run again in-year at a smaller scale (£25,000 budget available) or whether it is content to recommend to Council that the budget be increased, on a non-recurrent basis, to run it again at a similar level (£50,000 budget – additional £25,000 required); and
- ii. consider and make a recommendation on whether a future scheme should continue to provide products free of charge on a first come, first served basis or

whether a notional charge of £5 per applicant should be applied to enable more people to avail of the scheme.

### **3.0 Main Report**

#### **Background**

- 3.1 The aim of the Period Waste Pilot initiative was to raise awareness and encourage increased use of reusable period products. More people using sustainable rather than disposable products will have an environmental benefit as it will reduce the amount of period waste that is entering our waste stream and being landfilled, and it will also reduce plastic waste. Disposal of single use menstrual products i.e. tampons, pads and applicators generates 200,000 tonnes of waste per year in the UK<sup>1</sup>. In addition, sanitary waste can be made of up to 90% plastic.
- 3.2 In the most recent BCC Waste Composition Study (2014) it was found that 1.87% of all miscellaneous combustible waste (the largest category of waste we collect) was of a sanitary waste nature (including other absorbent hygiene products but excluding nappies). This means each household was producing on average 3.38Kg of this type of product waste per year.
- 3.3 This project was primarily focused on waste reduction but also had the benefit of offering a sustainable and therefore more affordable choice for those who might be affected by period poverty which is an added pressure on individuals and families as a result of the current cost of living pressures.
- 3.4 The pilot scheme was launched on 30 March 22 to unprecedented applications and in less than 24 hrs demand had exceeded capacity in terms of the budget that had been identified within Council and thus had to close to further orders. Council had worked with the social enterprise, 'Hey Girls'. ([www.heygirls.co.uk](http://www.heygirls.co.uk)) to deliver the scheme, where participants could register and order reusable sanitary products online. As a result of the project we provided reusable period products to 3,159 people in the Belfast area at no cost to the individual.

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<sup>1</sup> Calculation by Natracare 2018

- 3.5 Such was the level of demand within the 24 hour period of it going 'live' that the notional budget officers had allocated to the scheme actually had to be increased five-fold (from £10,000 to just under £50,000). Social media coverage and feedback on the scheme was also very positive. Commentary praised Belfast City Council for bringing the initiative forward. Over 95,000 people were reached through Council social media on the topic with over 225,000 people having viewed Twitter posts promoting the scheme.
- 3.6 Officers are currently evaluating the scheme and this process will likely be completed by October 2022. This will include results from a follow up questionnaire issued to those who received the items asking whether the products were used, how frequently and asking users to give a rating for both the service and the products.

#### In-year Funding Options

- 3.7 Officers have identified the options for members' consideration and approval:
- Option A: Run the initiative for a second time in 2022/23 financial year but at a reduced level with a smaller budget and smaller number of recipients.
  - Option B: Enhance the available budget by £25,000 to be able to run the initiative at the same level for a second time in-year.
  - For both options Members should consider and advise whether the products should continue to be offered free of charge on a first come, first served basis or whether a notional charge of £5 per applicant should be applied to enable more people to avail of the scheme.
- 3.8 Running the scheme for a second time will allow us to expand on the consultation findings and consider how we resource and deliver this, or a similar initiative, on a more longer-term basis – with a further report then brought to committee/council outlining the findings and recommended way forward later in the year (Qtr 4 period 22/23).
- 3.9 Officers have commenced early discussions with DEARA and there may be a future collaborative funding opportunity to develop and deliver the scheme in partnership with them, however whilst encouraging, conversations are at a very early stage and Officers have not been able to identify any other

external funding opportunities to support the project at present.

**Financial and Resources implications**

**Option A:**

- 3.10 Council budget - £25,000 would be made available within the existing 2022-23 Waste Awareness Budget. This level of funding would enable approximately 1,320 people to access sustainable period products if they were provided free of charge again, or if each individual was asked to pay a £5 contribution then approximately 1,845 people could participate (an additional 525 people).

**Option B:**

- 3.11 Add an additional £25,000 to Option A budget and match the original scheme's scope. Therefore, enabling approx. 2,700 people to participate if provided free of charge or 3,690 people to participate, if residents paid £5 toward the products. This may incur a potential overspend of £16,000 - £25,000 in the Waste Awareness Budget, unless the funding could be found elsewhere.

For reference, participants can either choose to order a Full Cycle Pack (containing 1 x reusable pantyliner, 2 x day reusable pads and 2 x night reusable pads) to the value of £21.40 per pack or a Period Cup Combo approximately £12.99 (including all associated costs).

\*Assuming £25K total spend, notionally split at £20k spend Home Pack and £5K spend cups.

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

- 3.12 The pilot scheme was designed to be accessible to as many residents in the Belfast area as possible. Officers will review uptake and consider any ways to address imbalances in uptake either through education or design (e.g. applying additional criteria and/or targeting) of future programmes.

After discussion, the Committee agreed:

- i. to adopt option B, as set out within the report, that is, to enhance the available budget by £25,000 to enable the initiative to operate at the same level for a second time; and

- ii. that products should continue to be provided free of charge on a first come, first served basis.

### **Physical Programme and Asset Management**

#### **Update on Physical Programme**

The Committee considered the following report:

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

**1.1 The Council’s Physical Programme currently includes 170 capital projects with investment of £150m+ via a range of internal and external funding streams, together with projects which the Council delivers on behalf of external agencies. This report requests a movement on the Capital Programme.**

**2.1 The Committee is requested to:**

- **Proposed movement on the Capital Programme: Alleygating Phase 5 project - Agree that the project be moved to *Stage 2 – Uncommitted*.**

#### **3.0 Main Report**

**3.1 Members will be aware that the Council runs a substantial Physical Programme. This includes the rolling Capital Programme – a multimillion regeneration programme of investment across the city which improves existing Council assets or provides new council facilities. The Council also delivers externally focused funding streams such as BIF, LIF and SOF, as well as numerous capital programmes that we deliver for central government. Our funding partners include NHLF, SEUPB Peace IV, the Executive Office via Social Investment Fund and Urban Villages, DfC, DfI, DAERA, Ulster Garden Villages and others. When appropriate, as per Covid 19 public health guidance, the Physical Programmes Department is happy to arrange site visits to any projects that have been completed.**

#### **Proposed Movement – Capital Programme**

**3.2 Members have previously agreed that all capital projects must go through a Three Stage process where decisions on which projects progress are taken by the Strategic Policy and Resources Committee. This provides assurance on the level**

of financial control and will allow Members to properly consider the opportunity costs of approving one capital project over another capital project.

Members are asked to agree to the following movement on the Capital Programme:

Project	Overview	Stage movement
Alleygating Phase 5	Next phase of the alleygates programme	Move to Stage 2 - Uncommitted

### Alleygating Phase 5

- 3.3 In January 2021, the Committee agreed to add Alleygating Phase 5 as a *Stage 1- Emerging* project onto the Capital Programme in order to allow the project to be developed. A Strategic Outline Case has now been prepared for the project. Members will recall that, in March 2022, long lists of gate locations were referred to the AWGs for prioritisation. This process is now well underway and officers anticipate that the agreed locations for all four areas will be brought back in next month following the conclusion of the AWG workshops. Once locations are agreed, the project can then proceed to *Stage 3 – Committed* under the Capital programme. Members are asked to note that this project will be brought back to the Committee in due course, in line with the agreed three stage approvals process.

### Financial and Resource Implications

- 3.4 *Financial – £500,000 under the Capital Programme.*  
*Resources – Officer time to deliver as required*

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

- 3.5 All capital projects are screened as part of the stage approval process.”

The Committee adopted the recommendation.

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**Asset Management**

The Committee approved the following:

- i. Parkgate Avenue Car Park**
  - the renewal of the existing Licence Agreement with the Directors of Argento Contemporary Jewellery Ltd. for a right to pass/repass across Parkgate Avenue Car Park;
- ii. John Murray Lockhouse**
  - the variation of the existing Lease Agreement with LORAG, to include additional Council owned land, to facilitate the John Murray Lockhouse project;
- iii. Dr. Pitt Memorial Park**
  - the transfer of land from the Northern Ireland Housing Executive to the Council to facilitate the redevelopment of Pitt Park;
- iv. Cregagh Youth and Community Centre**
  - the grant of a licence to the Irish Rugby Football Union (Ulster Branch) for its occasional use of the overflow car park adjacent to Cregagh Youth and Community Centre;
- v. Blackmountain**
  - the grant of a 10-year lease to Trustees of Springfield Star for their use and occupation of c. 0.613 acres of land, comprising a mini soccer pitch, adjacent to Springmartin Play Area;
- vi. Land at Suffolk Playing Fields**
  - the retrospective grant of a licence to Suffolk Community Forum for the siting of a portacabin, to facilitate a community garden;
- vii. Land at Cregagh Green**
  - the grant of a licence to Cregagh Wanderers FC for the siting of a container for dry changing facilities;

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**viii. Dundela Crescent Car Park**

- the grant of a Licence to Kelly Brothers Limited for a temporary contractor's compound within Dundela Crescent Car Park; and

**ix. Belvoir Drive**

- the grant of a lease to Belvoir Area Residents' Group for c. 550 sq. m of open space land at Belvoir Drive for use as a community growing project.

**Finance, Procurement and Performance**

**Update on Contracts**

The Committee:

- approved the public advertisement of tenders, as per Standing Order 37a, as detailed in Table 1 below;
- approved the modification of the contract, as per Standing Order 37a, as detailed in Table 3 below; and
- noted the award of retrospective Single Tender Actions, in line with Standing Order 55 exceptions, as detailed in Table 4 below.

The Committee agreed not to approve the award of the Single Tender Actions, in line with Standing Order 55 exceptions, as detailed in Table 2 below, and requested that detailed information on the assessment of those tenders and the tendering process for Single Tender Actions generally be forwarded to Members in advance of the decision being ratified by the Council on 1st September.

The Committee agreed also that, in future, the Committee report would, for each Single Tender Action, be accompanied by the rationale behind it being recommended for approval.

**Table 1: Competitive Tenders**

<b>Title of Tender</b>	<b>Proposed Contract Duration</b>	<b>Estimated Total Contract Value</b>	<b>SRO</b>	<b>Short description of goods / services</b>
Electrical services insurance/ remedial repairs	Up to 3 years	£250,000	S Grimes	To have an electrical contractor to carry out repairs to electrical installation based on a schedule of rates to control the costs

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Framework for electrical contractors for planned maintenance minor works for electrical services	Up to 2 years	£350,000	S Grimes	New framework is to have an approved list of contractors who can compete on mini competitions over work orders for £10k to £75k
Callouts, repairs and planned maintenance of high levelling lighting	Up to 3 years	£250,000	S Grimes	To have a specialist electrical contractor to carry out repairs and maintenance works to high level lighting based on a schedule of rates to control the costs
Provision of portorage services	Up to 3 years	£90,000	N Largey	To provide Council departments with portorage services as and when required.
Peugeot, Citroen and Renault Original Equipment Manufacturer (OEM) approved parts and components, warranty support and specialist repairs	Up to 5 years	£100,000	C Matthews	To ensure that the OEM approved engineering parts and components are replaced and fitted to Peugeot, Citroen and Renault vehicles in keeping with the manufacturer warranty, operational safety terms and conditions
Emerging technology capacity building and access to finance programme for high growth sectors (Immersive, Fintech, Tech)	Up to 18 months	£140,000	J Greer	This service will help support the growth of the emerging tech sector (Immersive, Fintech etc) and provide support to them to build capacity, share knowledge and access new forms of finance such as BCC challenging funding
Sample analytical services at	Up to 3 years	£100,000	S Grimes	The tender is to enable the council to continue to comply with the sampling and

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the North Foreshore site				environmental management requirements of the NIEA Waste Management Licence LN/08/46/C/V3 of 3rd January 2017 for the site. Under Regulation 4 (6) of The Waste and Contaminated Land (Northern Ireland) Order 1997
Belfast City Centre Connectivity Study Phases 2 and 3 *Previously approved May 2022 for 8 months at £40,650 but has now been reviewed	Up to 12 months	£125,983	J Greer	Multi-disciplinary team in place but due to additional requirements an extension to the contract is required in order to deliver the final strategy. Specialist skills are required that are not within Belfast City Council.
Framework to support the delivery of various competitions for Business Support Programs	Up to 4 years	£6,000,000	J Greer	This framework will be designed to provide sufficient support and flexibility for the delivery of Enterprise and Business Growth programmes
T2282 - Provision of press and media photography services *Previously approved April 2022 for 3 years at £90k but has now been reviewed	Up to 4 years	£120,000	J Tully	The council has an ongoing requirement for press and media photography as part of our marcomms delivery on behalf of council
Professional contractor to engagement, management and physical delivery of	Up to 18 months	£160,000	J Greer	The project requires a local delivery organisation to work with BCC producer to identify the 4-5 local locations, partner with local organisation in the area, and oversee and

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the international residency project in partnership with British Council				administer the 5 residencies of the artists visiting NI.
A grants management system providing online application and management of grants streams *Previously approved June 2022 for 4 years at £95,518 has now been reviewed	Up to 4 years	£100,000	R Cregan	A grants management system providing online application and management of grants streams
External consultancy to assist with the development of a new IT strategy	Up to 3 months	£50,000	R Cregan	Support required in developing the Council's new IT strategy
Technical professionals providing in-depth technical research and guidance to help Digital Services advance the initiatives/ projects that support execution of the IT strategy	Up to 2 years	£53,000	R Cregan	Use proven Reference Architecture to develop technology Architecture Receive organisation-specific guidance through calls with analysts Leverage industry best practices to avoid costly mistakes Enables Digital Services to stay current with changing markets and technologies

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**Table 2: Single Tender Actions**

<b>Title</b>	<b>Duration</b>	<b>Total Value</b>	<b>SRO</b>	<b>Description</b>	<b>Supplier</b>
Fiat Original Equipment Manufacturer (OEM) approved parts and components, warranty support and specialist repairs	Up to 4 years	£40,000	C Matthews	To ensure that FIAT vehicles being used by the Council have only approved OEM parts and components replaced in all safety related vehicle areas on a like for like basis in keeping with the vehicle manufacturer terms and conditions.	FIAT Donnelly Group
Mercedes Benz Original Equipment Manufacturer (OEM) approved parts and components, warranty support and specialist repairs	Up to 4 years	£60,000	C Matthews	To ensure that Mercedes Benz vehicles being used by the Council have only approved OEM parts and components replaced in all safety related vehicle areas on a like for like basis in keeping with the vehicle manufacturer terms and conditions.	Mercedes Benz Truck & Van
City Hall Illuminate Replacement Luminaires	Up to 5 weeks	£43,918	S Grimes	A change from the existing manufacturer of the luminaires to any alternative would result in different	Signify Commercial UK Ltd (Phillips Lighting)

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				technical characteristic which would involve compatibility issues. This would cause significant installation, commissioning, operating and maintenance issues	
Procurement of a Local Area Energy Plan for Belfast and Queens Island *Fully funded	Up to 6 months	£110,000	J Tully	The Local Area Energy Plan approach is bespoke to Energy Systems Catapult. Energy Systems Catapult is the only supplier in the market who has the experience, knowledge and capability to provide this service.	Energy Systems Catapult

**Table 3: Modification to Contract**

<b>Title of Contract</b>	<b>Duration</b>	<b>Modification</b>	<b>SRO</b>	<b>Description</b>	<b>Supplier</b>
T1947 - Delivery of Peace IV Transform for Change	Up to 3 years	Additional 3 months	S Toland	This contract extension will allow the continued delivery of Project development workshops and action plan development for the remaining	The Northern Ireland Council for Voluntary Action

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				Transformative Leadership Programme cohorts - as part of the Transform for Change Programme (TfC).	
T2032 - Procure group residentials for groups of youth on PEACE IV programme - Lot 1 County Donegal, Lot 2 County Cavan, Lot 3 County Monaghan T2032 (b) (c) Procure group residentials for groups of youth on PEACE IV programme	Up to 6 months	Additional 6 months	S Toland	A contract extension until 31 December 2022 to provide residentials as part of the On the Right Track Sports project.	Gartan Outdoor Education and Training Centre Donegal Adventure Centre Cavan and Monaghan Education and Training Board Carlingford Adventure Centre Scouting Ireland Services CLG
T1953 - Provision of an employee counselling service	Up to 3 years	Additional 1 month and £30,000	J Tully	Required to enable the expiry date of the existing contract to align with the start date of the new contract	Apheideo Associates Ltd
T1963 - Delivery of a new Social Enterprise and	Up to 3 years 4 months	Additional 4 months	J Greer	In the process of setting up a new Enterprise & Business Growth Framework,	Work West Enterprise Agency

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Cooperative Programme				which will cover the future delivery of the Social Enterprise and Cooperative Support Programme. It is envisaged to be ready by the end of the year.	
T2203 - PEACE IV Youth Engagement & Civic Education Project	Up to 11 months	Additional 2 months	S Toland	Project delayed due to problems with recruitment of young people, unforeseen issues, tension between some communities, around Brexit and the Northern Ireland Protocol.	Youth Link NI
T1795 Provision of portage services	Up to 5 years	Additional 3 months and £10,000	N Largey	Modification required to extend the current portage contract whilst the new tender process is carried out	Delivery Services and Storage Ltd

**B4202**

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**Table 4: Retrospective Single Tender Actions**

<b>Title of Contract</b>	<b>Duration</b>	<b>Value</b>	<b>SRO</b>	<b>Description</b>	<b>Supplier</b>
Programming of 2 Royal Avenue	Up to 3 months	£35,000	J Greer	Request to extend the programming operator to continue their daily duties until the current tender process appoints a new venue management operator.	MayWe LLP
Operational management of 2 Royal Avenue	Up to 3 months	£35,000	J Greer	Request to extend the programming operator to continue their daily duties until the current tender process appoints a new venue management operator.	MayWe LLP
T629a - collection, storage, retrieval and destruction of office records	Up to 8 months	£37,000	N Largey	A new tender exercise was planned to be awarded by 01 August 2022 and is currently in progress however, due to the continued home working arrangements, it has not been possible to complete.	Morgan Document Security (previously, John Morgan & Son Ltd)

**Equality and Good Relations**

**Minutes of Meeting of Shared City Partnership**

The Committee approved and adopted the minutes of the meeting of the Shared City Partnership of 8th August, including the recommendations:

**B4203**

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**PEACE IV**

**Secretariat**

- to accept the thematic extension and budget modifications from SEUPB, as follows:
  - SSS - an extension from 31st December, 2022 to 30th June, 2023;
  - CYP - an extension from 31st December, 2022 to 31st March 2023;
  - BPR - an extension from 31st December, 2022 to 31st March 2023;
  - CYP5 - the reallocation of £12,995 of funding from external expertise to salaries;
- to uplift the planned contract by up to £5,205, due to increased venue/catering costs;
- to illuminate the City Hall on 21st September in the colours of the United Nations, to mark International Day of Peace; and
- to facilitate a visit to the Forth Meadow Community Greenway by the Causeway Coast and Glens PEACE PLUS Partnership.

**Children and Young People**

- CYP 1 - to realign 15 participants between lots, with Lot 1 (age 6 - 11) increasing by 15 participants and Lot 2 (age 12-16) reducing by 15 participants; and
- CYP 5 – to reclassify a total of 18 participants (12 from West Belfast 2, and 6 from East Belfast Networks) from core participants to peer participants.

**Shared Spaces and Services**

- with the commencing of the bridge naming in Springfield Park, there should be support from other Council officers with relevant experience in similar naming processes; and

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- the next steps for the development of the Governance Model to include Senior Managers to meet to discuss and agree the required coordination roles and resources, upon receipt of a final report.

**Building Positive Relations**

- BPR 6 - to agree, in principle, a further extension to November 2022 to St. Comgall's, as confirmed with the delivery partner.

**Good Relations**

- to approve funding towards the following projects:

**BCC7: Interface Programme**

- Upper North Belfast Capacity Building and Engagement Project, with North Belfast Interface Network as the lead partner for Twaddell Ardoyne Shankill Communities in Transition: £9,500; and
- East Belfast Enterprises - towards a large-scale interface engagement programme in Inner East Belfast with a number of local groups and organisations: £15,000.

**BCC9: East Belfast Strategic Intervention**

- East Belfast Alternatives - Enhancing Community Connections: £8,000;
- Youth Initiatives - Children and Young People Project: £2,000; and
- East Belfast Sure Start - Exploring Heritage and Culture - £2,000.

**Quarter 1 Update**

- to note the contents of this report, particularly the allocation of £124,275.50 to grants through the Good Relations Small Grant Scheme 22/23; and
- to note the allocation of £4,300 to the City Church Intervention project, and £12,000 to the Falls Community Council Strategic Intervention project under BCC9 by delegated authority, as previously agreed.

**Part 2 - PEACEPLUS 1.1 Local Community Action Plan Update**

- to agree to the recently appointed consultants Locus Management (with support from Blu Zebra) to further work up the evolving Co-design Framework for developing the PEACEPLUS Local Community Action Plan;

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- to agree that consultants attend Part 2 of the SCP meetings where PEACE PLUS is discussed from September 22 until the Plan was submitted to SEUPB to provide further updates and advice on the codesign and development of the 1.1. Co-Designed Local Community Peace Action Plan for Belfast;
- to approve the amendment to the Terms of Reference for the Shared City Partnership to include the scope of oversight and responsibility relating to the PEACE PLUS Local Community Peace Action Plan with the caveat around inclusion of the terms ‘Co-Production and Co-Design’;
- to note that a Draft Partnership Agreement would need to be drawn up to submit with the Local Community PEACE Action Plan, similar to that drawn up and signed for the PEACE IV Action Plan. Officers will consult with Legal Services regarding the terms of the agreement and this would be brought to a future Partnership meeting;
- to note that a Code of Conduct would be circulated to Members of the Shared City Partnership for signature after the August meeting;
- to note the financial allocation model for the Belfast PEACEPLUS Local Community Action Plan; and
- to note the updates from the recent Public Information Sessions and Shared City Partnership workshop.

**Equality and Diversity: Quarter 1 2022-23**  
**Screening Outcome Report/Rural Needs**  
**Annual Monitoring Report 2021-22**

The Interim City Solicitor reminded the Committee that the Council was required, under its equality Scheme, to carry out screenings of new and revised policies, to enable any impacts relating to equality of opportunity and/or good relations to be identified and addressed. An Equality Screening Outcome Report was collated on an annual basis and published on the Council’s website.

The Council had a statutory duty also, under the Rural Needs (Northern Ireland) Act 2016, to consider rural needs in the development of new policies, plans or strategies or in any service design/delivery decisions and was required to submit an annual report to the Department of Agriculture, Environment and Rural Affairs.

Accordingly, the Committee:

- noted the contents of the Equality Screening Outcome Report for Quarter 1 of 2022/23; and

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- approved the submission of the Council’s Annual Monitoring Return to the Department of Agriculture, Environment and Rural Affairs for 2021-2022, on a holding basis, subject to it being ratified by the Council at its meeting on 1st September.

**Equality and Diversity: Annual Report to the Equality Commission for Northern Ireland 2021-22**

The Committee was reminded that the Council was required, under Section 75 of the Northern Ireland Act 1998, to provide the Equality Commission for Northern Ireland with an annual report on the progress of the implementation of its Equality Scheme. With that in mind, the Interim City Solicitor submitted for the Committee’s approval the annual report for 2021/22, which outlined the progress on actions identified to promote equality of opportunity and good relations.

The Committee approved the Council’s annual report for 2021/22 for submission to the Equality Commission for Northern Ireland and noted that equality capacity building on the Council’s Equality Scheme would commence in the autumn and would include details of the Annual Report.

**Operational Issues**

**Minutes of Meeting of Party Group Leaders' Consultative Forum**

The Committee approved and adopted the minutes of the meeting of the Party Group Leaders’ Consultative Forum of 11th August.

**Requests for Use of the City Hall and the Provision of Hospitality**

The Committee adopted the recommendations in respect of those applications received up to 6th August, as set out below, and agreed that funding be allocated to the organisers of the North Belfast Interface Network and the West Belfast Partnership Board events to enable them to provide tea/coffee and biscuits upon arrival:

<b>NAME OF ORGANISATION</b>	<b>FUNCTION DATE</b>	<b>FUNCTION DESCRIPTION</b>	<b>CRITERIA MET</b>	<b>ROOM CHARGE</b>	<b>HOSPITALITY OFFERED</b>	<b>CIVIC HQ RECOMMEND</b>
<b>2022 EVENTS</b>						
North Belfast Interface Network	8th September, 2022	<b>Challenging Conversations, Promoting Positive Change Award Ceremony</b> for 60 North Belfast residents who have completed	D	No charge - Complimentary as Charity	No hospitality  (Option if the Committee wishes to offer funding towards	Approve No charge No hospitality

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		the cross community Challenging Conversations course.  Numbers attending - 80			Tea/Coffee and Biscuits)	
West Belfast Partnership Board	6th October, 2022	<b>West Belfast Aisling Educational Bursary Awards Ceremony</b> - celebration of the work of people in the bursary and encourage others into further education to improve their skill sets and the work force for business in the City.  Numbers attending - 250	D	No charge - Complimentary as Charity	No Hospitality  (Option if the Committee wishes to offer funding towards Tea/Coffee and Biscuits)	Approve No charge No hospitality
Polish Educational and Cultural Association	20th November 2022 <i>tbc</i>	<b>Polish Independence Day 2022 –</b> Celebration event to promote diversity and reflect on positive contribution of Polish community.  Numbers attending - 160	C & D	No charge - Complimentary as Charity	No (supply own)	Approve No Charge No Hospitality
N I Tourist Guiding Association	2nd December 2022	<b>Gala Dinner to celebrate 30 years of Professional Tourist Guiding in N Ireland –</b>	C & D	No charge - Complimentary As Not For Profit	Yes, Wine Reception as significant anniversary	Approve No charge Wine Reception <i>£500 given to their chosen caterer for</i>

**B4208**

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		Dinner with speeches and after dinner entertainment.  Numbers attending - 150				<i>wine on arrival/ dinner</i>
<b>2023 EVENTS</b>						
The Scout Association, Northern Ireland Scout Council	6th January 2023	<b>Chief Scout's Award and Queen's Scout Award Presentation</b> – 120 young people receiving awards and attending a reception.  Numbers attending - 450	B & D	No charge - Complimentary as Charity	No hospitality	Approve No Charge No Hospitality
Now Group	29th March 2023	<b>Now Graduation Ceremony</b> - annual celebration of the work of trainees supported by the Now Group and completion of the training programme.  Numbers attending - 300	D	No charge - Complimentary as Charity	No hospitality as annual event not one-off celebration	Approve No charge No hospitality
Ulster Supported Employment and Learning	31st May 2023	<b>SEN Lunch and Graduation and Celebration 2023</b> for young with Special Educational Needs and Disabilities completing their time on the Training for	B & D	No charge - Complimentary as Charity	No hospitality	Approve No charge No hospitality

**B4209**

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		Success programme.				
		Numbers attending - 150				

**Minutes of Meeting of Language Strategy Working Group**

The Committee approved and adopted the minutes of the meeting of the Language Strategy Working Group of 12th August.

**Minutes of Meeting of Social Policy Working Group**

The Committee approved and adopted the minutes of the meeting of the Social Policy Working Group of 16th August.

**Issues Raised in Advance by Members**

**Electric Vehicle Charging Points Strategy**

At the request of Councillor Long, the Committee agreed that a report be submitted to a future meeting examining the potential for increasing the number of electric vehicle charging points on Council properties and for working with the Department for Infrastructure and other relevant Departments to develop a strategy to promote the use of electric vehicles generally.

Chairperson

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## People and Communities Committee

Tuesday, 9th August, 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,  
McCusker, Newton, O'Hara and Verner.

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**

No apologies were reported.

#### **Minutes**

The minutes of the meeting of 7th and 21st June were taken as read and signed as correct. It was reported that the minutes had been adopted by the Council at its meeting on 4th July.

#### **Declarations of Interest**

Councillors Corr, Donnelly and Verner declared an interest in items 2 (b) Advice Service and item 4 (a) Community Provision Funding Update in that they either worked for or were associated with an organisation that was in receipt of funding from the DfC. All Members left the meeting whilst the matters were being discussed.

Councillor Bunting declared an interest in item 2 (e) Air Quality Progress Report in that she was employed by the DAERA Minister and left the meeting whilst the matter was being considered.

#### **Restricted**

**The information contained in the reports associated with the following 5 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 4 items as, due to their nature, there would be a disclosure of

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exempt information as described in Section 42(4) and Section 6 of the Local Government Act (Northern Ireland) 2014.

**Year End Finance 2021/22**

The Committee was updated in respect of the financial position of the People and Communities Committee for Quarter 4, which confirmed an under spend of £3.235m (-3.8%) of the budget after absorbing covid related costs of £245k for that period.

The Committee was advised that a report outlining the year end position for the Council had been submitted to the Strategic Policy and Resources Committee at its meeting on 17th June, this had provided an overview of the financial performance of the council in the context of the agreed finance strategy that had put in place to manage the financial impact of Covid-19.

Following a query from a Member, the Director of City Services confirmed that vacant posts had contributed to the underspend but assured the Members that officers were endeavouring to fill these positions to ensure continuity of service.

The Committee noted the year-end financial position.

**Advice Services**

The Director of Neighbourhood Services provided the Members with a comprehensive update regarding the current support for advice services across Belfast, along with details of the issues associated with delivery.

He detailed that, given the various factors, it was recommended that an independent review of the provision of advice services across Belfast be undertaken. This would include consideration of best practice models in other regions and the development of options to ensure the delivery of high-quality advice services. The review would also consider DfC guidance, the challenges faced by the independent advice sectors and the different advice services which required support. He advised that the review and subsequent report would contain recommendations for service delivery for the next five years.

The Director then provided an update in relation the current funding arrangements for the Belfast Citywide Tribunal Service (BCTS) for the 2022/23 financial year, he recommended that the review report would include options on future support for BCTS.

Several Members welcomed the independent review and stressed the need for it to be undertaken at pace, they discussed the current cost of living financial pressures that people were facing and noted that these would increase the demand for these vital advice services.

The Committee:

- approved a review and the development of options for the future provision of Advice Services (including the BCTS) to ensure a consistent service across all areas of Belfast to meet the needs of citizens in relation to advice provision; and

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- noted the update in relation to the current funding arrangements for the Belfast Citywide Tribunal Service (BCTS) for the 2022/23 financial year.

**Review of Belsonic 2022**

The Committee was reminded that, at its February 2022 meeting, it had agreed that those events that had previously sought multiple year approval would be subject to annual review, pending a satisfactory pilot year.

The Director of Neighbourhood Services advised that the initial request to host Belsonic 2022 had sought multiple year approval, however, the Committee at its meeting in April 2022 had only agreed the series of concerts but the multiple year request had been declined pending a review of the 2022 event.

The Director of Neighbourhood Services then provided the Members with a comprehensive update on the preliminary findings of the review of the recent Belsonic Event held in Ormeau Park.

The Members noted that for this year's event, in light of previous complaints from local residents and the communities negatively impacted by the event, the relevant Council departments that worked alongside the event promoters had increased the volume of pre-event meetings with the organisers and had also supported a number of meetings between the organisers and local Elected Members who were representing local residents and businesses.

It was felt that this intervention had enabled some areas of concern to be addressed in advance of the event, which included:

- Increased portable toilet provision at identified hot spot and drop off areas to deter concert attendees from urinating in public spaces and residents' alleyways;
- Increased Eventsec marshalling at identified hot spot and drop off points;
- A change of focus for the Council's Community safety operation moved from patrolling the event space to patrolling the streets and alleyways of the local neighbourhoods; and
- The implementation of a youth and community outreach approach delivered by a number of youth and community organisations based in the area. These outreach teams moved people on into the concert space at speed, deterred antisocial behaviour and importantly provided a welfare service to those at most risk and vulnerable from alcohol consumption.

The Director advised that, he was pleased to report, the number of complaints received from previous years had decreased and it was generally felt that this more attentive, focused and collaborative approach by the event organisers and statutory partners had indeed had a positive impact on the overall delivery of the event.

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Several Members concurred and welcomed the level of interaction that had taken place. Some discussion ensued regarding areas that could be further improved which included enhanced accessibility and the provision of changing places facilities for attendees with disabilities, the provision of a support system for vulnerable young people who had been refused entry to the event and adequate portable toilet provision at identified hotspots. The Members agreed that it would be useful to have a further meeting with the various stakeholders in advance of considering a multiple year request.

In addition, a Member sought clarity on the new Social Value Fund and how this would be administered and allocated. It was suggested that Elected Members from the constituency area be consulted as to the proposals and that the participatory budgeting approach be considered. The Director of City Services advised that that was a relatively new initiative, and it was proposed that it would support park improvements.

The Committee:

- noted the report and agreed to have a further meeting with the various stakeholders to discuss additional areas for improvement in advance of potentially being asked to consider a multiple year request from the promotor; and
- agreed that a report would be submitted to a future meeting to provide detail on the Social Value Fund and the proposals for how it would be utilised.

**Feasibility Report on Expansion  
of Brown Bin Scheme**

(Mr. B. Murray, Waste Manager, attended in connection with this item.)

The Director of Resources and Fleet drew the Members' attention to the feasibility report that had been undertaken regarding the potential expansion of the brown bin scheme. She explained the rationale behind the request and referred to the fact that, currently, there was no regular kerbside garden waste scheme for households in the inner-city area and, as previously agreed by the Committee, this report examined the potential for extending the collection to include these areas.

The Members were advised that the consultants RPS Group (RPS) had used Geographical Information Systems (GIS) and various housing stock databases to first determine the residential property classification and, at this stage, apartments and non-domestic properties had been excluded. Low-rise properties had then been screened based on their external sizes within the inner-city area and had then been banded into the following categories:

- [Red] 0 - 75m<sup>2</sup> = Household with an external area that is unlikely to be suitable for a brown bin;
- [Amber] 75 - 175m<sup>2</sup> = Household with an external area that is potentially suitable for a brown bin; and

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- [Green] 175 - 3,000m<sup>2</sup> = Household with an external area that is likely to be suitable for a brown bin.

The Director referred to the summary findings of the feasibility report which provided an estimate of garden space coverage based on aerial imagery across 50 sample households in each category. She advised that, if the proposals were agreed by the Strategic Policy and Resources Committee, it was recommended that the households categorised as either amber or green within the report would form the basis upon which to expand the brown bin service to the inner-city area, which would involve approximately the following number of households:

**Table 3.1 | Number of households in each external area size category (low rise households only)**

	Estimated external area size category (m <sup>2</sup> )	Average estimated % of garden space in external area	Number of <u>low rise</u> households
Red	0 – 75	30%	36,547
Amber	75 – 175	42%	6,680
Green	175 - 3,000	50%	1,831
<b>Total</b>			<b>45,058</b>

Several Members welcomed the report and the fact that it was so comprehensive.

Following a query from a Member that those households categorised as red might miss out on the scheme, the Director provided an assurance that those properties categorised in red could be considered operationally on a case-by-case basis to ensure consistency in provision of the service.

During discussion, Members agreed that they felt that it would be useful to view the map showing the distribution of the households and detailing the addresses of the properties in each specific category.

The Waste Manager addressed a number of specific queries regarding the ARC21 contract and the tonnages for green waste recycling.

Following a query from a Member, the Director advised that efforts were being made to reinstate the glass recycling service that had recently been suspended due to resource issues and undertook to keep the Members updated.

**The Committee**

- agreed that, subject to the approval of the Strategic Policy and Resources Committee, the households categorised as amber or green within the report would be the basis upon which to provide the expanded brown bin service to the inner-city area and noted that those categorised as red would be considered operationally on a case-by-case basis to ensure consistency in provision of the service;
- noted that the feasibility report would be submitted to the Strategic Policy and Resources Committee for its consideration regarding the potential

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impact that expansion of the service would have on the capital programme, revenue estimates and the rates setting process; and

- agreed that, GDPR permitting, a map detailing the addresses of the properties in each specific category be emailed to Members of the Committee.

**Air Quality Progress Report**

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

The Director of City Services advised that, as part of its ongoing statutory duties in respect of local air quality management, as established via Part III of the Environment (Northern Ireland) Order 2022, the Council was required to provide annual Updating and Screening Assessments or Progress Reports to the Department of Agriculture, Environment and Rural Affairs (DAERA) for technical appraisal and subsequent publication via the DAERA NI Air Website and she drew the Members' attention to a copy of the Belfast City Council 2022 Air Quality Progress Report. The Committee was further advised that, if adopted by the Committee, the document would then be assessed by DAERA's independent technical appraisers and would therefore remain in draft until it had been formally approved.

During discussion a Member referred to the WHO guidelines and welcomed that these had been included in the report and he reaffirmed the need for progress to be benchmarked against the updated WHO standards. He also sought an update in regard smoke control zones in the City, specifically regarding the enforcement measures taken and highlighted the need to better publicize and promote air quality to ratepayers.

The Environmental Protection Manager advised that it was the Council's intention to undertake more promotion campaigns to share information about air pollution and to promote better air quality in the City and he reported that the Council had recently participated in Clean Air Day 2022.

During discussion it was agreed that the Committee would write to the DAERA Minister to seek an update on the progress of the Clean Air Strategy for Northern Ireland.

The Committee also:

- endorsed the Belfast City Council 2022 Air Quality Progress Report and agreed that it be submitted to the Department of Agriculture, Environment and Rural Affairs' (DAERA) independent technical appraisers for appraisal by the 15th August 2022, subject to Council ratification on 1st September; and
- agreed that a report would be submitted to a future meeting to provide an update on enforcement action within smokeless zones in the City.

**Matters referred back from the Council/Motions**

**Motion - Capital Investments in  
Parks, Public and Open Spaces**

The Democratic Services Officer informed the Members that the Standards and Business Committee, at its meeting on 28th June, had referred the following motion, which had been proposed by Councillor O'Hara and seconded by Councillor Groogan, to the People and Communities Committee for consideration:

“This Council recognises the importance of parks, public and open spaces across the city. We understand that during the pandemic, more and more people in our city realised the inherent value of these spaces. We support and recognise the Council’s ongoing work in developing our parks, public and open spaces but believe we need a step change in investment in these spaces.

This Council has also passed a number of motions related to improving our parks and open spaces, including access to bins, late night opening, lighting schemes and also other motions supported by this Council on rewilding, enhancing urban biodiversity, sport development, youth diversion, health and wellbeing and employment opportunities.

To build on these motions and other bodies of work, this Council will commit to a long-term investment in our parks, public and open spaces. This will replicate the capital investment programme undertaken in the transformation of leisure services and commits to sourcing funding and investment opportunities to achieve this.”

The proposer of the motion, Councillor O'Hara, addressed the Committee and provided an overview of the motion.

A number of Members spoke in support of the motion and, as outlined in the motion, urged officers to build on the suggestions from previous motions when considering this one. The Chairperson emphasised the need to ensure that Council parks, public and open spaces were inclusive and accessible spaces for all.

The Committee adopted the motion and agreed that a report on how this would be facilitated, resourced and managed would be submitted to a future meeting.

**Committee/Strategic Issues**

**Community Provision Funding Update**

The Committee considered the undernoted report:

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

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

- Inform members that Council has received a Letter of Variance from Department for Communities as part of the Community Support Programme, financial years 2022-23 for the Social Supermarket Fund (SSF).
- Ask members to consider and approve the proposed allocation approach for the SSF and that the Chief Executive accept the Letter of Variance on behalf of Council.
- Ask members to consider the information in relation to the impact of increased utility costs for community groups and to approve the outlined approach to provide support.
- Inform members on the outcome of the recent open call for micro and medium grants.

## **2.0 Recommendations**

**2.1** That Committee is asked to agree that the Chief Executive formally accepts the Letter of Variance on behalf of Council and consider and agree:

- Recommended approach to distribution of the Social Supermarket fund
- Recommended approach to support community groups meet increased utility costs

## **3.0 Main report**

### **Background**

#### **Social Supermarket Fund**

- 3.1** Members will be aware that each Council area is allocated an award from the Department for Communities (DfC) to deliver a Community Support Programme (CSP) which should support the aims of the DfC Building Inclusive Communities Strategy 2020 – 2025.
- 3.2** In May, members approved that the Chief Executive accepted the Letter of Offer for 2022-24. DfC have subsequently issued a Letter of Variance on 22<sup>nd</sup> June 22 which provides an additional £228,342.42 for delivery of a social supermarket fund (SSF) for 22/23 only.
- 3.3** The aim of a social supermarket model is to offer a sustainable response to food insecurity by seeking to help address the root causes of poverty rather simply provide food. This is achieved through the provision of a referral network for wraparound support which can include, but is not limited to, advice on debt, benefits,

budgeting, healthy eating, housing, physical and mental health referral, education, training and volunteering opportunities to enhance employability skills. It is intended this will provide a long term solution, in a dignified manner, rather than short term crisis provision.

- 3.4 The objective of this fund is to support the co-design of a social supermarket model in the council area to completion and implementation. This can include, support for the co-design process, capacity building for future implementation and testing/piloting where appropriate. The Department will also consider requests to support projects that meet the high level social supermarket principles to enable actions to address food insecurity to be supported in 2022/23.
- 3.5 DfC have advised that final proposals resulting from the co-design work for the future social supermarket model within the council area should be submitted to the Department prior to moving to implementation.
- 3.6 DfC have further advised that the funding is not available to provide direct payments to vulnerable people nor for the provision of any other form of direct support where an assessment of need has not been carried out and referrals to complementary supports made.
- 3.7 Members may recall that in February 2022, DfC issued a letter of Variance providing a similar level of funding through the Social Supermarket fund in 21/22. Given the lateness of receipt of this Letter of Offer, DfC approved that this funding could be used for emergency food support and SP&R approved that this funding could be distributed to strategic and thematic partners who had the capacity to deliver work within the remit of the fund.
- 3.8 Officers have been engaging with Strategic and Thematic Partners to identify new and existing partners who want to be involved in this area of work. Feedback suggests that there are additional challenges in ensuring that individuals that would fall within the thematic groups access complementary support beyond food. Officers will work with partners to agree an allocation approach which will include full cost recovery for lead organisations, as this has been highlighted as a key learning from previous rounds. Given the relatively small level of funding officers propose that the funding should be allocated on the following basis;

Area allocation – to support partners working in defined geographies to	60% of overall allocation split across each geographic area, n,s,e,w. Each geography will agree participating partners
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provide support through wrap around services.	ensuring coverage for all areas. Area allocations will be based on population and deprivation figures.
Thematic allocation – to support communities working with identified communities to provide support through wrap around services.	40% of overall allocation to support organisations who work with key communities across the city. These will include refugees & asylum seekers, individuals impacted by domestic violence, LQBT&Q community, children& young people, older people, those entering/leaving justice system and their families.
Support for co-design of Belfast Social Supermarket approach	Council staff will resource this work and bring an agreed proposal back to committee for consideration. It should be noted that this work has links with the Climate team’s food resilience strategy and the newly appointed Commissioner on Poverty and Inclusion. Staff from C&NS will work with officers from these teams to develop proposals for a Belfast SSM model.

**Support for community organisations to meet increased utility costs**

- 3.10 At the June SP&R meeting, members asked that officers explore potential mechanisms to support community organisations struggling to pay overhead costs given the recent significant increases in utility costs. Officers have contacted a sample of community organisations and they have confirmed that increased fuel and utility costs have created additional pressure for them. Community organisations have sought to manage these additional costs through different methods; mainly by reprofiling existing funding, using organisational reserves or amending programme delivery to reduce costs. It is worth noting that very few community organisations have significant reserves and this can only be a short term measure.
- 3.11 Council’s Community Provision offer supports community organisations through the following grant aid programmes;

1. Revenue - Community Buildings - provides a contribution towards the cost of running a community facility that provides a broad based programme.
  2. Capacity – provides a contribution towards core costs (generally staff costs) for delivering a capacity building programme within defined communities.
  3. Advice – provides funding to 5 Advice Consortia across the city who deliver advice service in agreed geographies. This funding provides staff costs and some running costs.
  4. Project funding – community provision projects are supported through small grants which since 2020 has been through micro and medium grant awards. These grants do not cover core costs, they cover costs directly associated with project delivery.
- 3.12 In addition, Council also provides direct support to 7 independent community centres for their running costs. This includes utility costs and staff costs related to upkeep of buildings (caretakers, cleaners).
- 3.13 The Department for Communities, as part of an immediate response, allocated an available resource of £255,000 from existing budgets which allowed a one off payment of £1,500 to a wide number of eligible Voluntary and Community organisations, including some community centres, to help with rising energy costs.
- 3.14 As part of Minister Hargey's strategic response to the cost of living crisis she has reconvened the Emergencies Leadership Group bringing together key players in the VCSE sector at both a local grass roots and regional level, to facilitate partnership working with leaders in central and local government. Currently departmental officials are exploring the evidence available to provide clear insights into the cost of living crisis to support the development of targeted and evidenced based interventions to address need, subject to NI Executive decisions on budget allocation. The ELG, whose membership includes representation from SOLACE will help inform and shape the Department's emerging policy and operational response to the cost of living crisis.
- 3.15 In addition to this support from the department members may wish to consider issuing a Letter of Variance (as a contribution towards increased utility costs) to all groups currently in receipt of funding through the grant programmes 1-3 outlined above. Officers based suggested amounts on the fact that there is no in year budget to cover these costs.

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**3.16 Given that those organisations which operate community facilities are most impacted by utility cost increases it is recommended that awards should be made as follows;**

<b>Grant Programme/Funding</b>	<b>Potential payment</b>	<b>Rationale</b>	<b>Cost</b>
Revenue - Community Buildings	£500 to each organisation	Grant is for running costs of community facility, highest level of utility costs for these groups	84 projects @ £500 = £42,000
Capacity	£250 to each organisation	This funding provides staff costs and some office running costs. Lower levels of utility costs.	33 Projects @ £250= £8,250
Advice	£250 to each organisation	This funding provides staff costs and some office running costs. Lower levels of utility costs.	20 Advice Offices @ £250 = £5,000 Note Advice Space has 7 Offices.
Independent centres	£250 to each organisation	These groups received a 2% inflationary increase on their base award in 22/23. Average award of £1,011.00 was provided.	7 centres @ £250 = £1750
Project funding	£0	These grants do not cover core costs and are for project costs only. Council made awards to 226 groups in 22/23. The cost of making a payment to	

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		each group is prohibitive	
<b>Total allocation</b>			<b>£57,000</b>

- 3.17 **Note – a small number of organisations receive both Advice funding and Revenue or Capacity funding. It is recommended that these organisations only receive one payment.**
- 3.18 **There is no capacity to cover these costs within existing budgets. Any additional payments will have to be made from additional resources.**

**Micro and Medium Grants update**

- 3.19 **An open call to support micro (up to £1,500) and medium (up to £5,000) grants has recently closed. The overall budget for these grants was £912,300. Following assessment and allocation the following awards were made.**

Type of Grant	Number of Groups supported	Allocation
Micro	72	£92,502
Medium	154	£661,554
Total	226	£754,056

**Financial and Resource Implications**

- 3.20 **Members should note that the additional award through the Social Supermarket fund is the only resource within existing budgets to deliver the activity outlined in this report. Any additional payments will have to be made from additional resources.**

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

- 3.21 **This will be considered throughout and any appropriate issues highlighted to Members. Any amendments to existing scheme or new scheme will be considered in the context of any Equality/ Good Relations and Rural Needs considerations.”**

Whilst Members unanimously welcomed the funding update, there was cross party concern raised regarding the current cost of living crisis and the effect that this would have, not just on individuals, but on the running costs of community groups, particularly over the impending winter period. There was agreement from the Members that the increase in utility and other costs needed to be kept under constant review as the provision of community support groups and the services they offered were likely to be even more essential during what was likely to be an extremely difficult period.

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Following a query regarding the distribution of the SSF, The Director Neighbourhood Services confirmed the need to distribute the funds using existing Strategic Partners and he advised that an open call would result in monies not being on the ground before Christmas.

The Member stated that, whilst he understood the need to progress with the roll out, he would be keen to see a review of the Strategic and Thematic Partners. In addition, it was requested that a list of the current/proposed Strategic Partners be circulated to the Members of the Committee. In terms of potential new Partners, the Director suggested that the Members should advise any interested providers to contact the Council to express an interest.

A further Member requested that the Committee write to the Communities, Economy and Finance Ministers seeking them to engage with the British Government as a matter of urgency to release details around the Shared Prosperity Fund, how it would work and whether the available funding would be an adequate substitute for the European Social Fund.

The Committee:

- noted the outcome of the recent open call for micro and medium grants;
- noted the Letter of Variance received from the Department for Communities as part of the Community Support Programme and agreed that the Chief Executive would formally accept the Letter of Variance on behalf of the Council;
- agreed the proposed approach in respect of the distribution of the Social Supermarket Fund (SSF), with a list of proposed Strategic Partners to be circulated to the Members of the Committee and further agreement that any interested potential providers be advised to contact the Council to express an interest;
- agreed the proposed approach to support community groups in meeting increased utility costs and noted the need for this to be regularly reviewed, particularly over the winter period; and
- agreed a review of Strategic and Thematic Partners and that the Committee would write to the Communities, Economy and Finance Ministers seeking them to engage with the British Government as a matter of urgency to release details around the Shared Prosperity Fund, how it would work and whether the available funding would be an adequate substitute for the European Social Fund.

**Waste Sector Partnership Working –  
The Conservation Volunteers**

The Committee was reminded that it had previously endorsed the approach by Waste Management to provide a disposal outlet for waste collected by The Conservation Volunteers (TCV) on Department for Communities (DfC) lands in the Poleglass area of Belfast.

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The Director of Resources and Fleet advised that the DfC had retendered the service and TCV had been awarded the contract. She explained that the contract was aimed at carrying out a range of environmental improvement initiatives and to ensure fly-tipped waste was collected and disposed of appropriately.

The existing Service Level Agreement (SLA) between the Council and TCV was due to expire on 31st August, 2022. The SLA permitted TCV to use Blackstaff Household Recycling Centre to deposit waste and recyclable materials collected from the Poleglass area. In line with the Council's current charging methods, given that fly-tipped material was categorised as non-household waste, a gate fee was applied for the service.

The Director advised that, to date, the SLA had worked well as it had contributed to a cleaner, greener City and, in addition, it supported a full-time team of five Community Project Officers within TCV. He stated that, given the new contract between the DfC and TCV, it was proposed that the Council would enter a new SLA to reflect the extended timescale and ensure continuity of service.

Following the suggestion of a Member that this agreement could potentially be used as a model to roll out similar initiatives, the Director advised that this was a one-off arrangement that had been inherited as part of the Local Government Reform process in 2015 and highlighted the complexities that would be involved in setting up similar agreements.

The Committee approved the continuation of the Service Level Agreement approach used to accept waste collected by The Conservation Volunteers during daily clean-up operations in Poleglass, covering the period 1st September 2022 to 31st August 2025, with the option to extend for a further two, one-year period to 31st August 2027.

**Physical Programme and Asset Management**

**Update on City Cemetery including the  
Visitor Centre correspondence from Ards  
and North Down Borough Council**

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 City Cemetery Heritage Project supported by the Heritage Lottery Fund and Belfast City Council. Members are asked to note a request for drone footage to record restorations. Members are also asked to note the recent correspondence from Ards and North Down Borough Council.**

**2.0 Recommendations**

**2.1 The Committee is asked to:**

1. Note the update on the City Cemetery Heritage Lottery Fund Visitor Centre
2. Give special permission to allow the operation of a drone within City Cemetery during the reinstatement of the two restored Victorian Fountains, in the absence of an agreed Council Drone Policy.
3. Note the correspondence from Ards and North Down Borough Council and the update on application of return imminent residency circumstances.

**3.0 Main report**

**Update on City Cemetery Project**

- 3.1 The Visitor Centre internal fit out has been completed. In tandem with the Visitor Centre build, restoration works on several of the sites most historically significant listed assets including the Central Steps, Mortuary Tower, Jewish Cemetery and Foxes Lodge have been completed. These structures have been restored to their former glory and have greatly enhanced the visual aesthetics of the site. The two Victorian Fountains are currently being restored off site and are expected to be reinstated in August 2022. The final element of the project relates to genealogy offering visitors the opportunity to search and interact with the cemetery's burial records.
- 3.2 Following a decision by Strategic Policy & Resource committee in June regarding bilingual content proposals are being finalised on signage, interpretative panels, digital content, tours and stakeholder engagement and timelines are being explored. Given the scope and lead-in times for the different aspects it is likely that this will require a phased approach in terms of roll-out. These proposals will be presented to the Strategic Crematorium and Cemeteries Working Group Members in the first instance and a further report tabled at People and Communities Committee.
- 3.3 Community Engagement, which is central to this project has continued over the summer months including tours of City Cemetery for primary school children, older people and summer schemes. The new outdoor classroom facility which forms part of the new Visitor Centre has been utilised for these engagements. A programme of engagement activities is currently being worked on for the Autumn including European Heritage Open Day at City Cemetery on 11th September as well as speakers for an autumn and winter lecture series.
- 3.4 There will be a launch event for this project as it reaches completion.

**Request for drone use**

- 3.5 Members may recall considering a request for drone use in City Cemetery in February 2020 relating to aerial digital mapping as part of the City Cemetery Heritage Project. This piece of work has been successfully completed and now forms part of the interactive panels which will be experienced by users when the Visitor Centre opens to the public. This aerial photography and geo-tagging of graves and monuments means that graves are not only much easier for cemetery visitors to physically locate, but also that pictures of each and every grave/monument within the site can be accessed from anywhere in the world.
- 3.6 As the restoration works near completion Members are requested to consider granting special permission for drone use in City Cemetery during the reinstatement of the two Victorian Fountains.

**Correspondence from Ards and North Down Council**

- 3.7 Members will note the correspondence attached in Appendix 1 related to an unusual and sad case of imminent residency related to their Borough. The correspondence outlines the criteria suggested and used by their Council in making a decision on this specific request. Members are advised that there is existing delegated authority to the Director within the polices and approaches by CNS to apply discretion should a similar case arise in Belfast.

**Financial and Resource Implications**

- 3.8 Bilingual signage – costs being worked up.
- 3.9 The costs of the drone footage capture will be delivered within existing budgets for the overall project.

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

- 3.10 None.”

The Committee:

- noted the update on the City Cemetery Heritage Lottery Fund Visitor Centre;
- granted special permission to permit the operation of a drone within the City Cemetery during the reinstatement of the two restored Victorian Fountains, in the absence of an agreed Council Drone Policy; and

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- noted the correspondence from Ards and North Down Borough Council and the update on application of return imminent residency circumstances and that delegated authority had previously been granted to the Director to apply discretion should a similar case arise in Belfast.

**The Committee dealt with the following two items together  
as an update report had been issued regarding the Shore Road  
Playing Fields after the Partner Agreements Update  
had been circulated**

**Partner Agreements Update/  
Shore Road Playing Fields Update**

The Director of Neighbourhood Services reminded the Committee that the Council had previously agreed to enter into Partner Agreements at seven sites and he then provided an update on the progress in relation to the Agreements for April – June 2022.

He advised that regular checks on the necessary Insurance, Health and Safety and Governance had been undertaken at all sites. All partners had been compliant on these matters apart from Grove United Football Club - Shore Road Playing Fields, which had been unable to provide evidence of appropriate insurance in accordance with the terms of the agreements and, accordingly, as a material breach of the Agreement had taken place, he advised that the Council had cancelled the Agreement with immediate effect. The Members were advised that once the Club had obtained and provided evidence of appropriate insurance cover to the Council's satisfaction the agreement could be reinstated.

The Director continued that, as previously agreed, funding of up to £20,000 per annum was available for each partner for the delivery of a programme (supporting the Sports Development Plan). The Director reported that letters of offer had been sent to all partners based on approved sports development plans for the current financial year. Obviously, cancellation of the Grove United FC arrangement would mean that no payment for Sports Programme activities delivered after the date of cancellation would be processed.

The Committee was advised that, given the current Covid19 restrictions, the usual end of quarter monitoring meetings had not been held face to face with the partners, but parks management and sports development officers had kept in contact via phone calls for updates on site management and bookings, health and safety, finance, and their sports development plans. Regular meetings would now recommence with the Park Manager and a Sports Development Officer. Action plans had been reviewed and agreed with the partners during these discussions to ensure that the planned outcomes were achieved, and improvements identified where required.

He explained that, in line with the Council's objectives, the diversification of use and improved sports development impact were priorities at the partner agreement sites and he advised that, despite the Covid19 restrictions, the programme delivery had led to significant positive achievements across the seven sites. He drew the Members' attention to a table which indicated the outputs at the sites as reported by the partners for Quarter 1 (April – June 2022).

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Moved by Councillor de Faoite,  
Seconded by Councillor Flynn,

*“Without prejudice, I would like to propose that this report is brought back, pending further information to Committee Members in writing.*

*I have expressed my concerns about governance arrangements to officers, in relation to serious allegations made in the print media and criminal charges facing individuals who may still be on the board of East Belfast FC.*

*It is incumbent on Belfast City Council’s partner organisations to take action to protect their own reputations, but they must also assure public funders that their governance arrangements are robust.”*

At the request of a Member, it was agreed that a subsequent report would be submitted to Committee that was specifically dealing with the governance arrangements with East Belfast Football Club to ensure that it did not affect any of the other Partner Agreements.

The Committee:

- noted the update report on the Partner Agreements and that once appropriate insurance cover had been secured by the Grove United Football Club that the Partner Agreement would be reinstated; and
- agreed that a subsequent report be submitted to Committee in respect of the Council’s current governance arrangements with East Belfast FC to ensure robustness given that the agreements are publicly funded.

**Operational Issues**

**Event Request and Funding Arrangement  
with Belfast International Arts Festival**

The Committee considered the following report:

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

- 1.1 This report details a proposal to deliver four outdoor events, delivered by the Belfast International Arts Festival, in partnership with Council. Each event will require closure of a substantial portion of CS Lewis Square.**
- 1.2 The dates proposed are 1st and 2nd October or 15th and 16th October 2022 with performance times daily at 1pm and 3pm. The organisers also propose to deliver facilitation of movement and acrobatic workshops to the public.**

- 1.3 The report also seeks approval for the Council to continue to provide financial support to the Belfast International Arts Festival, of £20,000, given the positive economic impact it has for the City, improved good relations and attractiveness of the Council assets.

2.0 **Recommendations**

The Committee is asked to:

- Approve this proposal from Belfast International Arts Festival to deliver four performances in CS Lewis Square in October 2022.
- To provide financial support for this event of £20,000 given the positive economic impact they have for the city, improved good relations and attractiveness of the Council assets.
- Agree for officers to consider how the financial investment strands for this event can be streamlined and aligned under the Cultural Strategy, via the Economic Development Unit and the Core Multi annual grant (CMAG).
- Agree that the appropriate legal agreements for the events, including bond arrangements are prepared to the satisfaction of the City Solicitor.
- Agree that event organisers are required to meet all statutory requirements and responsibilities including Public Liability Insurance cover, Health and Safety, Food Safety and licensing.
- Agree that the event organisers shall consult with public bodies and local communities as necessary.

- 2.2 Please note that the above recommendations are taken as pre-policy position, in advance of the Council agreeing a more structure framework and policy for 'Events', which is currently being taken forward in conjunction with the Councils Commercial team.

3.0 **Main report**

**Key Issues**

- 3.1 Over the past number of years, the Council has established a successful partnership with Belfast International Arts Festival. These types of event are well-received by audiences and significantly add to the attractiveness of the Council's parks and open spaces.
- 3.2 The partnership has delivered a diverse range of events which has had wide appeal for local communities as well as attracting significant numbers of tourists and visitors to the city.

- 3.3 This year the Arts festival intend to use CS Lewis Square on either 01st and 02nd October or 15th and 16th October 2022.
- 3.4 Members will be aware that in previous years the Council has provided financial support to the event of £20,000. As a condition to the funding, Belfast International Arts Festival are required to build an audience from across the city. Past successful BIAF / BCC events have been held at Botanic Gardens, CS Lewis Square and Falls Park.
- 3.5 The proposed 2022 events include a mixture of theatrical performances and interactive workshops. Cristal Palace is an outdoor theatrical spectacular featuring a local community cast. Taroo - Said Mouhssine is a Moroccan circus and movement artist and Roll Model – Simple Cypher fuses hip hop and circus to create dynamic, uplifting performances. All performances and workshops will be free to the public.
- 3.6 The events will require the closure of all or a substantial proportion of the facility for the event set up and derig.
- 3.7 Consultation by Belfast International Arts Festival will be undertaken with other local stakeholders such as Connswater Community Greenway and Eastside Arts
- 3.8 The Belfast Agenda sets out our joint city vision and long-term ambitions and outcomes as well as outlining priorities for action every four years. The development of a ‘Transformational Places’ approach across the city offers real opportunity to highlight proximity to key transport links, Connswater cycle path and arterial routes.
- 3.9 The application will be supported by an event management plan and will be subject to the organisers liaising with Council officers and meeting all statutory, legal and health and safety requirements.

**Financial and Human Resource Implications**

- 3.10 The people and Communities Committee on 3 December 2019, were informed that the financial support to this event was via several different funding streams such as core annual funding, community festivals fund and C&NS department. Each is managed by separate funding agreements and monitored independently. To maximise outcomes on investment it is recommended that officers consider how these arrangements can be streamlined for future funding and aligned under the Cultural Strategy, via the Economic Development Unit.

**3.11 £20,000 is contained within existing revenue estimates for 2022.**

**Asset and Other Implications**

**3.12 There are no asset or other implications with this report**

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

**3.13 There are no known implications.”**

The Committee adopted the recommendations as outlined at section 2.0 of the report.

**Sport NI "Your School Club" Funding**

The Committee was reminded that the Your School Your Club was a Sport NI funding programme aimed at promoting community use of schools' sporting facilities, which was specifically aimed at developing strategic partnerships to revitalise existing facilities and/or develop new additional provision.

The Committee was provided with an update on the progress of the two applications submitted in 2019. It noted that the Rathmore Grammar School Project had been funded and completed in the 2019/20 financial year and the St. Mary's project would be funded in the current financial year 2022/23.

The Director of Neighbourhood Services reported that, during June 2022, Sport NI had issued a call for new expressions of interest from schools for the Your School Your Club funding programme, the closing date for applications had been 11th July. A requirement of the application process had been that schools would obtain a letter of support from their local Council, accordingly, the Council had been approached directly by seven schools, each seeking a letter supporting their application.

The Director advised that, given the timeframe, Party Group Leaders had been contacted and had agreed that letters of support be submitted for the following schools:

- Belfast Boys Model School;
- Belfast Model School for Girls;
- Hazelwood Integrated College;
- Grosvenor Grammar School;
- Colaiste Feirste;
- Nettlefield Primary School; and
- St Oliver Plunkett Primary School.

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The Committee noted the progress to date in terms of the two applications submitted in 2019 and agreed to support the seven new applications submitted to the Sport NI Your School Your Club Fund.

**Request for the use of Alexandra Park  
for the North Belfast Lantern Parade**

The Committee was provided with the details of a request which had been received for the free use of Alexandra Park to host the North Belfast Lantern Parade on Saturday 29th October 2022.

The Members noted that this would be the sixth year that the festival would take place in Alexandra Park. The event was a project of the Ashton Community Trust, which was managed by New Lodge Arts, a voluntary arts organisation across communities in North Belfast.

The Members were advised that this would be a family event with tickets costing £2.00 each and noted a brief itinerary of the proposed events.

- art workshops and street performances;
- a lantern parade, that would make its way from Cliftonpark Avenue to Alexandra Park;
- an evening event, including outdoor performances;
- stage entertainment;
- inflatables,
- a petting farm; and
- a firework display to close the event.

The Committee was advised that the event organisers had confirmed that they would undertake to do the following to ensure delivery of a safe and successful event:

- employ a security firm to safeguard participants and equipment;
- employ reputable contractors to ensure a safe and professional event;
- put a ticketing system in place;
- ensure that a one-way system for the park was in place;
- ensure that local residents were informed about the event 7 days prior to the event and that there would be no inconvenience or nuisance caused to the residents on the day of the event; and
- work with the relevant Council departments to ensure the effective management of the park and event.

The Members also noted that, to assist with the setup, the organisers had requested that the park be closed to members of the public for a period on Friday 28th October and that only members of the public with tickets could access the park on Saturday 29th from 2.00 p.m. until the event ended at 8.30 p.m.

The Committee granted authority to the applicant for the proposed event on the dates noted and delegated authority to the Director of Neighbourhood Services to:

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- 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
- to 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 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.

**Issues Raised in Advance by Members**

**Review of Non-Residential Fees for the  
re-opening of graves in Blaris Cemetery  
for Collin Residents – Councillor Michael Collins**

Councillor Michael Collins addressed the Committee and outlined his concerns regarding what he felt were disproportionate charges for residents that owned a burial plot in Blaris Cemetery and who now resided in an area that used to be within the boundary of the former Lisburn City Council but, following the Local Government Review in 2015, now fell within the Belfast City Council boundary. He requested that a letter be issued to Lisburn and Castlereagh (LCCC) seeking a review of non-residential fees for the re-opening of graves in Blaris Cemetery for Collin Residents.

A further Member asked the Committee to write to the Minister for Communities to establish if there was any plans to review the Burial Ground Regulations in relation to fees for burials and to ascertain if the Department had any plans to work with Councils to ensure that residents were not faced with disproportionate charges during a bereavement.

The Committee accordingly agreed to issue the letters as requested.

Chairperson

## City Growth and Regeneration Committee

Wednesday, 10th August, 2022

### HYBRID MEETING OF THE CITY GROWTH AND REGENERATION COMMITTEE

Members present: Councillor Murphy (Chairperson);  
Alderman Dorrian; and  
Councillors, Beattie, Bunting, Duffy, Ferguson,  
Hanvey, Heading, Hussey, T. Kelly, Lyons,  
Maskey, McLaughlin, Murray, Nelson, O'Hara,  
Spratt and Whyte.

Also present: Councillors de Faoite and Flynn.

In attendance: Mrs. C. Reynolds, Director of City Regeneration  
and Development;  
Mr. J. Greer, Director of Economic Development;  
Mr. S. Dolan, Senior Development Manager; and  
Ms. C. Donnelly, Democratic Services Officer.

#### **Apologies**

No apologies for inability to attend were reported.

#### **Minutes**

The minutes of the meeting of the Committee of 8th and 22nd June were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 4th July.

#### **Declarations of Interest**

No declarations of interest were reported.

#### **Restricted Items**

**The information contained in the report associated with the following three items was 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 meeting during discussion of the following five items as, due to the nature of the items, 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.

**City Growth and Regeneration Committee,  
Wednesday, 10th August, 2022**

**Year End Finance Report 2021-22**

The Committee considered the Quarter 4 financial position for the City Growth and Regeneration Committee which included a forecast of the year end outturn and a summary of the financial indicators together with an executive summary.

The Committee noted the report and the associated financial reporting pack.

**A Bolder Vision Update**

The Director of City Regeneration and Development, and the Senior Development Manager, provided the Committee with an update on the A Bolder Vision strategy and action plan that included details of the ongoing engagement with the Ministers for Community and Infrastructure.

By way of presentation, the Senior Development Manager outlined the following key elements of the initiative:

- Background;
- Consultation;
- Action plan;
- Key move 1: Creation of a civic spine with a focus on people;
- Key move 2: Reimagine the inner ring and end car dominance;
- Key move 3: Promote city centre living;
- Key move 4: Embrace the River Lagan and waterfront;
- Delivery; and
- Finalisation.

The Committee noted the progress to date on the A Bolder Vision Strategy, including the emerging interventions under the Four Key Moves and the update on the Ministerial and Chief Executive discussions regarding the Donegall Place and Royal Ave element of the Civic Spine Key Move.

**Update on Major Events**

The Director of Economic Development provided the Committee with an update on the proposed programme for international events as part of the city's Cultural Strategy and Tourism Plan.

He outlined the financial implications of the events and sought approval to proceed as required.

Moved by Councillor Murray,  
Seconded by Councillor Hanvey,

That, should Belfast be shortlisted as a potential host to Eurovision 2023, the Council would immediately engage with Ministers in order to progress and seek support to submit a full bid to host the event.

**City Growth and Regeneration Committee,  
Wednesday, 10th August, 2022**

On a recorded vote, ten Members voted for the proposal and seven against and it was declared carried.

<b><u>For 10</u></b>	<b><u>Against 7</u></b>
Alderman Dorrian; and Councillors Bunting, Hanvey, Hussey, T. Kelly, Murray, Nelson, O'Hara, Spratt and Whyte.	Councillor Murphy (Chairperson); and Councillors Beattie, Duffy, Ferguson, Heading, Maskey and McLaughlin.

The Committee further agreed:

- To note the content of the report and the proposed programme of international events as part of an overall strategic approach to tourism and cultural development;
- To note the progress and the associated bid costs for the Fleadh Cheoil na hÉireann; and
- To Retrospectively approve expenditure costs in relation to attendance at the 2022 Fleadh Cheoil in Mullingar in August 2022.

**Requests to Present**

**Translink - Lagan Junction to Yorkgate Track Renewal**

The Committee agreed to receive a presentation from representatives of Translink at its Special Meeting in September.

**Ulster University - Belfast Campus Update**

The Committee agreed to receive a presentation from representatives of Ulster University on the opening of the Belfast Campus at its meeting in September.

**Regenerating Places and Improving Infrastructure**

**DfC Covid-19 Recovery Revitalisation**

The Director of City Regeneration and Development informed the Committee that the majority of the Department for Communities Covid-19 Recovery Revitalisation Programme had been completed.

She reported that there had been £4.019M of funding which had been invested in the following strands of the programme:

- Signage and dressing;
- Physical interventions and streetscape improvements;
- Access and connectivity;
- Animation, lighting and marketing; and

**City Growth and Regeneration Committee,  
Wednesday, 10th August, 2022**

- Sustainable and active travel measures.

She explained how the funding had been distributed through various grant initiatives directly to businesses to purchase equipment and encourage people back into the city and pointed out that an additional £600K which had been agreed by Council to deliver another phase of funding would commence in autumn.

She outlined various projects which had benefited from the Business Cluster and Community Grants across the city and a number of projects which had been undertaken across the city centre, which included the provision of outdoor seating, greenery, parklets, games areas and performance areas.

She referred to the Council led sustainable and active travel measures and highlighted the improvements, which included 400 modernised Belfast Bikes, 10 covered cycle stands and additional docking stations, delivery of the active travel hub at QUB, and the scheduled launch of the active travel hub in Cathedral Gardens in September which has received revenue funding for a temporary two year period from the PHA and Ulster University and the proposals to further expand on the Active Travel Enabler projects which were under development.

She referred to feedback which had been received and to the impacts, benefits and learnings of the programme and, in response to a question from a Member regarding improvements of the public realm and pedestrianisation, she stated that A Bolder Vision could incorporate some of the learnings.

The Committee:

- Noted the current status of the DfC Covid-19 Revitalisation Programme, including the findings of the Mid-Term Evaluation Report and associated brochure;
- Noted that an Extension of Time had been granted for the Castle Place Kiosk and the Entries Phase 2 projects to the 31st December 2022; and
- Noted the current level of underspend within the DfC Covid-19 Revitalisation Programme and reallocation of funding to the Bolder Vision.

**Growing Business and the Economy**

**Update on Belfast-Dublin Economic Corridor**

The Committee considered the undernoted report:

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

- 1.1 The purpose of this report is to provide the Committee with a progress update on the Dublin-Belfast Economic Corridor**

(DBEC) and work on a development plan, strategy and action plan to deliver on the partnership's objectives.

**2.0 Recommendations**

**2.1 The Members of the Committee are asked to;**

- Note the contents of this report and progress to date to develop the Dublin-Belfast Economic Corridor.

**3.0 Main report**

**3.1 At its meeting on 12 January 2022 Members were provided with an update on progress to support the development of the Dublin-Belfast Economic Corridor including progress on the creation of a development plan and ongoing work on developing a strategy and action plan. Members noted the progress to date and endorsed the developmental plans of the partnership.**

**3.2 Since the last committee update the Development plan for the partnership has been completed. The strategy and action plan will be finalised in September 2022. Belfast City Council continues to act as lead partner on contract management alongside a project steering group made up of partnership representatives. The work to date has made a number of recommendations to support the ongoing development of the partnership including:**

- A phased development timeline up to 2030. In the short term from 2022-2024 priorities include set up of initial partnership personnel, consideration of legal structures, and identification of funding options.
- DBEC should remain an informal partnership model in the short term, together with an MOU, with a view to exploring independent legal status for the partnership in the future. This will be funded initially through council contributions.
- DBEC should be established with a bottom-up governance structure, largely based on the current existing structure. This includes a board of 12 growing to 16 in the long term to include private sector representatives.
- The partnership should be housed at a single location with staff and resources to lead and manage delivery of the partnership aims.
- Key areas of focus should include Research and Development, Trade and Investment, Skills and Infrastructure and Connectivity.

- 3.3** Stage 2 includes the development of a strategy for the partnership. The strategy aims to articulate a vision for the partnership to enable sustainable economic growth across the region. This part of the project will undertake a review of the economic context and key emerging work areas at a local and regional level and their potential to impact the region, and assess the strengths, weaknesses, opportunities and threats to achieving sustainable economic growth across the region. This will provide an evidence base for action, identifying areas of focus for the partnership to address future opportunities and address any gaps in existing provision.
- 3.4** Stage 3 includes the development of an action plan. This aims to build on the foundations of the development plan and strategy. This piece of work will prioritise key areas of work for the partnership aligned with the key thematic areas to 2030. The action plan aims to clearly define the role of DBEC and other partners in delivering key actions and will identify new areas for collaboration, it will also identify potential opportunities to access funding and resources to deliver on the objectives of the partnership.
- 3.5** All stages of this work have been informed by extensive stakeholder engagement including workshops with DBEC partners and one to one meetings with stakeholders and strategic partners.
- 3.6** It is expected that the final draft of the development plan, strategy and action plan will be presented to the members of the political advisory group for consultation and feedback. The meeting will take place at the end of September, date to be confirmed.
- 3.7** Based on the recommendations of the development plan it has been agreed that a dedicated resource is put in place to support the delivery of the strategy and action plan for the partnership. This resource will include two dedicated positions which will be located in Newry and Mourne District Council as they are currently hold the chairing role, the positions will be responsible to the partnership. It is intended that the recruitment process will commence in August with the staff being in place by November.
- 3.8** In tandem with work on the development plan, strategy and action plan officials from partner councils have continued to identify collaborative opportunities, in addition to engaging with external stakeholders to further the aims of the partnership. Belfast City Council officials have met with

representatives of Special EU Programmes Body, Intertradelreland, the Irish Government's Shared Island Unit, in addition to a range of business representative organisations to identify joint interventions and potential opportunities to access funding.

- 3.9 In June 2022, the partnership applied to the Irish Government's Shared Island Local Government Development Fund for funding to conduct a feasibility study on regional innovation centres. This funding is aimed at supporting cross-border local authority partnerships develop proposals for joint capital projects.
- 3.10 Belfast City Council have also partnered with Dublin City Council and Cork County Council to make applications for grants under this fund. The application with Dublin City Council is in relation to the circular economy and with Cork on Harbour facilities. These applications are being evaluated and allocations are expected to be announced in August.
- 3.11 The Peace Plus programme has also been identified as a potential source of funding relevant to the Dublin-Belfast Economic Corridor. In particular Theme 2, Delivering Economic Regeneration and Transformation and Theme 6, Building and Embedding Partnership. Funding calls under these thematic areas are expected to open in the Autumn.

The DBEC partnership are currently scoping out potential collaborative initiatives that would align with these thematic areas under Peace Plus, in preparation for funding calls.

- 3.12 Members will be updated with further progress on the strategy and action plan at a later date.

3.13 **Financial and Resource Implications**

The activities outlined within this report will be resourced from the 2022/23 Enterprise and Business Growth budget. Applications for grants under the Shared Island Fund do not require a matching financial contribution from council's, however, in-kind staff time will be required.

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

The unit is currently undertaking a process of equality screening on the overall work programme, this will ensure consideration is given to equality and good relation impacts throughout the delivery of this project.”

The Committee noted the content of the report and the progress to develop the Dublin-Belfast Economic Corridor.

**Business Start up and Growth: Future  
Resourcing and Proposed Interim Approach**

The Committee considered the undernoted report:

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

**1.1 The purpose of this report is to update members on the future funding landscape for economic development activity, with a specific focus on the Shared Prosperity Fund (SPF).**

**1.2 The report also sets out a proposed interim approach supporting to business start-up, pending confirmation of funding from a range of external sources to deliver a new model of support. In addition, it details a proposed intervention to encourage more growth-focused and scaling businesses, building on a successful partnership model.**

**2.0 Recommendations**

**2.1 The Committee is asked to:**

- **Note and endorse the interim approach to business start-up support from April 2023**
- **Note and endorse the proposal to invest in the Way to Scale programme up to a maximum of £40,000**
- **Note the update on Shared Prosperity Fund, including challenges and opportunities presented for the council and other local partners.**

**3.0 Main Report**

**3.1 Business Start-Up support**

**At the April 2022 meeting of the City Growth and Regeneration Committee, members were advised of the work that was under way to revamp the approach to business start-up post-2023. All 11 councils jointly commissioned an outline business case which presents future options to enhance the quality of the support provided to businesses, in line with our ambitions as set out in the Belfast Agenda. The report noted that there was still a significant programme of work to do to seek the additional financial resources required to deliver this new programme of activity and to ensure that it can be operational once the current programme concludes in March 2023.**

Members were advised that a report setting out further detail on the proposed approach as well as the financial and operational implications will be presented at a future meeting of this committee.

- 3.2 The end of March 2023 marks something of a perfect storm. It is the final date for expenditure of EU funding (ERDF and ESF). It is also a break point in the current delivery contract for the Go for It programme. Other important context points include the ongoing Review of Invest NI (referenced elsewhere in the reports) and the lack of clarity over their future areas of focus, including the level and nature of support that they allocate to new and growing local businesses. Finally, while the EU replacement funding – Shared Prosperity Fund – is technically operating from April 2022, the Investment Plan that must be developed to identify priority interventions is not likely to be completed until October 2022, with resources only being released after that point. While there have been positive engagements with the team at the Department of Levelling Up, Housing and Communities (DLUHC) regarding the prospect of accessing resources through the Shared Prosperity Fund, there is no guarantee that the level of resources required to support delivery will materialise.
- 3.3 The implications for councils at this point is that they are being forced to explore a number of scenarios to ensure that there is no break in the delivery of support to new start businesses (this has been a statutory responsibility of councils since 2015). One scenario includes extending the current delivery contract on the Go for It programme on a short-term basis, until there is greater clarity on the financial position to support a new programme and until the commissioning process for delivery of the enhanced programme is completed. The current contract has a break clause at the end of March 2023. However the existing contractor must be advised of the intention to extend the contract by 30 September 2022. Councils have therefore been engaging to seek to agree a way forward given the current financial uncertainties.
- 3.4 The Northern Ireland Business Start Up Programme (NIBSUP) – also called Go for It – has been delivered since September 2017. NIBSUP is currently funded by the European Regional Development Fund (ERDF), Invest NI and 11 Councils. Councils have contributed 20% of costs while ERDF and Invest NI resources have made up the remaining 80% contribution.

**3.5** Each Council has a dedicated statutory job creation target (325 for Belfast). The statutory legislation currently measures this through the number of business plans generated via Go for It (although this will change in the future). Given the statutory nature of the target, it is essential that there is a mechanism in place to support delivery. Due to the lack of clarity on SPF and other resources, it is proposed that Belfast City Council aligns with the other 10 councils to extend the current contract provision for a maximum of one year. In parallel, work will continue to progress the enhanced approach to business start-up and growth support set out to this Committee in April 2022, with the ambition of phasing the new interventions in as resources are firmed up. Discussions are ongoing on the precise nature of the programme content, particularly the marketing budget which is likely to be scaled back from previous allocations. The increased budget requirement from Council resources will require a prioritisation of funding in line with Committee priorities and this will be factored into the estimates process in the coming months.

**3.6** Business growth and scaling support

One of the key challenges identified through the enterprise framework is the need to encourage more businesses to scale and grow to turnover £3m+. This is also reflected in the 10X Economy vision which identifies the need to drive up the rate of new business starts and create an environment that actively supports entrepreneurs to turn their ideas into viable businesses.

**3.7** A key component of this strategy is to encourage more companies to scale up and achieve high growth, in turn creating more employment opportunities for all and inspiring more companies to realise these growth ambitions. Following the success of the recent Way to Scale Initiative in partnership with Catalyst Inc and Invest NI, officers have been working to develop further interventions to complement Belfast City Council's core Enterprise and Business Growth Support and Employability and Skills Programmes. Way to Scale provides support across a number of areas including internationalisation, access to finance, business modelling and sales strategy support for those businesses with the ambition to scale.

**3.8** Through last year's programme, 40 businesses accessed support through a series of workshops and events with leading entrepreneurs from MIT in Boston. A further 9 companies progressed on to the Entrepreneurship

Development Programme at MIT in Boston, and a one week residential in Boston to develop market strategies and build network support to realise the growth ambitions of their businesses.

3.9 Early feedback from the Way to Scale Initiative has demonstrated transformational results for the participating businesses. It is guided by REAP initiative (Regional Entrepreneurship Acceleration Programme) which is also developed by MIT and helps regions to develop and shape their business support ecosystem to accelerate the number of growth-focused businesses. The emerging ambition for the Northern Ireland team is to create more and better IDEs (Innovation Driven Enterprises) and the current focus is on reviewing the enterprise support system to ensure that this can happen and to measure impact.

3.10 Building on the feedback from last year, it is proposed to support the Way to Scale programme for 2023 to support a new cohort of companies participate. The programme will be delivered in partnership with Catalyst Inc. and Invest Northern Ireland. The overall cost of the programme will be £180,000. Given the alignment with the ambitions set out in the enterprise framework, it is recommended that this is supported with Council funding of £40,000 to maximise the take-up by Belfast-based businesses. Invest NI, Catalyst Inc and the participating companies will cover the remainder of the costs.

3.11 Update on Shared Prosperity Fund

In April 2022, the funding prospectus for the Shared Prosperity Fund (SPF) was released. It confirms that the three investment priorities and associated objectives are:

1. Communities and place

- Strengthening our social fabric and fostering a sense of local pride and belonging, through investment in activities that enhance physical, cultural and social ties and access to amenities, such as community infrastructure and local green space, and community-led projects
- Building resilient, healthy and safe neighbourhoods, through investment in quality places that people want to live, work, play and learn in, through targeted improvements to the built and natural environment and innovative approaches to crime prevention.

**2. Supporting local business**

- **Creating jobs and boosting community cohesion, through investments that build on existing industries and institutions, and range from support for starting businesses to visible improvements to local retail, hospitality and leisure sector facilities**
- **Promoting networking and collaboration, through interventions that bring together businesses and partners within and across sectors to share knowledge, expertise and resources, and stimulate innovation and growth**
- **Increasing private sector investment in growth-enhancing activities, through targeted support for small and medium-sized businesses to undertake new-to-firm innovation, adopt productivity-enhancing, energy efficient and low carbon technologies and techniques, and start or grow their exports.**

**3. People and skills**

- **Boosting core skills and supporting adults to progress in work, by targeting adults with no or low-level qualifications and skills in maths, and upskilling the working population, yielding personal and societal economic impact, and by encouraging innovative approaches to reducing adult learning barriers**
- **Reducing levels of economic inactivity through investment in bespoke intensive life and employment support tailored to local need. Investment should facilitate the join-up of mainstream provision and local services within an area for participants, through the use of one-to-one support, improving employment outcomes for specific cohorts who face labour market barriers**
- **Supporting people furthest from the labour market to overcome barriers to work by providing cohesive, locally tailored support including access to skills**
- **Supporting local areas to fund gaps in local skills provision to support people to progress in work, and supplement local adult skills provision.**

**3.12 It details a series of 52 ‘eligible interventions’ for Northern Ireland. These include things like:**

- **Funding for improvements to town centres and high streets**
- **Support for local arts, cultural, heritage and creative activities**
- **Support for active travel enhancements and measures to improve connectivity in the local area**

- Increasing investment in research and development at the local level
- Research and development grants supporting the development of innovative products and services, with a particular focus on low carbon goods and environmental services, and climate resilience
- Strengthening local entrepreneurial ecosystems and supporting businesses at all stages of their development to start, sustain, grow and innovate, including through local networks.
- Support for growing the local social economy, including community businesses, cooperatives and social enterprises
- Supporting economically inactive people to overcome barriers to work by providing cohesive, locally tailored support including access to basic skills
- Interventions to increase levels of digital inclusion, with a focus on essential digital skills
- Green skills courses targeted around ensuring we have the skilled workforce to achieve the government's net zero and wider environmental ambitions, with a particular focus on vulnerable or low-income groups who will be disproportionately affected by climate change.

3.13 The Prospectus confirms that: 'The UK Government will take a role in convening partners from across Northern Ireland to develop the UKSPF Investment Plan, considering the investment interventions across the three investment priorities...We will refine the plan in consultation with stakeholders in a way that reflects the needs of Northern Ireland's economy and society'.

3.14 The first meeting of the Partnership Group that will have responsibility for shaping the Investment Plan took place in early July. It involved representatives from the VCSE sector, business bodies, tertiary education representatives and local government representatives (two SOLACE representatives have been invited to attend). At this point, there are no representatives from the Northern Ireland Executive Departments but it is expected that these will be in place for future meetings. The group is chaired by Sue Gray from the Cabinet Office. It is expected that the Investment Plan will be shaped over the coming three months and that it will be complete by October 2022. While there is a small core Partnership Group, DLUHC have committed to working with all the representatives on that group to support wider engagement on the plan. This will include political engagement – possibly organised through NILGA – as well as local area engagement involving a range of partners. DLUHC

are open to all requests for local engagement and acknowledge the specific concerns of the VCSE sector, given the reliance on ESF funding by many of those organisations.

- 3.15 The Partnership Group is responsible for agreeing the overall 'split' across the three priority areas as well as agreeing the route to market for each of the agreed areas of activity. This might include open calls for projects, small grant schemes or commissioning public bodies to implement specific interventions that they have responsibility for.
- 3.16 The SPF budget settlement for Northern Ireland will be £127million over the three-year period, starting April 2022 (although no expenditure can be approved until the Investment Plan is finalised). This settlement includes an allocation of around £20million for Multiply – a targeted intervention to improve numeracy skills among key groups. As such, the overall figure available for spend (excluding Multiply) is in the region of £100million over the three years.
- 3.17 There is an indicative annual budget settlement over the three-year period of the programme and this is set out as:
- 2022/23 - £19million
  - 2023/24 - £33million
  - 2024/25 - £74million.
- 3.18 DLUHC have acknowledged that this may not be possible to allocate the £19million this year given the delays in the planning timeframes for this programme so they have committed to exploring whether there may be an opportunity to carry forward any unspent funds from this year into future years of the programme.
- 3.19 Some of the key areas for concern for Belfast City Council from the proposed approach include:
- Loss of income to the council for the work on business start-up and growth: at present, Belfast City Council accesses in the region of £500,000 annually through ERDF resources to support its start-up and growth activities – and has done so for the last 20+ years. The ERDF resources had also been used to lever match funding from other sources such as Invest NI. The new approach to funding means that none of these resources are guaranteed so there is an immediate loss of income to councils for their work in these areas. The loss of income from ERDF will have a significant impact on the ability of the Enterprise and Business Growth team to deliver their

support to new start-ups, social enterprise and co-operatives and growing businesses and to bring forward innovation interventions to support key growth sectors and help new businesses to access and benefit from new investments such as City Deal

- **Impact on community-based training organisations:** at present, funding allocations through ESF average around £25million annually across Northern Ireland – almost £15million of which is allocated to Belfast-based projects alone. Based on the figures above (average £33million per annum) and the breadth of potential activities that are likely to be covered under the three themes of the Investment Plan, it appears likely that there will be a significant reduction in income for those organisations. In terms of the outreach and engagement work that the council relies on to drive participants towards its Employment Academies, this is a concern. However it may also represent something of an opportunity to re-shape interventions and ensure that they are targeted at those in most need of support.

**3.20** There may also be some opportunities with the new fund, namely:

- **Broader spectrum of areas eligible for support – including activities to support Communities and Place – very much in keeping with council support for local regeneration**
- **Potential to use Labour Market Partnerships to focus the investment in local areas, in line with strategic assessments that can help prioritise areas where spend can deliver maximum effectiveness**
- **Potential to influence the programme design through the local government representatives – making spend more effective in local areas.**

**3.21** **Finance and Resource Implications**

The proposed approach to the Go for It support will be reported back to the Committee at a future date.

**3.22** The Way to Scale programme was included as part of the Enterprise and Business Growth budget for 2022/23, as presented to this Committee on 6 April 2022. This budget was included as part of the estimates that were approved by this Committee on 12 January 2022.

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

**The unit is currently undertaking a process of equality screening on the overall work programme. This will ensure consideration is given to equality and good relation impacts throughout the delivery of this project.”**

The Committee agreed to defer the decision to note and endorse the proposal to invest in the Way to Scale programme up to a maximum of £40,000, agreed to endorse the interim approach to business start-up support from April 2023 and granted approval to extend the current contract on the Go for It programme on a short-term basis, if required, until greater clarity on future funding of the provision had been established.

**Improving Employability Outcomes:  
Focus on Young People at Risk**

The Director of Economic Development provided the Committee with an update on development work which had been undertaken on the Bridges to Progression initiative which was funded through the Belfast Labour Market Partnership.

He reported that the Labour Market Partnership had been focused on four main strategic themes and, under the theme 'No-one Left Behind', officers had been exploring the potential for interventions to support the transition of young people into employment, education or training and had co-designed a bridging intervention which aimed to increase the positive outcomes for young people.

He outlined the Skills for Life and Work training programme and the key findings from engagement with providers and young people.

He stated that, having explored a range of potential approaches, a £90K allocation from the Labour Market Partnership budget had been proposed, to be ringfenced for Belfast based Skills for Life and Work providers, and that officers would work with providers to identify those young people at highest risk of falling out of provision and would use the resources to support and encourage retention.

He listed the Skills for Life and Work providers and outlined the range of activities provided, which officers would manage in partnership with the providers through an agreed application process on behalf of those young people identified.

He reported that, subject to Council endorsement, officers would undertake assessment of the applications for funding and that a report would be presented to a future meeting of the Committee which would outline the outcomes and learnings from the approach.

The Committee agreed to defer consideration of the proposal to managing the funding distribution, until its meeting in September, in order that greater detail would be provided on the allocation of resources and service provision.

**Strategic and Operational Issues**

**City Centre All Party Area Working Group**

The Director of City Regeneration and Development provided the Committee with an update on the proposals for a City Centre All Party Working Group and emerging wider city centre governance structures.

She reported that details of the City Centre All Party Working Group, which would include the draft Terms of Reference, would be presented to the Party Leaders' Consultative Forum at its meeting in August and would subsequently be presented to the Strategic Policy and Resources Committee for approval.

She outlined the proposed role of the City Centre All Party Working Group and provided an overview of the proposed Terms of Reference.

She informed the Committee that, in response to the emerging city centre issues and ongoing related work strands, a review had been undertaken of the existing mechanisms for engagement and improved governance in order to bring together the various city centre related facets and ensure synergy whilst avoiding duplication and silo approaches. She referred the Committee to the draft governance proposals which had been appended to the report and included:

- Future City Centre Leadership Group;
- Strategic Leadership Group – Complex Lives;
- Multi Agency Operational (tasking) Group – Clean, Green, Inclusive and Safe;
- Cleanliness Task Force; and
- City Centre Coordination Group – Internal Officer Group.

The Committee:

- Noted the proposals for a City Centre All - Party Working Group, which would be considered in detail by Party Leaders at the Party Leaders Consultative Forum on 11 August and following this to Strategic Policy and Resources Committee on 19th August for approval;
- Noted the emerging wider city centre governance proposals in the context of various independent priorities, including vulnerability, cleanliness, safety and the long-term regeneration and diversification of the city centre;
- Agreed that officers would bring a report back to the Committee that would outline the Council's powers of vesting; and
- Agreed that officers would undertake to explore the establishment of a Communities of Interest Working Group.

**Invest NI Review - Call for Evidence**

The Committee considered the undernoted report:

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

**1.1 The purpose of this report is to:**

- Update Members on the review of Invest NI that is currently underway, chaired by Sir Michael Lyons
- Set out details of proposed input to the review on behalf of Belfast City Council.

**2.0 Recommendations**

Members are asked to:

- Note the ongoing review of Invest NI, including the scope and timelines
- Note and agree the proposed response from Belfast City Council, attached as Appendix 1
- Note the likelihood of further engagement between the Review Team and the Council as the review progresses and in advance of its October 2022 publication.

**3.0 Main Report**

**3.1 Key Issues**

The Independent Review of Invest NI was announced by the Minister for the Economy, Gordon Lyons, on 26th January 2022. The objective of the Independent Review is ‘To provide an independent assessment of Invest NI’s efficiency and effectiveness and, looking forward, its capacity to strategically align with and operationally deliver the 10X Economic Vision’.

3.2 The Review Panel is chaired by Sir Michael Lyons. He is joined by Dame Rotha Johnston and Maureen O’Reilly, an independent economist. Members will recall that Sir Michael Lyons previously chaired the Innovation and Inclusive Growth Commission which produced its ‘Reset for Growth’ report in June 2021. He will re-engage with Commission members for a year one review session in September 2022.

3.3 Sir Michael has significant experience across the public sector, including local government. In 2007, he undertook an extensive inquiry into the functions and funding of local government: ‘Place-shaping: a shared ambition for the future

of local government'. He is currently Chair of the English Cities Fund.

- 3.4** The Panel has been taking views from a range of key stakeholders since its establishment, meeting with more than 280 stakeholders through 70 engagement sessions. They have also undertaken a public consultation on the review. The current timetable for completion of the report is October 2022.
- 3.5** As part of their engagement work, the Panel met with Party Group Leaders in early July 2022. They had an extensive discussion on a number of key areas, principally focusing on the efficiency and effectiveness of Invest NI in its role as the main economic development agency in NI and also looking at whether Invest NI was appropriately and adequately resourced and structured to support the delivery of the 10X strategy.
- 3.6** In addition to the engagement with members, the Review Panel has confirmed that it would be keen to receive further written responses from key partners. Given the importance of the working relationship with Invest NI and the need to ensure that the organisation is structured in a way that can support the future economic growth of the city, it is proposed that the response set out in Appendix 1 is submitted to the Review Panel, reflecting the Council's views on key areas of opportunity and challenge. It covers a number of key points, namely:
- Need to consider current budget alignment – supportive of focus on FDI but need to enhance support for entrepreneurship and innovation in support of 10x ambitions
  - Commitment to building a stronger collaborative engagement between councils and Invest NI in order to enhance the referral process for businesses seeking to access support across both organisations
  - Need to enhance commitments around sustainable and inclusive growth – and ensure that these are reflected in overall budget allocations as well as in ways of working – using influence to encourage positive behaviours among client businesses
  - Need to explore place-based approaches to investment – good examples of how this works in other locations
  - Concerns at impact of recent budget cuts and apparently arbitrary approach to how these have been implemented – specific areas of concern around

support for accelerator and proof of concept support that will have a detrimental impact on local businesses.

**3.7 Belfast City Council has a strong working relationship with Invest NI. This is focused on a number of areas:**

- **Collaboration on FDI and positioning: we work closely with Invest NI on key target markets and showcase the city as an investment location to prospective investors. The Council takes the lead (with other public and private sector partners) on the physical infrastructure investments to support FDI**
- **Supporting the indigenous businesses: the council has developed a good referral process with Invest NI. This means that companies progressing from our start-up and early-stage growth support can move into a more formal relationship with Invest NI as a client business, thereby accessing a suite of support to help in their future growth. We also work collaboratively with Invest NI and other partners (e.g. Catalyst) on joint initiatives such as Way to Scale – our targeted scaling intervention for companies that have significant growth potential**
- **Reframing start-up and growth support: one of the key areas of work at present for the council is our plan to significant rescope the support for business starts. The ambition is to increase the overall number of start-ups as well as increasing the number of growth-focused, job-creating companies, including those that have the potential to scale. Invest NI has traditionally match-funded this activity (alongside council and ERDF resources). Our collective view is that this support needs to be revamped, with better outreach and engagement for potential entrepreneurs, moving towards a strong support offering that is commensurate with the potential of the business to grow and create jobs. Both Invest NI and the Department for Economy (DfE) have worked closely with the councils to date and consider that this new approach aligns with the 10x ambition and is in keeping with their wider plan to overhaul the support system for local businesses, based on the REAP (Regional Entrepreneurship Acceleration Programme) model that has been developed at MIT**
- **City Deal development: Invest NI is DfE's lead agency on the City and Growth Deals. They have established a team to support the progress of the business cases for key investment projects.**

**3.8 Equality and Good Relations Implications/  
Rural Impact Assessment**

**No specific equality or good relations implications/negative rural impact.**

**3.9 Financial and Resource Implications**

**No specific financial and resource implications associated with this report.”**

The Committee agreed to:

- Note the ongoing review of Invest NI, including the scope and timelines;
- Note and agree the proposed response from Belfast City Council; and
- Note the likelihood of further engagement between the Review Team and the Council as the review progresses and in advance of its October 2022 publication.

**Issues raised in advance by a Member**

**Request for Presentation: Community Investment  
Finance Ireland – Councillor Heading**

Councillor Heading outlined his proposal for the Committee to receive a presentation from Community Investment Finance Ireland Group in order to learn about its work and functions

The Committee agreed to receive a presentation from Community Investment Finance Ireland.

Chairperson

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## Licensing Committee

Wednesday, 10th August, 2022

SPECIAL MEETING OF THE LICENSING COMMITTEE

HELD IN THE COUNCIL CHAMBER AND  
REMOTELY VIA MICROSOFT TEAMS

Members present: Councillor Matt Collins (Chairperson); and  
Councillors Canavan, Gormley, T. Kelly,  
McAteer, McCullough, McKeown, Murray,  
Smyth and Thompson.

In attendance: Ms. N. Largey, Interim City Solicitor/Director of Legal and  
Civic Services;  
Mr. K. Bloomfield, HMO Unit Manager;  
Mrs. V. Donnelly, City Protection Manager;  
Mr. C. McLaughlin, Solicitor (Regulatory and Planning); and  
Mr. H. Downey, Democratic Services Officer.

### Apologies

Apologies for inability to attend were reported on behalf of the Deputy Lord Mayor (Councillor M. Kelly) and Councillors Bradley, Howard and Nelson.

### Declarations of Interest

No declarations of interest were reported.

### Delegated Matters

### THE COMMITTEE DEALT WITH THE FOLLOWING ITEM IN PURSUANCE OF THE POWERS DELEGATED TO IT UNDER STANDING ORDER 37(d)

#### Application for a New Licence to Operate a House of Multiple Occupation - 12 Carmel Street

The HMO Unit Manager submitted for the Committee's consideration the following report:

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

**To consider an application for a Licence permitting the use of premises as a House in Multiple Occupation (HMO).**

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<b>Premises</b>	<b>Application No.</b>	<b>Applicants</b>	<b>Managing Agents</b>
12 Carmel Street, Belfast, BT7 1QE	8730	Mr. Francis Glackin and Mrs. Catherine Glackin	Boyle Properties

- 1.2 The Committee is reminded that licences are issued for a 5 - year period with standard conditions. Where it is considered necessary to do so, the Committee can also impose special conditions.

**Background**

- 1.3 The property was previously licensed as an HMO in the name of the previous owner who sold the property on 5th April 2019, at which time the licence, in accordance with Section 28 of the Houses in Multiple Occupation Act (Northern Ireland) 2016, ceased to have effect.

- 1.4 On 9th August 2021, an HMO licence application was received from the owners of the accommodation.

- 1.5 On 2nd September 2021, a Temporary Exemption Notice 'TEN' was granted.

**2.0 Recommendations**

- 2.1 Taking into account the information presented, the Committee is asked to hear from the applicant and make a decision to either:

- (i) grant the application, with or without any special conditions; or
- (ii) refuse the application.

- 2.2 If the application is refused, the applicant has a right of appeal to the County Court. Such an appeal must be lodged within 28 days of formal notification of the decision.

**3.0 Main Report**

**Key Issues**

- 3.1 Pursuant to the 2016 Act, the Council may only grant a licence if it is satisfied that:

- a) the occupation of the living accommodation as an HMO would not constitute a breach of planning control;

- b) the owner, and any managing agent of it, are fit and proper persons;
- c) the proposed management arrangements are satisfactory);
- d) the granting of the licence will not result in overprovision of HMOs in the locality;
- e) the living accommodation is fit for human habitation and—
  - (i) is suitable for occupation as an HMO by the number of persons to be specified in the licence, or
  - (ii) can be made so suitable by including conditions in the licence.

#### Planning

- 3.2 As this is a new application, the HMO Unit consulted with the Council's Planning Service, which confirmed that a Certificate of Lawful Use or Development was granted on 8th June 2021, with the planning reference LA04/2018/1161/LDE

#### Fitness

- 3.3 When considering the fitness of an applicant, the Council must have regard to any offences concerning fraud/dishonesty, violence, drugs, human trafficking, firearms, sexual offences, unlawful discrimination in, or in connection with, the carrying on of any business; or any provision of the law relating to housing or of landlord and tenant law. It also permits the Council to take into account any other matter which the council considers to be relevant.
- 3.4 The NIHMO Unit has consulted with the following units within the Council's City and Neighbourhood Services Department –
- (a) Environmental Protection Unit ('EPU') – it has confirmed that in relation to night-time noise there has been no relevant enforcement action required in respect of the HMO in the last 5 years,
  - (b) Environmental Protection Unit ('EPU') – it has confirmed that in relation to day-time noise there has been no relevant enforcement action required in respect of the HMO in the last 5 years,

(c) Public Health and Housing Unit ('PHHU') – it has confirmed that in relation to rubbish accumulation/filthy premises, there has been no relevant enforcement action required in respect of the HMO in the last 5 years,

(d) Enforcement Unit ('EU') – it has confirmed that in relation to litter and waste, there has been no relevant enforcement action required in respect of the HMO in the last 5 years,

3.5 The applicants and Managing Agent have confirmed that they have not been convicted of any relevant offences, as set out at paragraph 3.3 of this report.

3.6 The applicants or Managing Agent have not been convicted of any HMO related offences by the Council. The EPU, PHHU and EU, solely in respect of their statutory functions, have confirmed that there are no relevant, previous convictions in respect of the Applicant, Managing Agent or occupants. Due to data protection issues which have recently arisen, the PSNI has not been accepting or responding to notification of these applications. Officers are continuing to engage with the PSNI to find a resolution to this issue.

3.7 Officers are not aware of any other issues relevant to the applicants' fitness.

#### Overprovision

3.8 For the purpose of determining whether or not the granting of a licence would result in an overprovision of HMOs in the locality of the accommodation and, in order to ensure consistency as both a planning and licensing authority, the locality was defined as being HMO Policy Area 'HMO 2/22 Botanic, Holylands and Rugby' as defined in the document 'Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015.

3.9 Legal Services has advised that there is a clear requirement in section 8 of the 2016 Act upon the Council to be satisfied that the granting of a licence will not result in overprovision.

3.10 On the date of assessment, 14th February 2022, there were a total of 1100 licensed HMOs in HMO policy area 'HMO 2/22 Botanic, Holylands, Rugby', which equates to just over 45% of the total dwelling units, which in turn exceeds the 30% development limit as set out at Policy HMO 1. The 1100 licensed HMOs have a capacity of 5022 persons.

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- 3.11 The total number of dwelling units in a Policy Area is measured by the Ordnance Survey's Pointer database.**
- 3.12 The Council must also consider the need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need.**
- 3.13 The Council recognises that there is a need for intensive forms of housing and to meet this demand, HMOs are an important component of this housing provision. HMOs, alongside other accommodation options within the private rented sector, play an important role in meeting the housing needs of people who are single, who have temporary employment, students, low-income households and, more recently, migrant workers.**
- 3.14 In September 2017, the Northern Ireland Housing Executive published the document 'Housing Market Analysis Update – Belfast City Council Area' which states that 'HMOs form an important element of the PRS, particularly for younger people on low incomes and for single people, under the age of 35, affected by the limitation of housing benefit to the shared room rate. Anecdotal evidence also indicates that this has been a popular sector with migrant workers.'**
- 3.15 When the notice of proposed decision was issued on 11th March 2022, there were 84 licensed HMOs advertised for let on the website PropertyNews.com in BT7, from the information provided on the website this represented 322 bed spaces. 81 of the licensed HMOs representing 312 bed spaces were in HMO policy area 'HMO 2/22 Botanic, Holylands and Rugby', not all of the accommodation was available for immediate occupancy.**
- 3.16 A further examination of the PropertyNew.com website took place on 3rd August 2022, at which time 5 licensed HMO were advertised in BT7 representing 23 bedspaces, 3 of which were in HMO policy area 'HMO 2/22 Botanic, Holylands and Rugby' comprising 13 bedspaces.**
- 3.17 Anecdotal evidence from conversations with HMO managing agents suggest that that there is currently a lack of HMO accommodation available in the locality. It is too early to tell whether this is a temporary problem or evidence of an emerging long-term supply issue.**
- 3.18 The fact that the use of the property as an HMO is permitted for planning purposes is a relevant consideration in**

determining whether the grant of this licence will result in overprovision. There is an argument that it may not do so as the premises are already being used as an HMO.

- 3.19 However, it should be borne in mind that planning permission was granted on the basis that the use had been established for 5 or more years and was therefore immune to enforcement. No assessment of overprovision was made at that time. Given the level of licensed HMO properties in this locality as set out above it would be highly unlikely that a planning application for a new HMO in the area would be successful as the thresholds in the 2015 Plan have been significantly exceeded.

**Objections**

- 3.20 No objections were received in relation to this application.

**Attendance**

- 3.21 The applicant and/or their representatives will be available to discuss any matters relating to the licence application should they arise during your meeting.

**Suitability of the premises**

- 3.22 An inspection of the premises was carried out by officers from the service on 28th September 2021, at which time it was established that the first-floor return bedroom was below the minimum bedroom size of 6.5m<sup>2</sup>.

**Notice of Proposed Decision**

- 3.23 On 11th March 2022, pursuant to Paragraph 9 of Schedule 2 of the Houses in Multiple Occupation Act (Northern Ireland) 2016, officers issued a Notice of Proposed Decision to the Applicant setting out the terms of the proposed licence.
- 3.24 The Notice of Proposed Decision stated that the council proposed to refuse the licence on the grounds of overprovision. A statement of reasons for the proposal was included in the Notice of Proposed Decision.

**Applicant's Response to the Notice of Proposed Decision**

- 3.25 On 24th March 2022, the applicant's solicitor submitted a written response to the notice of proposed decision in which she provides representations and commentary on the statement of reasons included in the notice of proposed decision.

- 3.26 The representations refer to the property being previously grant aided by the NIHE and having the required planning in place. The solicitor states that her client does not accept that there is an overprovision of HMOs in the area and points to several new articles to back up this assertion. To back this up correspondence from 6 local agents are appended outlining their concern about the availability of HMO properties in the area.
- 3.27 The solicitor references that her clients proposed to purchase the property prior to 31st March 2019, but the completion date was amended to 5th April 2019 and was sold subject to the ongoing lease which was in place at that time.
- 3.28 The representation goes on to say that the Council is basing its assumption of overprovision of HMOs in the Holylands area on a 15-year-old document which contains inaccuracies, statistical and predictive flaws, and does not represent a true socio-economic picture in 2022.

**Officer Response to the Representations of 24th March 2022**

- 3.29 On 7th April 2022, officers responded to the representations made on behalf of the applicant on the 24 March 2022 and provided commentary on each of the points made.
- 3.30 In accordance with section 28 of the 2016 Act, as the applicant failed to apply for a new licence before the date of transfer of the property, the previous licence ceased to have effect on the date of transfer. Therefore, there has not been a valid licence in place since 5th April 2019 and the Council is obliged to consider the application as a new licence application.
- 3.31 As this is a new licence application and, in accordance with Section 8(2)(d) of the 2016 Act, the Council may grant the licence only if it is satisfied that the granting of the licence will not result in over provision of HMOs in the locality in which the living accommodation is situated.
- 3.32 When considering over provision the Council must have regard to: (a) the number and capacity of licensed HMOs in the locality; (b) the need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need; and, (c) such other matters as the Department may by regulations specify.
- 3.33 Officers recognise that there is a high demand for HMO type accommodation in HMO policy area 'HMO 2/22 Botanic,

Holylands, Rugby' at this time. However, in officers' view, the evidence available does not demonstrate a clear need for HMO accommodation at this time. The Committee is entitled to adopt a precautionary approach as this is the only occasion in respect of which overprovision can be taken into account in an area where the level of HMO accommodation already exceeds the limit set out in the HMO Subject Plan by over 50%.

- 3.34 In relation to the criticism regarding reliance upon the HMO Subject Plan, the overall aim of the Subject Plan is to provide a planning framework for HMO development in facilitating sustainable growth and encouraging balanced communities by promoting a mix of housing tenures and types and the creation of quality-built environments which contribute to the achievement of safe, complete and balanced communities for people to live in.
- 3.35 Officers are of the view that it is entirely reasonable and rationale to use this Plan as a basis for assessing overprovision. This allows for some level of certainty for property owners, prospective purchasers and the general public in relation to the acceptable level of HMO properties in a particular area. Regardless of the fact that the Council did not draft this document, it is a material consideration and one which the Council is entitled to have regard to. The weight to be attached to the HMO Subject Plan is a matter for the Committee having regard to all other material considerations.
- 3.36 Officers responded to a request for information from Mallon and Co Solicitors, on behalf of the Applicant, under the Freedom of Information Act 2000.
- 3.37 Officers then received a further three FOIs from the applicant's Managing Agent, dated 29th July and 2nd August 2022, following on from the response issued to the applicant's solicitor. Officers are currently considering those requests pursuant to FOIA.
- 3.38 In addition, officers also responded to three subject access requests under Article 15 of the General Data Protection Regulation 2016 (GDPR) (see Appendices 7, 8 and 9) from the Applicant's Managing Agent.
- 3.39 A further subject access request was refused, as the consent of the previous owner of the accommodation to release the information was not obtained.

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- 3.40 A verbal update on the further FOI requests received on 29th July and 2nd August 2022 will be provided at the Committee meeting.**

**Financial and Resource Implications**

- 3.41 None. The cost of assessing the application and officer inspections are provided for within existing budgets.**

**Equality and Good Relations Implications**

- 3.42 There are no equality or good relations issues associated with this report.”**

The HMO Unit Manager reminded the Committee that the Houses in Multiple Occupation Act (Northern Ireland) 2016 had come into effect on 1st April, 2019, at which point responsibility for the regulation of Houses of Multiple Occupation had transferred from the Northern Ireland Housing Executive to local councils. On that date, all Houses of Multiple Occupation which had been registered under the previous legislation had transferred automatically to the new licensing regime.

He explained that this arrangement would, under normal circumstances, have applied to number 12 Carmel Street, which was licenced to operate as a House of Multiple Occupation. However, as the sale of the property to the current applicants had not been completed until 5th April, 2019, the licence could not, under the new regime, be transferred to them. It had, therefore, ceased to exist and the new owners had been required to submit a new application, which was now being presented to the Committee for determination.

He provided an overview of the application and recommended that, should the Committee be minded to grant a new licence, a condition be attached stipulating that the area of the first floor return bedroom be increased to a minimum of 6.5 m<sup>2</sup>, as required under the Houses in Multiple Occupation Act (Northern Ireland) 2016. In response to a Member, he outlined the options open to the Council should that condition not be adhered to.

The Interim City Solicitor referred to the significant number of Freedom of Information and Subject Access Requests which the Council had received in relation to the application. The applicant's legal representative had asked that a decision on the application be deferred to allow for the most recent of those requests to be responded to. She pointed out that officers were of the view that the requests were not specifically related to this application and highlighted the impact which a deferral would have. The Council was required, under the legislation, to determine the application within three months of declaring it valid. That period would, in this case, expire on 20th August and, should there be no determination by then, the Council would be required to grant a 'deemed licence'. That would mean that it would be unable to take the issue of overprovision into account when determining any future licensing applications for this property. However, it was, ultimately, a matter for the Committee to decide whether or not to defer the application.

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The Committee proceeded to determine the application and Mrs. C. Glackin, the joint applicant, together with Mr. J. McClurkin and Ms. P. McGlone, her legal representatives, and Mr. D. Boyle, were welcomed to the meeting.

Mr. McClurkin pointed out that the sale of the property had occurred a mere five days after the transition from the old to the new licensing regime. Had it been completed on time, as intended, the licence would have been renewed as a matter of course. This, he stressed, distinguished this application from others of a similar nature.

He then addressed the Council's proposal to refuse the licence on the grounds of overprovision by stating that the property had been operated as a House of Multiple Occupation for many years. It was, therefore, part of the existing housing stock and should not be viewed as adding to it. He went on to state that the high demand for student housing in what was a university catchment area had been widely documented by estate agents and concluded by urging the Committee to take all of these factors into account and grant the licence.

During discussion, a Member expressed a number of concerns in relation to the grant of a licence for this property. He pointed out that Houses of Multiple Occupation already accounted for over 45% of housing in this area and made reference to rental prices being driven up generally. He then addressed the point which had been made by the applicant's legal representative around this being classified as a student area by pointing out that it comprised other housing and resident types. He went on to highlight the time spent by the Council in cleansing alleyways in this area, and the significant cost involved.

The Interim City Solicitor responded by stating that it was recognised that there were a wide range of issues in this area. She stressed that these could not be attributed solely to Houses of Multiple Occupation and referred to the work being undertaken by the Council and other statutory agencies to bring about improvements. She went on to remind the Committee that it was required to focus on whether or not the grant of this licence would result in overprovision and, in doing so, might wish to take into account the unique nature of the application.

A further Member pointed out that the Committee took its responsibilities seriously when assessing new applications for Houses of Multiple Occupation and that it would grant a licence only when satisfied that to do so would not result in overprovision. However, the circumstances surrounding this new application were unique in that there had been only five days between the introduction of the new regime and the sale of the property.

It was then

Proposed by Councillor Gormley,  
Seconded by Councillor McAteer,

That the Committee agrees, in view of the unique circumstances surrounding this application, to exercise its discretion in this instance and

**Special Licensing Committee,  
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grant a new licence for a House of Multiple Occupation at number 12 Carmel Street.

On a vote, three Members voted for the proposal and seven against and it was declared lost.

Accordingly, the Committee agreed to refuse the application, on the basis that to grant it would result in an overprovision of Houses of Multiple Occupation accommodation in that locality.

Chairperson

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# Licensing Committee

Wednesday, 17th August, 2022

## MEETING OF THE LICENSING COMMITTEE HELD REMOTELY VIA MICROSOFT TEAMS

Members present: Councillor Matt Collins (Chairperson);  
Alderman Sandford; and  
Councillors Bradley, Canavan, Gormley,  
Hutchinson, M. Kelly, T. Kelly, Magee,  
McAteer, McCann, McCusker, McCullough,  
McKeown, Murray, Smyth and Thompson.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;  
Mr. K. Bloomfield, HMO Unit Manager;  
Ms. N. Largey, City Solicitor;  
Mrs. S. Steele, Democratic Services Officer; and  
Ms. C. Donnelly, Democratic Services Officer.

### **Apologies**

An apology for inability to attend was reported on behalf of Councillor Nelson.

### **Minutes**

The minutes of the meeting of 30th May and 15th June were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 4th July, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

### **Declarations of Interest**

Councillor McKeown declared an interest in agenda item 2 (b), The Marcus Ward Outdoor Entertainment Licence Provisional Grant, in that he had previously assisted the applicants in a planning capacity, and he took no part in the discussion.

Councillor Murray declared in relation to agenda item 2 (g), application for a new licence to operate a House of Multiple Occupation for 34 Sandhurst Garden, in that his employer had previously rented a property from the applicant's agent and that he had previously declared an interest in applicants in which that agent was involved. As that tenancy had subsequently ended, he did not consider that he was still required to declare an interest.

The Democratic Services Officer, Mrs Steele, declared an interest in item 2 (e), 73-75 North Street – Amusement Permit Provisional Grant, in that she was related to one of the applicants and left the meeting whilst the matter was being discussed.

**Delegated Matters**

**THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE  
OF THE POWERS DELEGATED TO IT UNDER STANDING ORDER 37(d)**

**Licences Issued Under Delegated Authority**

The Committee noted a list of applications for licences and Road Closure Orders which had, since its last meeting, been approved under the Council's Scheme of Delegation.

**The Marcus Ward Outdoor Entertainment  
Licence Provisional Grant**

The Director of Planning and Building Control informed the Committee that an application had been received for the provisional grant of a 7-Day Entertainments licence, to provide outdoor musical entertainment at The Marcus Ward, 1 Bankmore Square, Belfast, a newly formed outdoor events space located on the current hardstanding area on the corner of Bankmore Square and Dublin Road where the Movie House Cinema had been demolished. The applicant proposed to provide an area for the consumption of food and alcohol which would include the provision of live music.

She advised that the maximum numbers within the event space would be agreed by the Building Control Service and might vary depending on individual concert set-up proposals.

She explained that the days and hours during which entertainment might be provided under the terms of the licence were:

- Monday to Sunday: 11.30 a.m. to 11.00 p.m. and
- Sunday 12.30 p.m. – 11.00 p.m.

She advised that in response to a public notice of the application, one objection had been received from a local resident on 9th May 2022, however, following a liaison meeting with both parties the objector had agreed to withdraw the objection. Both the PSNI and NIFRS had been contacted and confirmed that they had no objection to the application.

She added that the applicant had been asked to provide an acoustic report for the outdoor area for evaluation and any necessary acoustic measures would be required to be implemented, along with any fire safety, structural or access requirements upon completion of works, before the grant of the licence could be confirmed.

She informed the Committee that the Applicant was present at the meeting to answer any questions.

The Committee agreed to approve the application for the provisional grant of a 7-Day Annual Outdoor Entertainments Licence and to delegate authority to the Director of Planning and Building Control to issue on completion of all technical requirements.

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**Boucher Road Playing Fields Outdoor  
Entertainment Licence Grant**

The Director of Planning and Building Control reminded the Committee that, at its meeting held on, 15th June, following consideration of an objection to the application for the 14-day Occasional Outdoor Entertainments Licence for Boucher Road Playing Fields, the Committee had agreed to renew the licence. She reported that, subsequently, an application had been received for the grant of a 7-Day Annual Outdoor Entertainments Licence to permit the use of this large event space for more than 14 days per year.

She advised the Committee that a 7-day Annual Entertainment Licence had previously been in place for Boucher Road Playing Fields until 2014. Currently, Belfast City Council held both a 14-Day Occasional Outdoor Entertainments Licence and a 14-Day Occasional Indoor Entertainments Licence for a marquee in respect of Boucher Road Playing Fields. Boucher Road had been used as a venue to provide large outdoor concerts for approximately 10 years.

She advised that the current days and hours during which entertainment could be provided for both Occasional Licences were:

- Monday to Saturday: 11.30 a.m. to 11.00 p.m. and
- Sunday: 12.30 p.m. to 11.00 p.m.

The Director outlined the special conditions which were attached to the licence, along with the measures taken to ensure health, safety and welfare. She pointed out that no representations had been received in response to a public notice of the application and that both the PSNI and NIFRS had no objections to the application.

She advised the Members that pre-event planning meetings would be held with all relevant services, agencies and promoters for all large outdoor music events within the Boucher Road Playing Fields. These meetings would be attended by officers of the Council, Police Service of Northern Ireland, Northern Ireland Fire and Rescue Service, Department of Infrastructure, Translink, Northern Ireland Ambulance Service, promoters and their relevant service providers. In addition, officers from the Council would assess the Event Planning documents submitted by the promoter and carry out site inspections prior to and throughout the events to ensure compliance with relevant guidance in relation to fire safety, structures, access, egress and facilities for all.

The Director explained to the Committee that promoters of large outdoor events must submit a Noise Management Plan to the Environmental Protection Unit for evaluation in advance of an event taking place and that Council officers worked with promoters in order to assess the noise that might be generated and to minimise the potential for noise disturbance.

The Committee was also asked to recognise that noise generated by large scale outdoor concerts was likely to lead to some level of disturbance for local residents. Even if guideline levels were met, there was no guarantee that complaints would not be received. Conversely, if a recommended level was exceeded this might not necessarily lead to complaints as people might be prepared to tolerate the event because it would

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only last for a limited period. She also asked the Members to note that historically these events did cause some anti-social behaviour on the routes of travel to and from the venue.

She informed the Committee that the applicant was present at the meeting to answer any questions.

A Member referred to the fact that she had been contacted by several residents from Lislea Avenue, Lisburn Road in relation to incidents of antisocial behaviour following the Ed Sheeran Concert and she sought an assurance that further liaison would take place with the relevant stakeholders to try and resolve these issues prior to upcoming events scheduled for the end of August. She highlighted that, whilst Lislea Avenue was some distance from the Boucher Playing Fields, there was a bridge from the Avenue that accessed the Boucher Road.

The Neighbourhood Services Manager, representing the Council as the applicant, addressed the Committee and provided an assurance that further liaison was currently being arranged. She advised that residents of Lislea Avenue would be invited to a site visit prior to the upcoming Emerge Music Festival Event at the end of August, along with other stakeholders. In addition to this, she reported that the event promoter had secured additional security personnel for the upcoming Festival who would be located at the bridge to try and mitigate the previous issues. She further advised that staff from the Community Safety Team and Community Feet on the Street would be present at previously identified 'hot spots' to try and ensure the safety and welfare of vulnerable people attending the events.

The Committee agreed to approve the application for the grant of a 7-Day Annual Outdoor Entertainments, subject to the following special conditions being attached to the licence:

1. Maximum numbers to be agreed at the discretion of the Building Control Service, it was noted that these would vary depending upon the individual concert set up proposals;
2. Prior to any event taking place, the promoters would be required to demonstrate evidence of early consultation and have in place a robust system of dealing with any complaints, to be agreed in advance with the Council;
3. Any requests to provide entertainment later than 11.00 p.m. must be considered by the Licensing Committee and therefore must be made at least 3 months in advance of the proposed event; and
4. Should an application to provide entertainment beyond 11.00 p.m. be granted and the Council subsequently receive a significant number of complaints regarding noise, or the complaint was of such significant impact, authority be granted to the Director of Planning and Building Control, in consultation with the City Solicitor, to reduce the finishing time for any subsequent nights of the event, in which case the promoter would be required to make contingency arrangements.

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**163 Stranmillis Road – Amusement  
Permit Provisional Grant**

The Director of Planning and Building Control reported that an application had been received from Little Vegas (NI) Limited for the provisional grant of an Amusement Permit.

She advised the Members that, at a meeting of the Licensing Committee held on 26 June 2013, the Committee had agreed to refuse the granting of an amusement permit to Little Vegas (NI) Ltd. for the ground and first floors of 163 Stranmillis Road. Subsequently, at a meeting on 21st August 2013, following the hearing of representations, it had agreed to grant an amusement permit for the ground floor of the premises only. An amusement permit had been held for the ground floor of 163 Stranmillis Road since October 2013 and the premises had operated as a gaming centre ever since.

The Director advised that the applicant company, which was the current amusement permit holder, now wished to also use the first floor of the premises which they had rented since 2013, as part of the amusement arcade, to develop the business and aid its recovery after the pandemic.

She reported that there was no mechanism within the Order to enable the variation of a permit, such as for the increase in the floor area being used for the amusement arcade, therefore, an application was required for the Provisional Grant or Grant of an Amusement Permit.

The application was for a total of 50 gaming machines, giving an increase of 25 machines over the existing arcade; all of which were to pay out a maximum all cash prize of £25.00. Admission to the arcade would be restricted to persons aged 18 or over.

The proposed opening hours of the premises, as specified on the application, were:

- Monday to Sunday: 10.00 a.m. to 10.00 p.m.

The current normal opening hours were indicated on the premises as being Monday – Saturday 11 a.m. – late and Sunday 1 p.m. to late, however, currently the amusement arcade was open on a trial basis from 3.00 p.m. – 3.00 a.m. (as indicated at the entrance and on the premises website).

She advised that no representations had been received in response to a public notice of the application and that both the PSNI and NIFRS had no objections to the application.

The Director advised that the Building Control Service had received 3 complaints concerning the premises, one in each of 2014, 2017 and 2018 and confirmed that each complaint had been resolved to the Service's satisfaction

The Environmental Protection Unit / Night-time Noise Team had received 4 noise complaints, three in 2018 and one in 2019.

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The Committee was advised that Planning permission for change of use of ground and first floor to an amusement arcade had been granted on the 8th July 2012. As the amusement arcade had been open since 2013, they would have established use rights to operate as an amusement arcade under Planning Legislation.

She reminded the Members that in an important Court of Appeal decision in June 1999, it had been confirmed that the Council, in determining applications for Amusement Permits, may take into account planning considerations but should be slow to differ from the views of the Planning Authority. The Court had also confirmed that the Council could consider matters such as location, structure, character and impact on neighbours and the surrounding area.

The Director outlined the evaluation of the application against the criteria contained within the Council's Amusement Permit Policy and stated that, whilst the location of the permit application satisfied most criteria in the Amusement Permit Policy, it was not considered to meet criteria (dii). She explained that this criterion related to the proximity of proposed premises immediately adjacent to residential use. Having regard to the potential impact on residential amenity, the Permit Policy advises a precautionary approach by discouraging the opening of amusement arcades in such locations.

She advised that, should the Committee be minded to refuse the application for the Provisional Grant of the Permit, or to grant the Permit, subject to any discretionary conditions, that it would be required to advise the applicant of its intentions to do so and to afford the applicant the opportunity to make representation at a specified Licensing Committee meeting on the matter before making a final decision. She further reported that if, upon hearing the applicant, the Committee should refuse the application for the Provisional Grant of an Amusement Permit or decide to grant the application subject to discretionary conditions, the applicant could within 21 days from the date on which notice of the decision was served on him, appeal to the county court.

The Director, with the aid of a Power point presentation, provided an overview of the proposed location for the premises and demonstrated its proximity to residential property, highlighting that the proposed first floor location was immediately adjacent to No. 161a Stranmillis Road which was a 4-bed apartment currently licenced as an HMO that appeared to be occupied.

The Chairperson informed the Committee that the both the applicant and his architect were present at the meeting to answer any questions.

The Applicant, Mr, Conor Forbes, thanked the Members for the opportunity to address the Committee. He provided a brief overview of his business and alluded to the pressures that his business had faced during the Covid-19 pandemic, along with the rising energy and running costs that all businesses were now facing. He explained that he was currently paying rent and rates on three floors of this property and was keen to expand the business onto the second floor to develop the business and to help aid its recovery after the pandemic. He advised that the proposal was for an additional 25 gaming machines over the existing arcade (50 in total), with a maximum pay out of £25.00 to be accessed by persons aged 18 or over.

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The applicant's architect then addressed the Committee and provided an assurance that, if the Committee approved the application, sound proofing of the premises would be undertaken.

Following a query from a Member regarding the proposed opening times, the Applicant confirmed that it was proposed that the opening times for the first floor would be Monday to Sunday 10.00 a.m. – 10.00 p.m. The opening times of the ground floor business would remain unchanged (currently, Monday to Sunday 3.00 p.m. – 3.00 a.m.)

The Committee agreed that it was minded to refuse the application on the basis that it did not comply with the criterion of the Council's Amusement Permit Policy, in that the first floor of the proposed premises was immediately adjacent to residential use property.

**73-75 North Street – Amusement  
Permit Provisional Grant**

(The Democratic Services Officer, who had declared an interest  
in this item, left the meeting while it was under consideration)

The Director of Planning and Building Control reported that an application had been received from Oasis Retail Services Limited for the provisional grant of an Amusement Permit at 73-75 North Street. The Committee was advised that the application related to the relocation of an existing amusement arcade at 19 North Street, the necessity for which was linked to a wider regeneration initiative for the north-eastern part of the City Centre. The Director advised that the grant of planning permission for the amusement arcade at No.73-75 North Street (Ref: LA04/2018/0098/F) had been subject to a legal agreement whereby the existing amusement arcade at 19 North Street would close once the proposed arcade would become operational.

The Members were advised that the proposed replacement arcade would consist of 85 gaming machines, which would represent a decrease of 15 machines from the existing arcade's 100 machines. All would pay out a maximum all cash prize of £25.00 and admission would be restricted to persons aged 18 or over.

The proposed opening hours of the premises, as specified on the application, were:

Monday to Sunday: 9.00 a.m. to 12.00 midnight

The Director pointed out that no representations had been received in response to a public notice of the application and that both the PSNI and NIFRS had no objections to the application.

The Director outlined the evaluation of the application against the criteria contained within the Council's Amusement Permit Policy. She referred to the application premises being in the Retail Core of Belfast City Centre and the fact that the Amusement Permit Policy had a presumption against permitting amusement centres to open in the Retail Core. However, she advised that the Permit Policy did state that an exception could be made for applications which were for renewals or part of a major, retail-led mixed-use

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development. She continued that, this application sought to relocate an existing amusement arcade 150m closer to Royal Avenue, the relocation of which would help facilitate the assembly of property for the regeneration of the north-eastern quarter of the City Centre.

The Director advised the Members that the requirement to relocate the amusement centre to facilitate regeneration, and the requirement of the planning permission to close the existing amusement arcade at 19 North Street once this proposed arcade became operational, were factors that the Licensing Committee might wish to consider in the determination of this permit application.

She advised that, should the Committee be minded to refuse the application for the Provisional Grant of the Permit, or to grant the Permit, subject to any discretionary conditions, that it would be required to advise the applicant of its intentions to do so and to afford the applicant the opportunity to make representation at a specified Licensing Committee meeting on the matter before making a final decision. She further reported that if, upon hearing the applicant, the Committee should refuse the application for the Provisional Grant of an Amusement Permit or decide to grant the application subject to discretionary conditions, the applicant could within 21 days from the date on which notice of the decision was served on him, appeal to the county court.

The Director, with the aid of a Power point presentation, provided an overview of the proposed location for the new premises and its location in relation the two listed buildings.

The Chairperson welcomed Mr. M. Trimble, Applicant, and Ms. D. Thompson, Planning Consultant, to address the Committee. They briefly outlined the need for the relocation of the premises to facilitate redevelopment and regeneration of the existing premises at 19 North Street and reiterated that the existing premises would close once the new arcade opened.

The Committee agreed to approve the application for the Provisional Grant of an Amusement Permit at 73-75 North Street and to delegate authority to the Director of Planning and Building Control to issue on completion of all technical requirements.

(The Democratic Services Officer returned to the meeting)

**Houses in Multiple Occupation (HMO)**  
**Licenses Issued Under Delegated Authority**

The Committee noted a list of licences for Houses in Multiple Occupation which had, since its last meeting, been issued under the Council's Scheme of Delegation.

**Application for a New Licence to operate a House**  
**of Multiple Occupation for 34 Sandhurst Gardens,**  
**Belfast, BT9 5AW**

The HMO Unit Manager submitted for the Committee's consideration the following report:

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

- 1.1 To consider an application for a Licence permitting the use of premises as a House in Multiple Occupation (HMO).**

<b>Premises</b>	<b>Application No.</b>	<b>Applicant(s)</b>	<b>Managing Agents</b>
<b>34 Sandhurst Gardens, Belfast, BT9 5AW</b>	<b>9262</b>	<b>Mr Daniel Brennan and Mr Patrick Quinn</b>	<b>Giant Property Limited</b>

- 1.2 Members are reminded that licences are issued for a 5-year period with standard conditions. Where it is considered necessary to do so, the Committee can also impose special conditions.**

**2.0 Recommendation**

- 2.1 Taking into account the information presented Committee is asked to hear from the Applicants and make a decision to either:**

- (i) Grant the application, with or without any special conditions; or**
- (ii) Refuse the application.**

**Notice of proposed decision**

- 2.2 On the 15 June 2022, pursuant to Paragraph 9 of Schedule 2 of the Houses in Multiple Occupation Act (Northern Ireland) 2016 (“the 2016 Act”), Officers issued a Notice of Proposed Decision. Appendix 2**

- 2.3 The Notice of Proposed Decision stated that the council proposed to refuse the licence on the grounds of overprovision. A statement of reasons for the proposal was included in the Notice of Proposed Decision.**

- 2.4 If the application is refused, the Applicants have a right of appeal to the County Court. An appeal must be lodged within 28 days of formal notification of the Council’s decision.**

**3.0 Main report**

**Background**

- 3.1 The property had the benefit of a deemed HMO licence in the name of the existing owner which expired on the 09 February 2022. A deemed licence occurs if the Council does not determine an application within 3 months of a valid application being received and the applicant is to be treated as having been**

granted a licence which is valid for one year in the terms applied for. In the case of this deemed licence, officers were unable to complete the application due to the temporary suspension of HMO inspections and subsequent administrative delays related to the Covid pandemic.

- 3.2 On the 27 July 2021, 10 December 2021 and the 12 January 2022 reminder letters were sent to Mr. Daniel Brennan informing him of the need to apply to renew the licence.
- 3.3 On the 2 March 2022 an application for a Temporary Exemption Notice “TEN” was received. The application was subsequently refused on the 9 March 2022 as the steps specified in the application were not sufficient to secure that the property ceased to be an HMO.
- 3.4 On the 11 March 2022 a further TEN application was received and granted on the 18 March 2022.
- 3.5 On the 09 May 2022 an HMO licence application was received from the owners of the accommodation.

#### **Key Issues**

- 3.6 Pursuant to the 2016 Act, the Council may only grant a licence if it is satisfied that:
- a) the occupation of the living accommodation as an HMO would not constitute a breach of planning control;
  - b) the owner, and any managing agent of it, are fit and proper persons;
  - c) the proposed management arrangements are satisfactory);
  - d) the granting of the licence will not result in overprovision of HMOs in the locality;
  - e) the living accommodation is fit for human habitation and—
    - (i) is suitable for occupation as an HMO by the number of persons to be specified in the licence, or
    - (ii) can be made so suitable by including conditions in the licence.

#### **Planning**

- 3.7 As this is a new application the Council’s Planning Service was consulted. It confirmed that a Certificate of Lawfulness of Existing Use or Development (“CLEUD”) was granted with the planning reference LA04/2019/2417/LDE.

As this is a new application the Council's Planning Service was consulted. It confirmed that a Certificate of Lawfulness of Existing Use or Development ("CLEUD") was granted with the planning reference LA04/2019/2417/LDE.

**Fitness**

- 3.8 When considering the fitness of an applicant the Council must have regard to any offences concerning fraud/ dishonesty, violence, drugs, human trafficking, firearms, sexual offences, unlawful discrimination in, or in connection with, the carrying on of any business; or any provision of the law relating to housing or of landlord and tenant law. It also permits the Council to take into account any other matter which the council considers to be relevant.
- 3.9 The NIHMO Unit has consulted with the following units within the Council's City and Neighbourhood Services Department –
- (i) Environmental Protection Unit ("EPU") - who have confirmed that in relation to night-time noise there has been no relevant enforcement action required in respect of the HMO in the last 5 years;
  - (ii) Environmental Protection Unit ("EPU") - who have confirmed that in relation to day-time noise there has been no relevant enforcement action required in respect of the HMO in the last 5 years;
  - (iii) Public Health and Housing Unit ("PHHU") - who have confirmed that in relation to rubbish accumulation/filthy premises, there has been no relevant enforcement action required in respect of the HMO in the last 5 years and;
  - (iv) Enforcement Unit ("EU") - who have confirmed that in relation to litter and waste, there was a fixed penalty notice issued in November 2020.
- 3.10 The Applicants and Managing Agent have confirmed that they have not been convicted of any relevant offences as set out at paragraph 3.3 of this report.
- 3.11 The Applicants or Managing Agent have not been convicted of any HMO related offences by the Council. The EPU, PHHU and EU, solely in respect of their statutory functions, have confirmed that there are no relevant, previous convictions in respect of the Applicants, Managing Agent or occupants. Due to data protection issues which have arisen, PSNI have not been

accepting or responding to notification of these applications. Officers are continuing to engage with PSNI to find a resolution to this issue.

- 3.12 Officers are not aware of any other issues relevant to the Applicants' fitness.

**Overprovision**

- 3.13 For the purpose of determining whether or not the granting of a licence would result in an overprovision of HMOs in the locality of the accommodation, and in order to ensure consistency as both a planning and licensing authority the locality was defined as being HMO Policy Area "HMO 2/19 Stranmillis" as defined in the document "Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015.

- 3.14 Legal Services has advised that there is a clear requirement in section 8 of the 2016 Act upon the Council to be satisfied that the granting of a licence will not result in overprovision.

- 3.15 On the date of assessment, 13 June 2022 there were a total of 342 licensed HMOs in HMO policy area "HMO 2/19 Stranmillis" which equates to just over 45% of the total dwelling units, which in turn exceeds the 30% development limit as set out at Policy HMO 1. The 342 licensed HMOs have a capacity of 1467 persons.

- 3.16 The total number of dwelling units in a Policy Area is measured by Ordnance Survey's Pointer database.

- 3.17 The Council must also consider the need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need.

The Council recognises that there is a need for intensive forms of housing and to meet this demand, HMOs are an important component of this housing provision. HMOs, alongside other accommodation options within the private rented sector, play an important role in meeting the housing needs of people who are single, who have temporary employment, students, low-income households and, more recently, migrant workers.

- 3.18 In September 2017 The Housing Executive published the document "Housing Market Analysis Update – Belfast City Council Area" which states "HMOs form an important element of the PRS, particularly for younger people on low incomes and for single people, under the age of 35, affected by the limitation of housing benefit to the shared room rate. Anecdotal evidence also indicates that this has been a popular sector with migrant workers."

- 3.19 On the 15 June 2022, 9 licensed HMOs were advertised as for rent on the website PropertyNews.com in BT9, of those which represented 34 bedspaces. Of those 2 were within HMO policy area “HMO 2/19 Stranmillis”. From the information provided on the website this represented 8 bed spaces within the policy area. Availability was immediate through to the end of September 2022.
- 3.20 A further examination of the PropertyNew.com website took place on the 12 August 2022 at which time 10 licensed HMO were advertised in BT9 representing 41 bedspaces, 2 of which were in HMO policy area “HMO 2/19 Stranmillis” comprising 8 bedspaces.
- 3.21 Anecdotal evidence from conversations with HMO managing agents suggest that that there is currently a lack of HMO accommodation available in the locality. It is too early to tell whether this is a temporary problem or evidence of an emerging long-term supply issue.
- 3.22 The fact that the use of the property as an HMO is permitted for planning purposes is a relevant consideration in determining whether the grant of this licence will result in overprovision. There is an argument that it may not do so as the premises are already being used as an HMO.
- 3.23 However, it should be borne in mind that planning permission was granted on the basis that the use had been established for 5 or more years and was therefore immune to enforcement. No assessment of overprovision was made at that time. Given the level of licensed HMO properties in this locality as set out above it would be highly unlikely that a planning application for a new HMO in the area would be successful as the thresholds in the 2015 Plan have been significantly exceeded.

#### Objections

- 3.24 No objections have been received in relation to this application.

#### Attendance

- 3.25 The applicant and/or their representatives will be available to discuss any matters relating to the licence application should they arise during your meeting.

#### Suitability of the premises

- 3.26 The accommodation was certified as complying with the physical standards for an HMO for 3 persons (2 other rooms are

**below the minimum bedroom size of 6.5m<sup>2</sup>) by a technical officer from the NIHMO service, on the 28 February 2022. The previous deemed licence had a permitted occupancy of 5 persons.**

**Response from the Applicants to  
the notice of proposed decision**

**3.27 At the time of writing this report the licence applicants had not submitted a response to the notice of proposed decision.**

**3.28 Financial and Resource Implications**

**None. The cost of assessing the application and officer inspections are provided for within existing budgets.**

**Equality and Good Relations Implications**

**3.29 There are no equality or good relations issues associated with this report.”**

The Chairperson welcomed Mr. C. Dolan, Managing Agent acting on behalf of the Applicant, to the meeting.

Mr. Dolan explained that he managed a number of HMO properties predominately around the University area of South Belfast and he went onto emphasise the current demand that existed for HMO properties in the University area, not only from students, but young professions, migrant workers, asylum seekers, contractors working in the city and the NIHE for use as emergency accommodation. He reported that, often once HMO properties were advertised, they had to be removed from his company’s website due to the overwhelming level of interest that the advertisement created. He went on to state that the removal of HMO status on properties was only limiting the number of bedrooms that were being used as the properties were still being let but fewer people were residing in them, for example, to young professionals who were using only two of the bedrooms in a property.

He also stated that neither applicants nor agents had received training on the new HMO regulations, whilst Elected Members had been trained, and he felt that this approach was unfair.

In conclusion, he appealed the Members for a common-sense approach as the property in question had been an HMO for over 10 years. He explained that it had been given a deemed licence which was only valid for one year, unfortunately the applicant, an elderly gentleman, did not understand the process and the HMO had subsequently expired.

Following a question from a Member asking if Mr. Dolan tried to let properties to families rather than students, he advised that many of the HMO properties were unsuitable for family use as they had no baths and very small bedrooms, he added that families very rarely wished to live in these areas.

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A Member highlighted that the applicant had been sent three reminder letters informing him of the need to apply to renew the licence.

**Proposal**

Moved by Councillor McCann,  
Seconded by Councillor Smyth,

That the Committee agrees to refuse the application, on the basis that granting the licence would result in overprovision.

On a recorded vote, fifteen Members voted for the proposal and two against and it was declared carried.

<b><u>For 15</u></b>	<b><u>Against 2</u></b>
Councillor Matt Collins (Chairperson); and Alderman Sandford; and Councillors Canavan, Gormley, M. Kelly, T. Kelly, Magee, McAteer, McCann, McCullough, McCusker, McKeown, Murray, Smyth and Thompson.	Councillors Bradley and Hutchinson.

**Application for a New Licence to operate a House of Multiple Occupation for 38 Wolseley Street, Belfast, BT7 1LG**

The HMO Unit Manager submitted for the Committee's consideration the following report:

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

**1.1 To consider an application for a Licence permitting the use of premises as a House in Multiple Occupation (HMO).**

Premises	Application No.	Applicant(s)	Managing Agents
38 Wolseley Street, Belfast, BT7 1LG	9156	Mr Gareth Macklin & Ms Cara Macklin	None

**1.2 Members are reminded that licences are issued for a 5-year period with standard conditions. Where it is considered necessary to do so, the Committee can also impose special conditions.**

**2.0 Recommendation**

**2.1 Taking into account the information presented Committee is asked to hear from the Applicant and make a decision to either:**

- (i) Grant the application, with or without any special conditions; or
- (ii) Refuse the application.

**Notice of proposed decision**

- 2.2 On the 27 June 2022, pursuant to Paragraph 9 of Schedule 2 of the Houses in Multiple Occupation Act (Northern Ireland) 2016 (“the 2016 Act”), officers issued a Notice of Proposed Decision to the Applicants. *Appendix 3*
- 2.3 The Notice of Proposed Decision stated that the council proposed to refuse the licence on the grounds of overprovision. A statement of reasons for the proposal was included in the Notice of Proposed Decision.
- 2.4 If the application is refused, the Applicants have a right of appeal to the County Court. An appeal must be lodged within 28 days of formal notification of the Council’s decision.

3.0 **Main Report**

**Background**

- 3.1 The property had the benefit of an HMO licence in the name of the existing owner which expired on the 04 May 2021.
- 3.2 On the 07 April 2021 a reminder letter was sent to Mr. Gareth Macklin informing him of the need to apply to renew the licence.
- 3.3 On the 09 March 2022 an HMO licence application was received from the Mr. Gareth Macklin, Ms. Cara Macklin was later added as a proposed joint licensee.
- 3.4 An application for a temporary exemption notice was received on the 06 April 2022 which was granted until 12 July 2022 and further extended until 29 September 2022.

**Key Issues**

- 3.5 Pursuant to the 2016 Act, the Council may only grant a licence if it is satisfied that:
  - a) the occupation of the living accommodation as an HMO would not constitute a breach of planning control;
  - b) the owner, and any managing agent of it, are fit and proper persons;
  - c) the proposed management arrangements are satisfactory);

- d) the granting of the licence will not result in overprovision of HMOs in the locality;
- e) the living accommodation is fit for human habitation and—
  - (i) is suitable for occupation as an HMO by the number of persons to be specified in the licence, or
  - (ii) can be made so suitable by including conditions in the licence.

### Planning

- 3.6 As this is a new application the Council's Planning Service was consulted. It confirmed that a Certificate of Lawful Existing Use or Development ("CLEUD") was granted with the planning reference LA04/2022/0120/LDE.

### Fitness

- 3.7 When considering the fitness of an applicant the Council must have regard to any offences concerning fraud/ dishonesty, violence, drugs, human trafficking, firearms, sexual offences, unlawful discrimination in, or in connection with, the carrying on of any business; or any provision of the law relating to housing or of landlord and tenant law. It also permits the Council to take into account any other matter which the council considers to be relevant.
- 3.8 The NIHMO Unit has consulted with the following units within the Council's City and Neighbourhood Services Department –
- a) Environmental Protection Unit ("EPU") - who have confirmed that in relation to night-time noise there has been no relevant enforcement action required in respect of the HMO in the last 5 years;
  - b) Environmental Protection Unit ("EPU") - who have confirmed that in relation to day-time noise there has been no relevant enforcement action required in respect of the HMO in the last 5 years;
  - c) Public Health and Housing Unit ("PHHU") - who have confirmed that in relation to rubbish accumulation/filthy premises, there has been no relevant enforcement action required in respect of the HMO in the last 5 years and;
  - d) Enforcement Unit ("EU") - who have confirmed that in relation to litter and waste, there was a fixed penalty notice issued in Jan 2022.

- 3.9 The Applicants have confirmed that they have not been convicted of any relevant offences as set out at paragraph 3.3 of this report.
- 3.10 The Applicants has not been convicted of any HMO related offences by the Council. The EPU, PHHU and EU, solely in respect of their statutory functions, have confirmed that there are no relevant, previous convictions in respect of the Applicants, Managing Agent or occupants. Due to data protection issues which have arisen, PSNI have not been accepting or responding to notification of these applications. Officers are continuing to engage with PSNI to find a resolution to this issue.
- 3.11 Officers are not aware of any other issues relevant to the Applicant's fitness.

Overprovision

- 3.12 For the purpose of determining whether or not the granting of a licence would result in an overprovision of HMOs in the locality of the accommodation, and in order to ensure consistency as both a planning and licensing authority the locality was defined as being HMO Policy Area "HMO 2/22 Botanic, Holylands, Rugby" as defined in the document "Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015.
- 3.13 Legal Services have advised that there is a clear requirement in section 8 of the 2016 Act upon the Council to be satisfied that the granting of a licence will not result in overprovision.
- 3.14 On the date of assessment, 13 June 2022 there were a total of 1107 licensed HMOs in HMO policy area "HMO 2/22 Botanic, Holylands, Rugby". This equates to between 45% and 46% of the total dwelling units of 2409 within the policy area. Which in turn exceeds the 30% development limit as set out at Policy HMO 1. The 1107 licensed HMOs have a capacity of 5020 persons.
- 3.15 The total number of dwelling units in a Policy Area is measured by Ordnance Survey's Pointer database.
- 3.16 The Council must also consider the need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need.
- 3.17 On the 24 June 2022, 10 licensed HMOs were advertised as for rent on the website PropertyNews.com in BT7, of those which represented 48 bedspaces. Of those 7 were within HMO policy

area “HMO 2/22 Botanic, Holylands and Rugby”. From the information provided on the website this represented 34 bed spaces within the policy area. Availability was immediate through to the end of September 2022.

- 3.18 A further examination of the PropertyNew.com website took place on the 15 August 2022 at which time 4 licensed HMO were advertised in BT7 representing 20 bedspaces, 2 of which were in HMO policy area “HMO 2/22 Botanic, Holylands and Rugby” comprising 10 bedspaces.
- 3.19 Anecdotal evidence from conversations with HMO managing agents suggest that there is currently a lack of HMO accommodation available in the locality. It is too early to tell whether this is a temporary problem or evidence of an emerging long-term supply issue.
- 3.20 The fact that the use of the property as an HMO is permitted for planning purposes is a relevant consideration in determining whether the grant of this licence will result in overprovision. There is an argument that it may not do so as the premises are already being used as an HMO.
- 3.21 However, it should be borne in mind that planning permission was granted on the basis that the use had been established for 5 or more years and was therefore immune to enforcement. No assessment of overprovision was made at that time. Given the level of licensed HMO properties in this locality as set out above it would be highly unlikely that a planning application for a new HMO in the area would be successful as the thresholds in the 2015 Plan have been significantly exceeded.

#### Objections

- 3.22 No objections have been received in relation to this application.

#### Attendance

- 3.23 The applicant and/or their representatives will be available to discuss any matters relating to the licence application should they arise during your meeting.

#### Suitability of the premises

- 3.24 The accommodation was inspected on the 13 April 2022 and several defects were notified to the applicant; those works remain outstanding. If the licence is granted members are asked to permitted officers to include the completion of the works as a condition of the licence. *Appendix 4*

**Response from the Applicants to the  
Notice of Proposed Decision**

- 3.25 On the 26 July 2022, representations were received from O'Hare Solicitors on behalf of the Applicants Appendix 5. The Applicants contend that the basis for the proposed refusal of the application is flawed as the decision fails to reflect the central fact that the relevant property operated as an HMO before 2003 and up to 2021 without issue.
- 3.26 The applicant advised that when he was drafting a renewal application in May 2021, he was under the misconception that a CLEUD was required in order to complete the renewal process.
- 3.27 The representations argue that section 8(2)(d) of the 2016 Act is not intended to have effect on areas where there is already overprovision, and where the property has been operating as an HMO previously and go on to state that the granting of this application cannot logically be deemed to "result" in overprovision in the area in the circumstances.
- 3.28 The representations also highlight that the applicant is aware from conversations with his agent that, at present, there is no availability of HMO properties in this area due to demand.
- 3.29 Issue is also taken with the Council's adoption of the 2015 Subject Plan for the purpose of the Council's assessment of overprovision.
- 3.30 Additional representations were received on the 3 August 2022 which relate to the extenuating circumstances relating to the Applicants' core business at Appendix 6

**Officers' comments further to the applicant's response**

- 3.31 In relation to the comment from the applicants' solicitor that his client was under the misconception that the CLEUD must be in place before the application for renewal of the licence could be lodged I would refer members to the Council's Licensing Committee meetings in December 2020 and January 2021, where members took an agreed approach in relation to a very limited number of HMOs where an owner had not applied to renew their licence on time because of a generally held misconception that Planning Permission or a Certificate of Lawfulness of Existing Use or Development ("CLEUD") was needed before they could do so.
- 3.32 In light of this, members agreed that all new applications due to expire before 1st March 2021, where the premises have

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previously operated as an HMO and had the benefit of planning permission and/or a CLEUD, would not be considered to result in overprovision:-

- 3.33** This application was received on the 09 March 2022 which is over a year after the cut-off date of the 1 March 2021, therefore the application could not have been considered in accordance with members agreed decision.
- 3.34** The Council has no record of a draft application to renew the licence in May 2021. In response to the representation that the applicant believed it was necessary to submit plans and evidence of a CLEUD, the online application form makes it clear that “In relation to renewal applications (to be treated as a renewal the application must be made before the expiry of the previous licence) the issue of planning control is excluded from the application process.
- 3.35** Additionally, the guidance notes outlined at the commencement of the application form contain a mandatory requirement for the applicants to confirm that they have read and approved the guidance notes which provide “Pursuant to Section 20(4)(a) a breach of planning control cannot be taken into consideration when considering a renewal application”.
- 3.36** As the current application was received after the expiry of the previous licence, this application is a new licence application and, in accordance with section 8(2)(d) of the 2016 Act, the Council may grant the licence only if it is satisfied that the granting of the licence will not result in over provision of HMOs in the locality in which the living accommodation is situated.
- 3.37** When considering overprovision, the council must have regard to: (a) the number and capacity of licensed HMOs in the locality; (b) the need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need; and, (c) such other matters as the Department may by regulations specify.
- 3.38** Officers recognise that there is a high demand for HMO type accommodation in HMO policy area “HMO 2/22 Botanic, Holylands, Rugby” at this time. However, in Officers view, the evidence available does not demonstrate a clear need for HMO accommodation at this time. The Committee is entitled to adopt a precautionary approach as this is the only occasion in respect of which overprovision can be taken into account in an area where the level of HMO accommodation already exceeds the limit set out in the HMO Subject Plan by over 50%.

- 3.39 In relation to the criticism regarding reliance upon the HMO Subject Plan, the plan is a publicly available planning policy document which is used to assess planning applications for HMOs in Belfast. The overall aim of the Subject Plan is to provide a planning framework for HMO development in facilitating sustainable growth and encouraging balanced communities by promoting a mix of housing tenures and types and the creation of quality-built environments which contribute to the achievement of safe, complete and balanced communities for people to live in.
- 3.40 Officers are of the view that it is entirely reasonable and rationale to use this Plan as a basis for assessing overprovision. This allows for some level of certainty for property owners, prospective purchasers and the general public in relation to the acceptable level of HMO properties in a particular area. Regardless of the fact that the Council did not draft this document, it is a material consideration and one which the Council is entitled to have regard to. The weight to be attached to the HMO Subject Plan is a matter for the Committee having regard to all other material considerations.
- 3.41 Legal Services have confirmed that section 20(2) of the 2016 Act makes it clear that an application to renew a licence must be made before the licence ceases to have effect.
- 3.42 Therefore, members must consider the above provisions at 3.38 of this report, regarding overprovision, and cannot simply ignore same because of the representations made by the Applicant concerning his personal circumstances and reasons for failing to renew his previous licence on time.

**Financial and Resource Implications**

- 3.43 None. The cost of assessing the application and officer inspections is provided for within existing budgets.

**Equality and Good Relations Implications**

- 3.44 There are no equality or good relations issues associated with this report.”

The Chairperson welcomed Mr. G. Macklin, applicant, to the meeting.

Mr. Macklin commenced by advising that he did not dispute missing the filing date and for this he apologised. He advised that the property in question had operated without issue as an HMO for over 20 years, during this period standards had been met and he believed that they would have continued to be meet if a renewal had been granted.

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The representative then provided the Members with extensive detail regarding the extenuating circumstances that he had found himself in during the period when the error had occurred. He provided detail regarding his other business within the care sector and the pressures that those working in that industry had faced from the period March 2022, pressures which were still being felt today and he stated that without a doubt these had attributed to the renewal paperwork issued on 7th April being missed.

Following a query from a Member, the representative went into further detail regarding the pressures with the care home sector during this period, highlighting that his staff numbers had been depleted due to Covid 19. He emphasised that the focus of all his staff had been on ensuring the safe delivery of care to residents and their families.

The representative also referred to the fact that, when drafting the renewal application in May 2021, he had been under the misconception that a CLEUD needed to be in place before the application for renewal of the licence could be lodged and stated that this had also created an unnecessary delay as he had applied for this instead of progressing with the renewal.

The representative also detailed the significant level of demand for HMOs in the area and stated that the granting of the application would not result in over provision in the area as the property had been operating as an HMO previously.

The representative concluded by once again apologising for the error and he appealed to the Members to exercise discretion due to the various mitigating factors that had occurred.

In relation to the inference from the representative that it had been necessary to submit plans and evidence of a CLEUD, the HMO Unit Manager responded that the online application had made it clear that in relation to renewal applications the issue of planning control was excluded from the process. In addition, he highlighted that the application had been received on the 9th March, 2022 which had been over a year after the cut-off date of the 1st March 2021, therefore the application could not have been considered in the context of where a premises had previously operated as an HMO and had the benefit of planning permission and/or a CLEUD it would not be considered to result in overprovision.

The Committee agreed to refuse the application, on the basis that granting the licence would result in overprovision.

**Application for a New Licence to operate a House of Multiple Occupation for 118 University Avenue, Belfast, BT7 1GZ**

The HMO Unit Manager submitted for the Committee's consideration the following report:

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

- 1.1 To consider an application for a Licence permitting the use of premises as a House in Multiple Occupation (HMO).**

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Premises	Application No.	Applicant(s)	Managing Agents
118 University Avenue, Belfast, BT7 1GZ	9272	Mr Ignatius McCluskey	M&M Property Services

**1.2 Members are reminded that licences are issued for a 5-year period with standard conditions. Where it is considered necessary to do so, the Committee can also impose special conditions.**

**2.0 Recommendation**

**2.1 Taking into account the information presented Committee is asked to hear from the Applicant and make a decision to either:**

- (i) Grant the application, with or without any special conditions; or**
- (ii) Refuse the application.**

**Notice of proposed decision**

**2.2 On the 26 July 2022, pursuant to Paragraph 9 of Schedule 2 of the Houses in Multiple Occupation Act (Northern Ireland) 2016, Officers issued a Notice of Proposed Decision to the Applicant setting out the terms of the proposed licence. *Appendix 3***

**2.3 The Notice of Proposed Decision stated that the Council proposed to refuse the licence on the grounds of overprovision. A statement of reasons for the proposal was included in the Notice of Proposed Decision.**

**2.4 If the application is refused, the Applicant has a right of appeal to the County Court. An appeal must be lodged within 28 days of formal notification of the Council's decision.**

**3.0 Main Report**

**Background**

**3.1 The property had the benefit of an HMO licence in the name of the existing owner which expired on the 03 April 2019.**

**3.2 On the 25 February 2021 an HMO licence application was received from Mr. Ignatius McCluskey which was subsequently rejected on the 2 March 2021 as the granting would constitute a breach of planning control**

**3.3 A further application was received on the 12 May 2022.**

**Key Issues**

- 3.4 Pursuant to the 2016 Act, the Council may only grant a licence if it is satisfied that:
- a) the occupation of the living accommodation as an HMO would not constitute a breach of planning control;
  - b) the owner, and any managing agent of it, are fit and proper persons;
  - c) the proposed management arrangements are satisfactory);
  - d) the granting of the licence will not result in overprovision of HMOs in the locality;
  - e) the living accommodation is fit for human habitation and—
    - i. is suitable for occupation as an HMO by the number of persons to be specified in the licence, or
    - ii. can be made so suitable by including conditions in the licence.

**Planning**

- 3.5 As this is a new application the Council's Planning Service was consulted. It confirmed that a Certificate of Lawfulness of Existing Use or Development ("CLEUD") was granted on the 28 April 2022 with the planning reference LA04/2021/0616/LDE.

**Fitness**

- 3.6 When considering the fitness of an applicant the Council must have regard to any offences concerning fraud/ dishonesty, violence, drugs, human trafficking, firearms, sexual offences, unlawful discrimination in, or in connection with, the carrying on of any business; or any provision of the law relating to housing or of landlord and tenant law. It also permits the Council to take into account any other matter which the council considers to be relevant.
- 3.7 The NIHMO Unit has consulted with the following units within the Council's City and Neighbourhood Services Department –
- (a) Environmental Protection Unit ("EPU") - who have confirmed that in relation to night-time noise there was a noise warning notice issued on 15 November 2017;
  - (b) Environmental Protection Unit ("EPU") - who have confirmed that in relation to day-time noise there has

been no relevant enforcement action required in respect of the HMO in the last 5 years;

- (c) Public Health and Housing Unit (“PHHU”) - who have confirmed that in relation to rubbish accumulation/filthy premises, there has been no relevant enforcement action required in respect of the HMO in the last 5 years and;
- (d) Enforcement Unit (“EU”) - who have confirmed that in relation to litter and waste there has been no relevant enforcement action required in respect of the HMO in the last 5 years;

- 3.8 The Applicant has confirmed that they have not been convicted of any relevant offences as set out at paragraph 3.6 of this report.
- 3.9 The Applicant has not been convicted of any HMO related offences by the Council. The EPU, PHHU and EU, solely in respect of their statutory functions, have confirmed that there are no relevant, previous convictions in respect of the Applicant, Managing Agent or occupants. Due to data protection issues which have arisen, PSNI have not been accepting or responding to notification of these applications. Officers are continuing to engage with PSNI to find a resolution to this issue.
- 3.10 Officers are not aware of any other issues relevant to the Applicant’s fitness.

**Overprovision**

- 3.11 For the purpose of determining whether or not the granting of a licence would result in an overprovision of HMOs in the locality of the accommodation, and in order to ensure consistency as both a planning and licensing authority the locality was defined as being HMO Policy Area “HMO 2/22 Botanic, Holylands, Rugby” as defined in the document “Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015.
- 3.12 Legal Services has advised that there is a clear requirement in section 8 of the 2016 Act upon the Council to be satisfied that the granting of a licence will not result in overprovision.
- 3.13 On the date of assessment, 22 July 2022 there were a total of 1105 licensed HMOs in HMO policy area “HMO 2/22 Botanic, Holylands, Rugby”. This equates to just under 46% of the total dwelling units of 2409 within the policy area. Which in turn exceeds the 30% development limit as set out at Policy HMO 1. The 1105 licensed HMOs have a capacity of 5008 occupants.

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- 3.14** The total number of dwelling units in a Policy Area is measured by Ordnance Survey's Pointer database.
- 3.15** The Council must also consider the need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need.
- 3.16** The Council recognises that there is a need for intensive forms of housing and to meet this demand, HMOs are an important component of this housing provision. HMOs, alongside other accommodation options within the private rented sector, play an important role in meeting the housing needs of people who are single, who have temporary employment, students, low-income households and, more recently, migrant workers.
- 3.17** In September 2017 The Housing Executive published the document "Housing Market Analysis Update – Belfast City Council Area" which states "HMOs form an important element of the PRS, particularly for younger people on low incomes and for single people, under the age of 35, affected by the limitation of housing benefit to the shared room rate. Anecdotal evidence also indicates that this has been a popular sector with migrant workers."
- 3.18** On the 27 July 2022, 5 licensed HMOs were advertised as for rent on the website PropertyNews.com in BT9, of those which represented 22 bedspaces. Of those 4 were within HMO policy area "HMO 2/22 Botanic, Holylands and Rugby". From the information provided on the website this represented 17 bed spaces within the policy area. Availability was from the end of August through to the start of September 2022
- 3.19** A further examination of the PropertyNews.com website took place on the 15 August 2022 at which time 4 licensed HMOs were advertised in BT7 representing 20 bedspaces, 2 of which were in HMO policy area "HMO 2/22 Botanic, Holylands and Rugby" comprising 10 bedspaces. Officers noted the subject premises was also listed for rent on the PropertyNew's website.
- 3.20** Anecdotal evidence from conversations with HMO managing agents suggest that that there is currently a lack of HMO accommodation available in the locality. It is too early to tell whether this is a temporary problem or evidence of an emerging long-term supply issue.
- 3.21** The fact that the use of the property as an HMO is permitted for planning purposes is a relevant consideration in determining whether the grant of this licence will result in overprovision.

There is an argument that it may not do so as the premises are already being used as an HMO.

- 3.22 However, it should be borne in mind that planning permission was granted on the basis that the use had been established for 5 or more years and was therefore immune to enforcement. No assessment of overprovision was made at that time. Given the level of licensed HMO properties in this locality as set out above it would be highly unlikely that a planning application for a new HMO in the area would be successful as the thresholds in the 2015 Plan have been significantly exceeded.

**Objections**

- 3.23 No objections have been received in relation to this application.

**Attendance**

- 3.24 The applicant and/or their representatives will be available to discuss any matters relating to the licence application should they arise during your meeting.

**Suitability of the premises**

- 3.25 The accommodation was inspected on the 20 May 2022 and several defects were notified to the applicant; those works remain outstanding. If the licence is granted members are asked to permitted officers to include the completion of the works as a condition of the licence. *Appendix 4*

**Response from the Managing Agent to the notice of proposed decision**

- 3.26 On the 27 July 2022 representations were received from Mr Michael McMahon of M&M Property Services Appendix 5. The manager questions why the HMO unit advise the applicant to apply for a CLEUD to renew the “out of time” application.
- 3.27 The representation further question why a named premise was not refused on the same grounds.
- 3.28 On 12 August 2022, McCann & McCann Solicitors submitted a written response on behalf of the applicant to the Notice of Proposed Decision in which they provide representations and commentary on overprovision and the specifics of the application. *Appendix 6*
- 3.29 The representations state that there is ample evidence that there is a large demand for HMO properties in the locality and the

**Council should take into account the fact that there is a huge demand without the appropriate supply.**

**3.30 McCann & McCann Solicitors make the point that this application is one in which the Council can reach an exceptional decision on the following grounds:-**

- A. The HMO Registration Certificate for this property expired on 3rd April 2019, and the applicant under the legislation that came into force on 1st April 2019 had to lodge his real application prior to that date. This was new practice from that which was in previous existence under the old HMO Legislation.**
- B. The applicant in this case held the misconception that Planning Permission was required for a renewal of a Licence. You will be aware that the Council was providing advice to renewals that they required Planning Permission until a threatened Judicial Review forced the Council to change their minds in September 2019.**
- C. On the date the registration ran out on the 3rd April 2019 was a time of flux, when Belfast City Council had just recently taken over the running of the HMO Unit from the NIHE.**
- D. The applicant lodged his application on 21st February 2021, after having obtained the CLEUD. He obtained this CLEUD as in the letter dated 2nd March 2021 Mr Bloomfield advised him that he required to have planning in place, and he therefore obtained this. This advice, which arguably was correct as of 2 March 2021, was clearly not correct as at 3rd April 2019.**
- E. The applicant's case should be considered under the number of cases which have colloquially referred to as those cases which fall within the "amnesty". This relates to a decision of the Licence Committee on 20th January 2021 that allowed any "out of time applications" to be renewed. The basis of these renewals was that there was a generally held misconception that planning was required before an application for renewal could be submitted. This case is on all fours with that amnesty in that it is a property that had the benefit of an HMO registration for many years, and had proper advice been given in April 2019 then the applicant would have renewed the application without having to obtain planning or consider overprovision.**

**Officers' comments further to the applicant's response**

- 3.31 There is no provision within the 2016 Act for an “out of time” application and as the current application was received after the expiry of the previous licence, this application is a new licence application and, in accordance with section 8(2)(d) of the 2016 Act, the Council may grant the licence only if it is satisfied that the granting of the licence will not result in an overprovision of HMOs in the locality in which the living accommodation is situated.
- 3.32 When considering overprovision, the Council must have regard to: (a) the number and capacity of licensed HMOs in the locality; (b) the need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need; and, (c) such other matters as the Department may by regulations specify.
- 3.33 On receipt of the application for a new licence, submitted by Mr. Ignatius McCluskey, on the 25 February 2021, officers checked with the Council's planning service who on the 2 March 2021 confirmed that the premises did not have planning permission to operate as an HMO.
- 3.34 Officers wrote to the applicant on the 2 March 2021 pursuant to paragraphs 5 - 7 of schedule 2 of the 2016 Act refusing the application as the Council was not satisfied that the occupation of the living accommodation as an HMO would not constitute a breach of planning control (within the meaning given by section 131 of the Planning Act (Northern Ireland) 2011).Appendix 7
- 3.35 The representation further questioned why another named property was not refused on the same grounds as are proposed here. However, while officers are unable to discuss the details of the application referred to, it is clear that the particular circumstances of that application are not relevant here.
- 3.36 In relation to the submission from McCann & McCann Solicitors that this application is one that the Council can reach an exceptional decision officers note the 3 April 2019 date the previous registration expired on. However, a licence application was first presented on the 25 February 2021 (subsequently rejected on 2 March 2021 as there was no planning permission or a CLEUD in place) which is almost 2 years after the previous licence had expired.
- 3.37 When the previous licence expired on the 3 April 2019 the application form in existence at that time read "*In relation to renewal applications, failure to have planning permission for use of the property as an HMO will be considered when*

*assessing whether the applicant is a fit and proper person. While this does not mean that an application will automatically be refused, applicants are advised to ensure they have the necessary permission or certificate of lawful use in place before applying for renewal of a licence”.*

- 3.38 McCann & McCann Solicitor’s reference to an “Amnesty” relates to reports that came before members of the Council’s Licensing Committee for consideration in December 2020 and January 2021, where members took an agreed approach in relation to a very limited number of HMOs where an owner had not applied to renew their licence on time because of a generally held misconception that Planning Permission or a CLEUD was needed before they could do so.
- 3.39 In light of this, members agreed that all new applications due to expire before 1st March 2021, where the premises have previously operated as an HMO and had the benefit of planning permission and/or a CLEUD, would not be considered to result in overprovision. This specific application does not fall within the scope of the approach agreed by members as the property did not have planning permission or a CLEUD in place prior to the 1 March 2021. The CLEUD was applied for on 04 March 2021 and the decision to grant the CLEUD was taken by the Council’s Planning Service over a year later on the 28 April 2022 *Appendix 8*

**Financial and Resource Implications**

- 3.40 None. The cost of assessing the application and officer inspections is provided for within existing budgets.

**Equality and Good Relations Implications**

- 3.41 There are no equality or good relations issues associated with this report.”

The Chairperson welcomed Mr. P. MacDermott, the applicant’s solicitor, to the meeting.

Mr. MacDermott advised that he felt that this application differed to those that had been previously considered and, in this regard, he was seeking the Council to take an exceptional view.

He stated that the property had originally been purchased as an HMO by the applicant and had operated lawfully as such. The applicant had held an HMO registration certificate under the previous HMO legislation which had expired on 3rd April 2019, 3 days after the HMO Act had come into force. He referred to the transfer of the HMO scheme from the NIHE to the Council and stated that at this time there had been general confusion as to how the new scheme would be operated and what information had been

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provided to the landlords. He stated that this was evidenced by the fact that the Council officials at that time were advising owners and landlords that on a renewal application the owner was told they had to have planning permission for the property, or they would be deemed not to be a fit person. He stated that, following the threat of judicial review proceedings being issued, 5 months after this initial direction, the Council had accepted that for renewal applications there was no need for planning permission as the property was an existing HMO. He advised that the Council now referred to this as a 'generally held misconception', and he reiterated that this was never the case.

The representative went on to detail that, in January 2021, the Council had acknowledged this mistake and had agreed that those applications lodged before 1st March 2021, for properties that had previously been HMO registered, would not fail to be granted due to overprovision. He advised that the renewal date on this application was 3rd April 2019, the renewal application had been lodged on 21st February 2021, within the grace period allowed by the Council. He stated that it was therefore entirely unfair to state that this case fell out of the grace period as the property did not have planning permission or a CLEUD in place. He stated that the only delay was the information being provided by the Council officials in 2019, and he sought the Council to use their discretion and to grant the licence.

He concluded his presentation by making comments regarding over provision generally. He explained that the area was one that demanded affordable accommodation for young adults, students and young professionals and failure to grant licences would further contribute to a housing crisis, and that granting of the licence would not result in overprovision.

He appealed to the Council to exercise its discretion, considering the legislation, and to grant the licence as the only reason the application had not been renewed was because of a misdirection given by the Council regarding what was required in terms of renewal.

The Committee agreed to refuse the application, on the basis that granting the licence would result in overprovision.

Chairperson

## Planning Committee

Monday, 27th June, 2022

### PRE DETERMINATION HEARING HELD IN A HYBRID FORMAT AT 5.00 P.M.

Members present: Councillor Whyte (Chairperson);  
Alderman Rodgers;  
Councillors Bower, Carson, Matt Collins, Douglas, Garrett,  
Hanvey, Hutchinson,  
Maskey, Murphy and Spratt.

Also present: Councillor McAteer.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;  
Mr. E. Baker, Planning Manager (Development  
Management);  
Ms. N. Largey, Divisional Solicitor;  
Mr. P. Fitzsimons, Principal Planning Officer;  
Ms. L. Walshe, Senior Planning Officer; and  
Ms. C. Donnelly, Democratic Services Officer.

#### Apologies

An apology for inability to attend was reported on behalf of Councillor Groogan.

#### Declarations of Interest

Councillor Whyte (Chairperson) declared an interest in that he was a shareholder in the Applicant's company and would leave the meeting while the item was under consideration.

**Pre Determination Hearing in respect of LA04/2021/2856/O - Mixed use regeneration development comprising office, residential apartments (including affordable), retail, hotel, leisure public realm, active travel uses, cafes, bars and restaurants, and community uses, on lands surrounding the new Belfast Transport Hub and over the Transport Hub car park, to the east and west of Durham St and south of Grosvenor Rd.**

(The Chairperson, having declared an interest in the item, left the meeting while the item was under consideration.)

(Deputy Chairperson, Councillor Maskey in the Chair.)

The Senior Planning Officer reported that the application proposed a mixed use regeneration development which would comprise office space, residential apartments, retail, hotel, leisure, public realm, active travel uses, cafes, bares and restaurants, and community uses on lands surrounding the new Belfast Transport Hub and over the

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Transport Hub car park, to the east and west of Durham Street and south of Grosvenor Road.

She referred the Committee to a site location plan and explained that the project proposed to redevelop lands which would be freed up by the future closure of the existing Europa Bus Station and Great Victoria Street train station and other vacant lands in the ownership of Translink, to the west of the Belfast Transport Hub development. She pointed out that it was an outline application and that the following matters would be reserved for subsequent approval:

- Siting;
- Design;
- External appearance;
- Means of access; and
- Landscaping.

She explained that, whilst the above matters were reserved, a series of parameters plans had been provided which would limit the scope of the development.

The Committee was shown the vertical and horizontal parameter plans for the site and the Senior Planning Officer outlined the key design principles, which included:

- Site wide public realm;
- Active frontage;
- Green travel/infrastructure and landscaping;
- Public square;
- Landmark building and Saltwater Square;
- Appropriate mix of uses; and
- Distinctive character drawing on industrial heritage.

She outlined the next steps and stated that amended and additional parameter plans and the submission of a draft Section 76 planning agreement had been requested. She advised the Members that a Committee site visit was expected to be arranged in August and that, on completion of consideration, a recommendation would be presented to a future meeting of the Committee.

The Chairperson welcomed Mr. B. Dickson, Mr. D. Hill and Mr. B. McMahon to the meeting, who were attending in objection to the application. Mr. Hill informed the Committee that urban design was about the space between buildings and public health and that Belfast was built upon simple urban design principles in the layout of Donegall Place, Royal Avenue, Fountain Street and Arthur Street, where the space between buildings equalled half the height of opposite buildings. He stated that, at a pre-application consultation organised by Juno, he had become aware of the height of the proposed buildings and lack of space between which would create a bleak environment in Belfast. He stated that he was asking the Members to defer the decision for a period of three months to allow for the plans to be amended and a series of three workshops, to be chaired by the Paul Hogarth Company, to develop the design and visit the Kemp Street

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station in Cork, where a large-scale development had been underway around the railway station. He concluded by stating that Belfast and its visitors deserved better than what was being proposed by Translink.

Mr. McMahon advised the Committee that he was a member of the Chartered Institution of Highways and Transportation and had worked for over thirty years had been involved in traffic management and engineering. He stated that he was in support of the concept but had concern for the safety of users of the proposed transport hub. He outlined his concerns with regard to the entry and exit locations and the implications of the location of pedestrian crossings. He informed the Committee that to maintain the existing bridge and upgrade the pedestrian walkway would be a safer option.

The Chairperson thanked Mr. Dickson and Mr. McMahon for their contribution.

He then welcomed Mr. L. McComb, Ms. H. Harrison and Mr. C. Bennie representing the applicant and agent, to the meeting.

Together they advised the Committee that the scheme had a number of benefits, namely, that:

- It was a once in a generation opportunity for regeneration through connection;
- It would significantly rebalance the city centre;
- Grand Central Station was a flagship project acting as a catalyst for regeneration of the area;
- The development would assist Translink in achieving its commitment to net zero emissions by 2040;
- Weavers Cross would deliver considerable economic and social value to the city;
- The development was intended to sit within the already approved road layout; and
- Consultation had been ongoing, with over 80 percent of responses having been positive from respondents.

In response to a question from a Member regarding the connectivity of the proposal, the Senior Planning Officer stated that it was an outline application and that there was an indicative scheme that provided to show one way in which the future development could be envisaged, and that the application will not grant permission for a particular block layout and would only set out the principles by which the reserved matters must comply.

The Chairperson referred to the following late items for the Committee to note:

- letter of support from NI Hotels Federation;
- letter from Donaldson Planning to withdraw a previous objection;
- letter of objection from the County Grand Orange Lodge of Belfast; and
- letter of support from City Centre Management Company.

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The Chairperson thanked the speakers for their contributions.

Chairperson

# Planning Committee

Monday, 27th June, 2022

## HYBRID MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Whyte (Chairperson);  
The High Sheriff, Councillor Hussey;  
Alderman Rodgers;  
Councillors Bower, Carson, Matt Collins, Douglas, Garrett,  
Hanvey, Hutchinson,  
Maskey, Murphy and Spratt.

Also present: Councillor McAteer.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;  
Mr. E. Baker, Planning Manager (Development Management);  
Ms. N. Largey, Divisional Solicitor;  
Mr. P. Fitzsimons, Principal Planning Officer;  
Mr. M. McErlean, Senior Planning Officer;  
Ms. U. Caddell, Senior Planning Officer; and  
Ms. C. Donnelly, Democratic Services Officer.

### **Apologies**

An apology for inability to attend was reported on behalf of Councillor Groogan.

### **Declarations of Interest**

Councillor Whyte (Chairperson) declared an interest in relation to item 3a, LA04/2020/1959/F - Section 2 Forthmeadow Community Greenway, in that, he had previously engaged with objectors to the application. He also declared an interest in relation to item 3e, LA04/2021/1672/O - Gasworks Northern Fringe site, in that, he had worked with Radius Housing. He left the meeting for the duration of the items.

Councillor Maskey declared an interest in relation to item 3a, LA04/2020/1959/F - Section 2 Forthmeadow Community Greenway, in that he was employed by Intercomm. He left the meeting for the duration of the item.

### **Withdrawn Items**

The Committee noted that the following item had been withdrawn from the agenda by officers:

- Proposed Abandonment

The following item was withdrawn by the applicant:

- LA04/2021/1231/O - Demolition of existing buildings and erection of 36. apartments in 2 blocks at 385 Holywood Road

**Special Meeting of Planning Committee,  
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**Planning Applications**

**(Reconsidered Item) LA04/2020/1959/F - New parkland (Section 2 Forthmeadow Community Greenway) - Foot and cycle pathways, lighting columns, new entrances and street furniture on site including vacant land bounded by the Forthriver Industrial Park in the east Springfield Road to the South and Paisley Park & West Circular Road & Crescent to the West. Area also includes links through the Forthriver**

(The Chairperson, and Deputy Chairperson, Councillor Maskey, having declared an interest in the item, left the meeting while the item was under consideration.)

(Councillor Hanvey in the Chair.)

The Planning Manager explained that the application had been before the Committee in September 2021, where it had agreed to grant permission with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions.

He pointed out that the decision had been subject to Judicial Review, and that the Council had conceded on the single point of its application of the BUAP 2001, and that, the decision had been quashed, therefore, the application had been returned to the Committee for consideration.

The Committee's attention was drawn to the Late Items pack, which outlined correspondence that had been received in relation to the application, including appendices from Take Back the City Coalition and a link to the most up to date statistics on homelessness in the city from Participation and the Practice of Right (PPR). The Planning Manager set out the contents of the late items report and he referred the Committee to a summary of correspondence which had been received, which included an open letter to Members, a solicitors speaking statement which had been prepared on behalf of objectors to the application, a copy of a quashing order, a letter from Take Back the City to key stakeholders, correspondence from Invest NI, press cuttings and a hyperlink to a SUSTRANS web page regarding the Forth Meadow Community Greenway. He outlined the concerns which had been raised in the late items and provided the Committee with the Council officers' response to those issues. In particular, he pointed out that the substantive policy issues raised were addressed in the new report and he informed the Committee that, the issues which had been raised about a specific individual, were not material planning considerations and had been forwarded to the relevant Council department to consider and respond in due course. He added that, objectors had sufficient time to consider the Committee report.

The Planning Manager made reference to paragraph 4.17 of the SPPS and addressed the concerns around prematurity of the LDP process. He advised that the Committee must consider the application which was before it, and that any subsequent application which may seek to deliver alternatives envisaged by the objectors would be carefully considered, having regard to relevant planning policy and all other material considerations.

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The Planning Manager outlined the application which sought full planning permission for parkland, which included foot and cycle pathways, lighting columns, new entrances and street furniture. He added that, the proposal formed Section 2 of the wider Forthmeadow Community Greenway, a 12km route that provided connectivity through the west and north of the city.

He outlined the physical constraints of the project, stating that it had been apparent from the Members' site visit and photographs, that a large part of the site was physically constrained as there was a steep ravine from the river up to the edge of the site, a narrow plateau, which formed the central part of the site. He added that parts of the site were undulating and that excavations would be required to develop the site with buildings.

He informed the Committee that the proposal was contrary to Policy IND 6 of the BUAP in that, the lands had been zoned for industrial and commercial use and that the proposal was not an economic development use listed in the policy. He added that the proposal had been considered as consistent with Policy IND 5 of the BUAP, which sought to encourage environmental improvement of industrial estates and was contrary to the employment zonings, however it had been considered as consistent with the Key Site Requirement for retention of landscaping on the western boundary and supplemented trees and planting.

He pointed out to the Committee that, the Strategic Planning Policy Statement did not apply to the site as not all elements within the zone land were equally developable and that large parts of the site were not considered to be well located or suited for economic development purposes.

The Planning Manager reported that, the proposal was contrary to Policy PED 7 of PPS 4, and explained that, the Planning Advice Note to PPS 4 accepted that, there could be special circumstances in which a departure from the development plan zoning could be acceptable, however those special circumstances were not defined and that officers had advised that there were a number of special circumstances that the Committee should consider, in that the proposal:

- Was consistent with the aims of Policy IND 5 of BUAP;
- Was consistent with the Key Site Requirements in dBMAP in relation to landscaping;
- Involved land that had significant physical restraints;
- That there was a significant oversupply of employment space in the area; and
- Was a key component of the wider Forthmeadow Community Greenway.

He explained that employment zoning would remain and that the development would not preclude future development of the applications site for employment or housing and that, the proposed greenway had been considered as well suited, given the site's physical constraints for built development and that funding was in place to establish a greenway in the location.

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He stated that there had been no objections from statutory or non-statutory consultees and that objections had been received from Participation and the Practice of Rights (PPR), Take Back our City and Town and Country Planning Associations

He concluded by informing the Committee that, although the proposal was contrary to Policy IND 6 of the BUAP, there were material considerations which were considered to justify the grant of planning permission and that, officers recommended that planning permission should be granted.

The Chairperson welcomed and Ms. C. Trew, Ms. M. McMahon and Mr. S. Brady, from Participation and the Practice of Rights (PPR) and their Solicitor, Mr. N. Quinn. to the meeting.

Mr. Quinn informed the Members that he was asking the Committee to refuse the proposal on the basis that, there were more efficient uses for the land to produce both a greenway and either housing development or employment. He explained that, the Forthriver valley physically split the Mackie's land and cannot be used for buildings and was the logical centrepiece of a fully planned Mackie's site. He stated that the proposal ignored the Forthriver valley, which would become a no-man's-land and most likely attract antisocial behaviour, he added that it would have no physical connection with the Mackie's land and therefore could not be used as either ancillary or complementary to any project.

Mr. Quinn stated that PPR were of the opinion that, a better use of the site would be to establish a mixed use development with a greenway at the centre, overlooked and protected from antisocial behaviour, in accordance with the current zoning. He added that, the land remained zoned for employment and was protected from non-employment uses by SPPS 4, policy 7 and the emerging policy EC4 of the Local Development Plan Strategy.

He outlined to the Committee that there were two clear reasons for refusal:

- Loss of employment land
- Ancillary development or use would be secondary to the main use.

He said that PPR were respectfully suggesting that there was a better way and that the application should be refused and the whole of the land should be replanned, he informed the Members that, PPR had begun the process and had launched an international masterplan design competition, the winner of which would be announced in August, which would serve as a blueprint for the development of the site which would benefit the whole of the city and added that, if they proposal was to proceed it would significantly harm the site's potential.

Ms. McMahon, on behalf of Take Back the City, explained that she was not clear on the position of the Irish Government or the European Union on the project funding and concerns which had been raised. She added that, she was not clear on the Department for Communities position on the project, who own the land, or the Department for Infrastructure's position.

The Chairperson welcomed Mr. D. Anderson from McAdam Design, on behalf of the Applicant, to the meeting. Mr. Anderson stated that the proposals comprised a key part of the project which aimed to enable reconciliation and interaction between divided communities,

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regeneration for local neighbourhoods and would break down many physical and metaphorical barriers which existed through the creation of a network of shared open spaces.

He informed the Committee that McAdam Design had conducted an extensive set of public consultations and that project designs had been developed based on the feedback and principles established throughout the consultation events.

He pointed out to the Committee that the project had secured over £5M of public funding, which was subject to the terms in the respective letters of offer and was timebound with a final spend date of December, 2022 from SEUPB and March, 2023 for DfI/DfC funding and that any slippage in the programme would result in a loss of funding. He added that, to date, there had been over £3.2M expended on the project, which included Glencairn, Clarendon Park, Springfield Dam and ongoing works at Bog Meadows and Falls Park.

He concluded by stating that, the proposal was an integral element of the project and that the design provided a high-quality path network and shared space which linked communities, and that a contractor for the Forthmeadow Greenway had been appointed, and was awaiting instruction to proceed with the works at the Mackies site.

Ms. Trew pointed out that Council officers had stressed that the topography of the land was extremely challenging, and questioned that, if that had been the case, what had been the purpose of a greenway that would remain completely unconnected to the employment land of which it was supposed to be ancillary to.

Mr. Brady stated that he had experienced difficulties gaining information from officers and that there were no technical, legal or planning barriers that could not be overcome on the Mackies site, in order to deliver homes. He added that, the facts of the case had not been explored and the absence of input from DfI, DfC, EU, SEUPB and the Irish Government, relating to concerns that had been raised, particularly, the involvement of key stakeholders in the development and delivery of the programme, and that, the committee was not in possession of the facts in relation to the case and would not be able to fully consider the facts.

The Divisional Solicitor stated that the Judicial Review had challenged the Council because it had failed to adequately consider policies that would protect the economic zoning of the site, and that the decision had been quashed due to a technical policy in relation to employment and the issue had been addressed. She added that, the report before the Committee did not relate to any new information which had been provided by the applicant and was a reconsideration of information which had been provided through the course of the planning process and had been publicly available.

She addressed the query from Mr. Brady with regard to input from statutory consultees, and stated that, the Committee was a planning authority which applied planning policy, and that the objections which had been raised, were in relation to an individual and the broader consultation that had taken place by the Council, which were matters for the department of the Council concerned with the delivery of the project, and that those concerns had been raised with the Department, and would be responded to in due course. She reminded the Committee that its role was to assess the acceptability of the application, having regard to planning policy and relevant material considerations.

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Moved by Councillor Hussey,  
Seconded by Councillor Douglas,

That the Committee agrees to approve the application and grant delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions.

On a recorded vote, seven Members voted for the proposal and one against, with two no votes, and it was declared carried.

<b><u>For 7</u></b>	<b><u>Against 1</u></b>	<b><u>No Vote 2</u></b>
Councillors Carson, Douglas, Garrett, Hussey, Hutchinson, Murphy and Spratt.	Councillor Matt Collins.	Councillor Harvey (Chairperson); and Councillor Bower.

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**(Reconsidered Item) LA04/2019/0775/F - 18 dwellings to include revision of site layout of previous approval Z/2007/1401/F at sites 2-8 (7 dwellings) and additional 11 No. dwellings, including landscaping, access via Hampton Park and other associated site works on lands approximately 50m to the north of 35 Hampton Park and approximately 30m to the west of 60 Hampton Park, Galwally**

(Councillor Whyte, Chairperson, resumed the Chair.)

The Planning Manager reported that the application had previously been considered by the Committee in August, 2021 and January, 2022 and that a site visit had taken place in September 2021. He pointed out that 272 objections had been received and that there had been no objections from statutory consultees and reminded the Committee that, it had deferred the application at its meeting in January, 2022 in order that officers would investigate the possibility of attaching a condition or planning agreement to the application to ensure a right of access through the site for use by the general public.

He referred the Committee to the Late Items Report, that provided clarity as to the location of existing live applications in the vicinity of the application site and reported that a late representation had been received which had expressed concern about the proposed Section 76 Agreement, in that access should also be for wheelchair users and prams, that permitted closures would be too broad and that the path could be closed for long periods, and outlined concerns with regard to a lack of alternative routes, the makeup of the management company and the frequency of meetings with residents.

He provided the Committee with an overview of the site through a series of maps which outlined the position of the site, the development limit and access points, and elevation drawings of the proposed dwellings. He explained that the proposed pathway was two metres wide and would be finished in resin-bound rubber mulch leading to the Lagan Valley Regional Park.

The Planning Manager referred the Committee to the draft terms of the Section 76 planning agreement and outlined the main obligations. He reported that, officers were recommending that the application should be approved, subject to a Section 76 planning agreement, on the basis that the principle of the development had been established through the existing extant permissions and that it was generally respectful to the surrounding context and character of the immediate locality. He added that, following consultation with the Northern Ireland Environment Agency, it was considered that, the application complied with the policy tests of PPS 2, subject to conditions, which mitigated potential ecological impacts.

He concluded by stating that, it was considered that, the proposed development complied with planning policy in relation to residential amenity, amenity space, protection of open space, flooding, drainage, infrastructure, landscaping and archaeological heritage.

The Chairperson welcomed Mr. W. Orbinson QC, on behalf of the Applicant, to the meeting. Mr. Orbinson reported that the Applicant had engaged constructively with the

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Council's officers on the drafting of a Section 76 Agreement and was pleased that it had been recommended for approval by the Committee.

The Divisional Solicitor reported that, permitted closures in order to assert rights of proprietorship would only be permitted for up to 72 hours, unless there had been previous consent of the Council.

Councillor McAteer was in attendance at the Committee and the Chair invited her to comment on the application. Councillor McAteer stated that she had concerns around the permitted closures and that the Divisional Solicitor's aforementioned advice had been reassuring, she added that she was content that the that the path would be accessible but that she had concerns regarding the ongoing management of the access and footway, and recommended that the meetings with residents would take place on a monthly basis, rather than quarterly, particularly during the construction phase of the project.

In response to Councillor McAteer's comments, the Divisional Solicitor reported that, the agreement provided that the land would transfer to the residents' management company, and that they would be under the same obligation to provide and retain the access subject to permitted closures.

The Committee approved the application and granted delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and the Section 76 Planning Agreement.

**LA04/2019/1819/F & LA04/2019/1820/DCA –  
Demolition of existing dwelling and erection of  
3 storey (and basement) detached dwelling with  
garage and landscaping to front and rear at  
28 Malone Park**

Moved by Councillor Spratt;  
Seconded by Councillor Whyte and

Resolved – That the Members of the Committee agree defer consideration of the application to enable a site visit to be undertaken in order to allow the Members to acquaint themselves with the location and the proposals at first hand.

**LA04/2022/0140/F - Change of use from an  
indoor trampoline park to retail, Units E-F,  
Westwood Shopping Centre, 51 Kennedy Way**

The Principal Planning Officer provided the Committee with an overview of the application site and outlined the proposal to change the use of the units from an indoor trampoline park to a retail supermarket and that the proposal for retail use related to a premises located within a retail shopping centre, designated as a district centre in Belfast Metropolitan Area Plan (BMAP) and complied with the Development Plan and accorded with the retail policies in Strategic Planning Policy Statement (SPPS).

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He reported that the local development plan team had been consulted with and had no objections, subject to planning conditions and that officers were satisfied that the proposal would not prejudice protected centres.

He explained that there were minimal elevational changes, in keeping with the use and character of the shopping centre. He reported that Environmental Health had no objections in relation to noise or disturbance but had requested an air quality screening assessment and that additional information had been submitted by the applicant which sought to demonstrate that the proposal would not result in detrimental air quality impact, relating to traffic impact and would be assessed and verified as part of an assessment in consultation with Environmental Health.

He added that, DfI Roads and NI Water did not submit any objections to the application and that officers recommended that the Committee approved the application subject to conditions.

The Chairperson welcomed Mr. P. Stinson, Director, Turley, to the meeting, and asked if he could clarify whether the retail unit would increase the traffic volumes in the area, as it was in an air quality management area. Mr. Stinson stated that the current level of parking at the existing centre had not been fully utilised, evidenced by surveys that had been undertaken on two survey dates which had taken place in January and that the proposal would not increase the traffic above the current capacity of the car park.

The Committee approved the application and granted delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and resolve any outstanding matters with regard to air quality.

**LA04/2021/1672/O - Hybrid planning permission  
for mixed use development on lands at the  
Gasworks Northern Fringe site**

(The Chairperson, having declared an interest in the item, left the meeting while the item was under consideration.)

(Deputy Chairperson, Councillor Maskey in the Chair.)

The Senior Planning Officer provided the Committee with an overview of the site location, that included a layout of the proposed development and elevation images, in order to convey the residential context and indicative public realm of the application.

He presented a 3D context of the Gasworks Masterplan which illustrated how the overall site would look like post-development. He stated that there was a balance to the proposed development and that, any loss of industrial land would be outweighed by wider community benefits on a generous level of business, commercial and community uses which would provide a sustainable job creation package for a site largely vacant of any recent industrial or employment uses, as it had been vacant for some time.

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He informed the Members that, officers had recommended that the Committee would approve the application, subject to conditions and developer contributions having been sought through a legal agreement between the Council, as the landowner, and the developer or developers, when the site was leased or disposed of.

The Senior Planning Officer pointed out to the Committee that there were 268 third party representations received that were in support of the social housing and mixed-use elements of the proposal, and that, some had raised concerns regarding the delivery and operation of some of the elements of the proposals. He outlined the reasons for recommending approval of the application, which included:

- A mixed-use scheme that provided high quality city centre social housing alongside appropriate city centre uses;
- Creation of vibrant, city centre space;
- Regeneration;
- Enhancement of the existing civic spaces and creation of strong mixed-use frontages; and
- Provision of connections between commercial, business, offices uses and existing and proposed residential areas.

The Chairperson welcomed Mr. A. Bullock, AECOM, Ms. D. Quinn, Radius Housing, Mr. A. Crozier, TODD Architects and Mr. F. Hargey, Market Development Association, to the meeting.

Mr. Hargey stated that the sites which were under consideration were among the first developed for housing in the South Inner City and that the development was the culmination of two decades of campaigning by Market residents, having collected petitions, lobbied political representatives, participated in the consultation process and, when necessary, protested to secure the homes.

He pointed out that, the community had over 110 homeless families on the waiting list annually, and that, the 94 new homes would have a considerable impact. He referred to the links between homelessness, poor mental health and poor educational attainment and that, the development would contribute to the reduction of wider social deprivations within the community.

He reported that the elements of the masterplan which designated adjoining lands for community infrastructure, social economy and cooperative development had been welcomed by the local residents and stated that successful communities were built on more than houses, and that those spaces would help overcome the structural deficiencies of the Market community's redevelopment in the 1970's, when it's mixed economic base had been divested.

He highlighted that local residents remained concerned regarding the negative attitude of the prospective developer, Inislyn Ltd., toward the Market community and had noted that Planners had refused to cognisance Inislyn's demands that the community be deprived of housing and isolated through social interfaces.

He concluded by stating that the residents were welcoming of the Radius proposal to build 94 much needed new homes, and those social components of the wider masterplan

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which would help build a sustainable community, and that, while the community struggled for decades to secure a place at the table, he believed that this will now be looked on as a model for socially inclusive development in the city and would urge Councillors to vote in favour of the application.

Mr. Bullock added that the importance of the project should not be understated as the proposal would regenerate a currently vacant and underutilised brownfield site located in the heart of the city. He stated that the proposed development had been designed to provide a balance of high-quality social housing alongside employment and community uses.

He reported that the Northern Ireland Housing Executive and the neighbouring Market Development Association had indicated support for the mixed-use scheme and that the proposal was the best possible response a very constrained urban site. He outlined the benefits of the development on the local area and wider city.

The Committee approved the application and granted delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and the Section 76 Planning Agreement resolve any outstanding issues and notify the Department for Infrastructure, in accordance with the Planning (Notification of Applications) Direction 2017.

**LA04/2022/0535/F & LA04/2022/0468/DCA –  
Re-cladding of the exterior of the former  
BHS building at 13-25 Castle Lane Belfast**

(Councillor Whyte, Chairperson, resumed the Chair.)

The Senior Planning Officer explained to the Committee that the application was for the re-cladding of the exterior of the building, creation of a new access point to the upper floors and central core on Castle Arcade, demolition of bridge link over Castle Arcade and the erection of a new oversail section at the junction of Castle Lane and Castle Arcade. She added that the application included a partial change of use of the upper floors from storage and back of house facilities to a mixed-use of Assembly and Leisure, a sui-generis multifaceted leisure use combined with the sale of food and drink for consumption on the premises and the reconfiguration of existing ground floor storage, associated public realm improvements and ancillary development.

She provided the Committee with an overview of the site location, with images of the exterior of the existing premises on Castle Lane and Cornmarket and the proposed demolition. She added that the existing building was considered to be of no historic or architectural value and the proposed demolition was considered acceptable and compliant with policy.

She provided the Committee with images of the proposed layout of the site and proposed elevations and views. She explained that the Conservation Officer had expressed views that the proposal would be harmful to the conservation area through a contrast of materials and would undermine the dominance of the listed heritage asset of the Masonic Hall, however the Historic Environment Division (HED) had considered the proposed use of the cladding was appropriate as it complemented other buildings in the immediate area.

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She outlined proposed public realm improvements and concluded by stating that the proposal had been recommended for approval by officers for the undernoted reasons:

- The proposal complied with the Development Plan and relevant Planning Policy;
- Significant benefits included physical and economic regeneration, the re-use of a vacant building, environmental improvements, improved connectivity in the city centre; and
- Enhancement of the conservation area;

The Chairperson welcomed Mr. M. Worthington, Pragma Planning, to the meeting who stated that, the main area of interest in the application centred around the design and that the design had ensured high quality of design that was appropriate for the setting and added that the Applicant was content with the proposed planning conditions.

The Committee agreed to approve applications LA04/2022/0535/F and LA04/2022/0468/DCA and granted delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions.

**LA04/2021/2519/F - Variation of Condition  
relating to Operating Hours at Former Church  
of the Holy Rosary, 348-350 Ormeau Road**

At the request of the Chairperson, it was:

Resolved – That the Members of the Committee agree defer consideration of the application to enable a site visit to be undertaken in order to allow the Members to acquaint themselves with the location and the proposals at first hand.

**Miscellaneous Items**

**Local Applications with NI Water Objections**

The Planning Manager reported that officers had been engaging with NI Water over the previous months to resolve several objections which had been submitted against applications on the grounds of insufficient waste-water infrastructure capacity.

He referred to the Scheme of Delegation and pointed out that, where NI Water had lodged an objection to a local application where the officer recommendation was to approve, the decision must be brought to the Committee and could not be taken under the Scheme of Delegation.

He reported that there were 97 undetermined planning applications subject to NI Water objections, for which officers could, in theory, recommend for approval. In accordance with the Scheme of Delegation, should all those applications be recommended for approval, all 97 applications would need to be reported to the Committee for a decision and would therefore be logistically extremely difficult to report all 97 applications individually, potentially requiring

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several sittings of the Planning Committee to hear each of the applications, and would be both costly and time consuming, as well as causing further delays for applicants in circumstances where officers do not consider the objections from NI Water to be reasonable.

He explained to the Committee that NI Water had been concerned that a lack of infrastructure capacity would give rise to risk of environmental harm including pollution, flooding and adverse impact on existing property, and in some cases, NI Water was concerned that the application site may be hydrologically linked to Belfast Lough and may harm its water quality.

He stated that, despite requests, NI Water had not provided robust evidence to support its objections, including demonstration of actual specific impacts resulting from individual proposals that stems from their broad concerns outlined above.

The Planning Manager informed the Committee that the Council must be mindful that, were it to refuse planning permission based on NI Water's concerns, it would need to provide robust evidence to the Planning Appeals Commission in the event that the applicant appeals the decision, and in the absence of robust evidence, it would be unreasonable to refuse planning permission.

He drew the Committee's attention to the list of local applications which had been proposed to be delegated to officers to determine.

The Committee agreed to delegate authority to the Director of Planning and Building Control, those local planning applications to which NI Water had objected, as set out at Appendix 1 of the report.

**Updated Schedule of Planning  
Committee Workshops**

The Director of Planning and Building Control provided the Committee with the following schedule of Planning Committee workshops:

<b>Committee</b>	<b>Workshop Topic</b>
August 2022	No workshop
September 2022	<b>Review of the Planning Committee Operating Protocol</b>
October 2022	<b>Principles of decision making</b> including "on balance" decisions
November 2022	<b>New regional Planning IT system</b> (what it means for the Council's Planning Service, Customers and Online applications)
December 2022	<b>Local Development Plan &amp; Supplementary Planning Guidance</b>
January 2023	<b>Local Development Plan &amp; Supplementary Planning Guidance</b>
February 2023	<b>Planning Conditions, Planning Agreements and Developer Contributions</b>

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March 2023	<b>Place Making</b> (Urban Design and Conservation)
April 2023	To be decided
May 2023	To be decided
June 2023	<b>Annual Performance for 2022/23 and Improvement</b>

The Committee agreed to the updated Schedule of Planning Committee Workshops for the period August 2022 to August 2023.

**Restricted Item**

**The information contained in the report associated with the following item 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 meeting during discussion of the item as, due to the nature of the item, 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.

**Update on Planning Portal replacement IT system**

The Director of Planning and Building Control updated the Committee on the progress of the implementation of the new regional Planning IT System to be shared by Belfast City Council, nine other councils and the Department for Infrastructure.

She outlined the following elements of the project to the Committee:

- Project Plan and implementation;
- Contingency;
- Configuration;
- Change requests;
- Project costs;
- Intelligent Client Function;
- Change and transition plans; and
- Next steps.

The Committee noted the content of the report and agreed that monthly updates on the project should be provided to future meetings.

Chairperson

# Planning Committee

Tuesday, 16th August, 2022

## HYBRID MEETING OF THE PLANNING COMMITTEE

- Members present: Councillor Whyte (Chairperson);  
The High Sheriff, Councillor Hussey;  
Alderman Rodgers;  
Councillors Bower, Carson, Matt Collins,  
Douglas, Garrett, Groogan, Hanvey,  
Hutchinson, Maskey, Murphy and Spratt.
- In attendance: Ms. K. Bentley, Director of Planning and Building Control;  
Ms. N. Largey, City Solicitor;  
Mr. E. Baker, Planning Manager (Development Management);  
Mr. K. Sutherland, Planning Manager (Policy);  
Ms. C. Donnelly, Democratic Services Officer; and  
Mrs. L. McLornan, Democratic Services Officer.

### **Apologies**

No apologies were received.

### **Minutes**

The minutes of the meetings of 14th June were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 4th July, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

### **Declarations of Interest**

The Chairperson (Councillor Whyte) declared an interest in relation to item 8a, LA04/2020/1959/F - Section 2 Forthmeadow Community Greenway, in that he had previously engaged with objectors to the application. He left the meeting for the duration of the item.

Councillor Maskey also declared an interest in relation to item 8a, LA04/2020/1959/F - Section 2 Forthmeadow Community Greenway, in that he was employed by Intercomm. He left the meeting for the duration of the item.

Councillor Groogan also declared an interest in relation item 8a, LA04/2020/1959/F - Section 2 Forthmeadow Community Greenway, in that she had not been present at the Special meeting of 27th June, where the item had initially been considered. She advised that she would not, therefore, take part in the vote on the item.

Councillor Groogan also declared an interest in relation to item 8c, LA04/2021/2519/F - Variation of Condition relating to Operating Hours at Former Church of the Holy Rosary, 348-350 Ormeau Road, in that she had spoken against the full application which the Committee had previously considered and that she would withdraw from the Committee and not

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participate in the vote on the item. She reserved the right to address the Committee in respect of the item.

**Committee Site Visits**

The Committee noted that site visits had taken place in respect of the following three planning applications on 5th August, 2022:

- LA04/2021/2519/F - Variation of Condition relating to Operating Hours at Former Church of the Holy Rosary, 348-350 Ormeau Road;
- LA04/2021/2856/O - Proposed mixed use regeneration development comprising office (Class B1), residential apartments (including affordable), retail (Class A1), hotel, leisure (Class D2), public realm, active travel uses, cafes, bars and restaurants, and community uses (Class D1), on lands surrounding the new Belfast Transport Hub and over the Transport Hub car park, to the east and west of Durham St and south of Grosvenor Rd;
- LA04/2019/1819/F & LA04/2019/1820/DCA - Demolition of existing dwelling and erection of 3 storey (and basement) detached dwelling with garage and landscaping to front and rear at 28 Malone Park.

**Request to hold two Special Planning Committee Meetings**

At the request of the Director of Planning and Building Control, the Committee agreed to hold Special meetings on the following dates:

- Wednesday, 31st August, at 5pm; and
- Thursday, 29th September, at 5pm.

**Planning Appeals Notified**

The Committee noted the receipt of correspondence in respect of a number of planning appeals which had been submitted to the Planning Appeals Commission, together with the outcomes of a range of hearings which had been considered by the Commission.

**Planning Decisions Issued**

The Committee noted a list of decisions which had been taken under the delegated authority of the Director of Planning and Building Control, together with all other planning decisions which had been issued by the Planning Department between 7th June and 9th August 2022.

**DFI Notifications - Provision of  
Accessible/Disabled Parking Bays**

The Committee noted that correspondence had been received from DFI Roads, advising of its intention to provide accessible/disabled parking bays at the following locations:

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- 40 Linfield Road; and
- 26 Stracam Corner.

**Proposed Removal of a Post Box**

The Committee was advised that correspondence had been received from Royal Mail, advising of its intention to remove a Post Box at Agnes Street, Belfast, BT13 1GG.

Noted.

**Restricted Items**

**The information contained in the reports associated with the following four 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 meeting during discussion of the items as, due to the nature of the item, 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.

**Local Development Plan (LDP) - Update on Engagement with DfI**

The Planning Manager (Policy) reminded the Committee that the Department for Infrastructure (DfI) had accepted the PAC findings in respect of the LDP draft Plan Strategy and that the Plan could be considered Sound, subject to modifications, including a new Strategic Policy which aligned the allocation of land and development with appropriate infrastructure. It was agreed, at the meeting of 15th March, 2022, that the new strategic policy and modifications would go out for public consultation for a period of eight weeks.

He provided the Committee with an update on response to the public consultation, which had closed on 7th July, 2022, and outlined the ongoing engagement with the DfI. He also set out the next steps as the Council progressed toward the adoption of the Plan Strategy.

The Committee:

- noted the content of the report and the summary of consultations received to the recent public consultation on the new draft Strategic Policy and modifications to the draft Policy HOU1; and
- endorsed the proposed modification to the Policy SP1A, set out in 3.7 of the report, as the basis for the finalisation of the new Strategic Policy.

**LDP update on Supplementary Planning Guidance (SPG) consultation**

The Principal Planning officer presented the Committee with an update on the preparation of Supplementary Planning Guidance (SPG) following the closure of the public consultation on 4th August, 2022.

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He reminded the Members that SPGs represented non-statutory planning guidance that supported, clarified and illustrated by example policies included in the current planning policy framework, including regional policy. They were a material consideration in determining planning applications but did not in themselves contain policy over and above what was set out in the plan. He advised that SPG must be read in conjunction with the LDP and the Strategic Planning Policy Statement (SPPS) but, unlike the LDP, they were not subject to the same scrutiny in terms of the statutory process.

The Members were advised that the SPGs had been prepared over the last three years in conjunction with Government Departments and Agencies, as well as a number of representatives from professional bodies. The consultation period ran from 12th May until 4th August, 2022. The Principal Planning officer explained that officers had attended and organised a number of events and workshops both internally and externally to help publicise the documents and to help manage the engagement and focus discussions.

The Committee noted the summary of consultations received in the recent public consultation on draft SPG for the emerging Belfast LDP.

**Update on the Replacement Planning Portal**

The Planning Manager (Development Management) provided the Committee with an update on the project to replace the Planning Portal.

The Members were advised that the timeframe for the project remained under significant and increasing pressure although the official implementation date remained 17<sup>th</sup> October, 2022.

The Planning Manager provided an update on the project plan, change and transition plan and next steps to the Committee.

The Committee noted the contents of the report and that it would continue to be provided with regular updates.

**Financial Reporting - Quarter 4 2021/2022**

The Director of Planning and Building Control provided the Committee with an update in respect of the financial position of the Planning Committee for Quarter 4, which confirmed an overspend of £545k after absorbing £1.342m of covid related losses of income off set by underspends in employee costs, additional income in services not affected by Covid and also as a result of less expenditure than planned in supplies and services.

The Committee was advised that a report outlining the year end position for the Council had been submitted to the Strategic Policy and Resources Committee at its meeting on 17th June, which had provided an overview of the financial performance of the Council in the context of the agreed finance strategy that had put in place to manage the financial impact of Covid-19.

The Committee noted the update which had been provided.

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**Planning Applications**

**THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE  
POWERS DELEGATED TO IT BY THE COUNCIL UNDER STANDING ORDER 37(e)**

**(Reconsidered item) LA04/2020/1959/F - New parkland  
(Section 2 Forthmeadow Community Greenway) - foot  
and cycle pathways, lighting columns, new entrances  
and street furniture on site including vacant land bounded  
by the Forthriver Industrial Park in the east, Springfield  
Road to the South and Paisley Park & West Circular Road  
& Crescent to the West. Area also includes links through  
the Forthriver**

(The Chairperson (Councillor Whyte), Deputy Chairperson (Councillor Maskey)  
and Councillor Groogan, having declared an interest in the item,  
left the meeting while the item was under consideration.)

(Councillor Hanvey in the Chair.)

The Planning Manager (Development Management) explained that the application had previously been considered by the Committee at its meeting on 27th June 2022, where it had resolved to approve the application and granted delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions. However, no decision notice had been issued and, following advice from Legal Services, the application was being returned to the Committee to allow the objectors a further opportunity to address it before a decision was taken.

The Committee was advised that, in accordance with the Council's standard operating practice, those who wished to address the Committee must provide their consent to being recorded before they received the appropriate link. In advance of the meeting in June, the objector's solicitor had consented and was provided with the appropriate link. However, the additional speakers had requested to speak just shortly before the meeting started but had not provided their consent to be recorded. Once the objectors had provided their consent, the link was immediately issued so that they could join the meeting. Whilst the objectors were able to present to Committee with their solicitor, it was clear that there was some confusion. Therefore, in order to avoid any suggestion of procedural unfairness, it was considered appropriate to allow a further opportunity to the objectors to address the Committee.

The objectors had also expressed concern that the Late items report had not been made available to them. The Committee was advised that, for the purposes of completeness, a copy of the relevant extract had been appended to the Case officer's report.

The Planning Manager explained that the application had also been considered by the Committee in September 2021, where it had agreed to grant permission with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions. He explained that that decision had been subject to Judicial Review and that the Council had conceded on the single point of its application of the BUAP 2001, and that the decision had therefore been quashed.

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The Committee therefore had a new case officer report following a further site visit and a fresh assessment of the application for consideration.

The Planning Manager advised the Committee that, since publication of the Case officer's report, further correspondence had been received from Take Back the City (TBTC) in objection to the application. They had referred to their City of the Future event which sought to showcase potential ways forward for the former Mackie's site and highlighted the acute housing need in the area. It urged the Committee to refuse the application as it wanted to see a more sustainable, equitable and forward-looking application for the site. It reiterated its previous concerns about re-zoning the site, that it was against planning policy and was premature in the context of the ongoing LDP process. TBTC advised the Committee that it had a number of choices in respect of the application, including that it could refuse the application and to engage with them further; request that only the minimum amount of land required to deliver the greenway be re-zoned leaving other options on the table; vote to defer the application to enable further engagement with them; and abstain from voting on the application.

The Planning Manager explained that the issues raised around zoning and prematurity had been addressed within the original Committee report published in June and that the application, if granted, would not preclude an application for housing being brought forward in the future. He added that the Committee must determine the application before it based on its merits.

He outlined the application which sought full planning permission for parkland, which included foot and cycle pathways, lighting columns, new entrances and street furniture. He added that the proposal formed Section 2 of the wider Forthmeadow Community Greenway, a 12km route that provided connectivity through the west and north of the city.

He outlined the physical constraints of the project, whereby a large part of the site was physically constrained as there was a steep ravine from the river up to the edge of the site and a narrow plateau, which formed the central part of the site. He added that parts of the site were undulating and that excavations would be required.

He informed the Committee that the proposal was contrary to Policy IND 6 of the BUAP, in that the lands had been zoned for industrial and commercial use, and that the proposal was not an economic development use listed in the policy. However, he added that the proposal had been considered as consistent with Policy IND 5 of the BUAP, which sought to encourage environmental improvement of industrial estates. It was contrary to the employment zonings in dBMAP, however, it had been considered as consistent with the Key Site Requirement for retention of landscaping on the western boundary and supplemented trees and planting.

He pointed out to the Committee that the Strategic Planning Policy Statement did not apply to the site as not all elements within the zone land were equally developable and that large parts of the site were not considered to be well located or suited for economic development purposes.

The Planning Manager reported that the proposal was contrary to Policy PED 7 of PPS 4 and that the Planning Advice Note to PPS 4 accepted that there could be special

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circumstances in which a departure from the development plan zoning could be acceptable, however, those special circumstances were not defined and that officers had advised that there were a number of special circumstances that the Committee should consider, in that the proposal:

- was consistent with the aims of Policy IND 5 of BUAP;
- was consistent with the Key Site Requirements in dBMAP in relation to landscaping;
- involved land which had significant physical restraints;
- that there was a significant oversupply of employment space in the area;
- was a key component of the wider Forthmeadow Community Greenway; and
- would enable safe, easy and accessible 're-connections' between historically segregated neighbourhoods

He advised the Members that it was acknowledged that there was a policy presumption, both regionally and locally, against the loss of employment land. However, that was not an un-challengeable presumption and Policy was not a straitjacket. He outlined that it was possible to set aside those policies and the employment zonings in the various plans where material considerations indicated otherwise.

He explained that employment zoning would remain and that the development would not preclude future development of the application site for employment or housing and that the proposed greenway had been considered as well suited, given the site's physical constraints for built development, and that funding was in place to establish a greenway in the location.

The Committee was advised that it was recommended that planning permission be granted, with delegated authority for the Director of Planning and Building Control to finalise the wording of conditions.

The Chairperson welcomed Ms. M. McMahon and Ms. C. Trew, objectors from Participation and the Practice of Rights (PPR), to the meeting. Ms. McMahon advised the Committee that:

- the previous week, the Take Back the City (TBTC) coalition, comprising homeless families, architects, planners and experts, had held a two day event as part of Féile an Phobail, and which had been attended by more than 200 people to hear from a few of the 60 architects from across six continents which had been developing the vision of homeless families to create a self-managed community at the former Mackie's site;
- the plans from those architects would be available to the public from 30th September 2022;
- the plans incorporated a vision of integrating housing, business opportunities and a greenway into the area with the highest housing need in NI;
- the Chief Commissioner of the NI Human Rights Commission was one the keynote speakers at the event and she had said that there were "very few rights worth having without a stable place to call your own";

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- there were 4,805 families with Full Duty Applicant (FDA) status in North and West Belfast;
- over 4,400 children were living in hostels, sofa surfing or in cramped single lets;
- the plans in front of the Committee siphoned off a huge area of land not required for a greenway;
- the plans went against planning policy which protected the zoning of land to the second stage of the Local Development Plan (LDP) Local Policies Plan phase and ran the risk of prematurity;
- she queried why over 7,500 FDA families had had no place within the LDP, for the 32,000 new homes in the city and the 100,000 homes across NI;
- she suggested that the Committee could instruct officials to engage with TBTC and to re-zone only the minimum amount of land required for the greenway; to defer the application in order to engage with the vision of the 60 architects who had seen the potential for around 950 homes on the site, meeting a third of the current need; or to abstain and not participate in a “process marked out by unlawful, unfair processes and exclusionary politics”.

A Member stated that there was merit in what the objectors had said and felt that the Committee should reject the application as it was contrary to policy IND6 of BUAP, the employment zonings of BMAP and to SPSS, PPS 4 and policy PED 7. However, no other Member indicated that they would second such a proposal.

Moved by The High Sheriff (Councillor Hussey)  
Seconded by Councillor Spratt,

That the Committee approves the application and grants delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions.

On a vote, ten Members voted for the proposal and one against and it was accordingly declared carried.

**(Reconsidered item) LA04/2019/1819/F & LA04/2019/1820/  
DCA – Demolition of existing dwelling and erection of 3  
Storey (and basement) detached dwelling with garage and  
landscaping to front and rear at 28 Malone Park**

(The Chairperson (Councillor Whyte), The Deputy Chairperson (Councillor Maskey) and Councillor Groogan re-joined the meeting at this point in proceedings)

(Councillor Whyte resumed the Chair.)

The Planning Manager reminded the Committee that the application had previously been listed for consideration by the Committee at the Special meeting on 27th June 2022. However, the Committee had agreed to defer consideration of the application at that meeting in order that the Committee could undertake a site visit in respect of it. The site visit had taken place on 5th August, 2022.

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He advised the Committee that, since the publication of the Committee report, a late objection had been received from the Ulster Architectural Heritage (UAH), which stated that:

- the proposal was contrary to Policies BH10 and BH12 of the PPS 6 and the SPPS;
- the existing building made a positive contribution to the Conservation Area despite the absence of essential maintenance;
- it also referenced Development Management Practice Note 5 and the former Athletics Store judgement and the former DoE failing to properly take into account the relevant policy tests for demolition; and
- it was contrary to the Malone Park Conservation Guide and limitation on plot coverage.

The Planning Manager advised the Members that the Malone Park Residents Association had raised a similar objection previously.

He outlined that officers had considered the policy presumptions against development contained within PPS6 and the Malone Park Conservation Guide and afforded them their full presumptive weight. There were, however, a number of other relevant material considerations which were set out in the case officer's report of 27<sup>th</sup> June. The question of weight was a matter for the Committee. The case officer's report dealt with the issue of demolition of the existing building, including consideration of the merits of the existing building, application of PPS 6, including engagement of Policies BH10 and BH14. It also had regard to the previous appeal decision which was not subject to challenge. The report also considered the SPPS, Policy BH2 of the draft Plan Strategy and Section 104(11) of the Act. In that regard, officers believed that the assessment was in accordance with the UAHS decision.

Another late objection had also been received from a neighbour. The objection stated that:

- previous proposals for a replacement building on the site had been refused
- the presumption under Policy BH14 of PPS 6 was to retain the building;
- the current proposal was not significantly different and would be overly cramped;
- the proposal failed the test in the Conservation Area Guide that plot coverage should be no more than 1.5 times the original dwelling; and
- an approval would set an undesirable precedent.

The Committee was advised that those issues had been considered within the Case officer's report.

The Planning Manager presented the Members with the main issues which had been considered during the assessment, including:

- the principle of development;
- the impact on the character and appearance of the Malone Park Conservation Area;
- the setting of a Listed Building;

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- trees and landscaping;
- the impact on residential amenity;
- access, movement and parking; and
- the impact on Protected Species

He explained that, in the BUAP, Draft BMAP 2004 and 2014, the site was un-zoned “white land” within the development limits of Belfast. The site was located within the Malone Park Conservation Area. He outlined that there had been a previous appeal decision for a replacement dwelling under references 2016/A0016 and 2016/A0017 which was a material consideration.

The Committee noted that 11 letters of objection had been received to date, including 3 representations on behalf of the Malone Park Residents Association. The objections had focused on the following issues:

- the objectors felt there was a clear policy presumption in favour of retention and no evidence had been provided as to why that was an exception, and that the existing dwelling should be demolished;
- the historical significance of the existing dwelling;
- objections to intensification, design, scale, height, massing and plot coverage of the proposed dwelling;
- the proposal was contrary to PPS6, PPS7, SPPS and the Malone Park Design Guide;
- the proposal did not preserve or enhance the Conservation Area;
- the adverse impact upon the setting of a listed building;
- destabilisation / damage to adjoining properties from excavation and construction;
- significant damage to important trees and landscape features;
- a loss of privacy, light, overshadowing, dominating impact on neighbouring properties;
- the impact on an active badger sett; and
- geology and flooding.

Those matters had been addressed in detail in the Case officer’s report.

The Committee was advised that DFI Roads, HED, NI Water, DAERA, Environmental Health and the Trees and Landscaping Section had all been consulted in respect of the application and had offered no objection to the proposal. The Council’s Conservation Officer had objected on the basis that the existing building made a material contribution to the Conservation Area and its demolition was therefore unacceptable and the proposed replacement scheme was inappropriate by way of its form, design, massing and building coverage. The Committee was advised that it was considered that greater weight should be given to the conclusions of the PAC on the extent to which the existing building contributed to the Conservation Area and the quality of the replacement scheme given its status as an independent appeals tribunal.

The Planning Manager explained that the principal consideration in the assessment of the application was the effect of the proposed replacement dwelling on the character and appearance of the Malone Park Conservation Area.

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He explained that the appeal against the earlier application had been dismissed on the basis that the previous proposal would harm the character and appearance of the Conservation Area. In the case of the current application, he outlined that the footprint of the proposed replacement dwelling had been reduced, there was greater distance to the boundaries and a new landscaping plan had been provided which showed the retention of existing tree coverage, particularly the trees along the boundary with 30 Malone Park. It was considered that landscaping would remain dominant having regard to the Malone Park and Adelaide Park Conservation Guide.

The Committee was advised that the existing dwelling only made a modest positive contribution to the character and appearance of the area and was in poor condition. It was considered that the proposed replacement dwelling was well designed and that the character and appearance of the Conservation Area would be enhanced. He explained that officers considered that the grounds for dismissal of the previous appeal had been addressed and that the proposal complied with Policies BH12 and BH14 of PPS 6, paragraph 6.18 of the SPPS, Policy BH2 of the Belfast LDP Draft Plan Strategy and Section 104(11) of the Act.

He drew the Members attention to the Malone Park/ Adelaide Park Conservation Guide which stated that "In order to allow landscape to remain dominant the established relationship between building mass and gardens should be respected and retained where possible. In no circumstances should building coverage be more than one and half times that of the original dwelling". He explained that, for the purposes of this 1.5 times limit, the Guide did not provide a definition of "original dwelling". The Committee was advised that officers considered that the "original dwelling" was that present or existing from the beginning when first constructed.

He explained that the 1944 Building Control plans had been used to inform the extent of the original building footprint which in turn had allowed an assessment of building coverage. The original dwelling included an attached outbuilding to the side of dwelling which was shown in the oldest historic map dating back to around 1900, as well as the 1944 building control maps. Officers were of the opinion that the attached outbuilding should be considered as part of the original dwelling.

The Members were provided with the figures both including and excluding the outbuilding. In both cases the proposal exceeded the 1.5 times limit and the proposed replacement dwelling would fail to comply with the Conservation Guide as the proposed building coverage would be 1.9 times that of the original dwelling if including the outbuilding or 2.3 times if excluding the attached outbuilding. The Committee was advised that the applicant had been asked to reduce the scale of the proposed dwelling by officers and had done so to an extent but not to below 1.5 times the original dwelling.

The Planning Manager explained that, whilst the Guide was strongly worded, in that "under no circumstances" should permission be granted for building coverage of more than one and a half times that of the original dwelling, it remained the case that planning policy was not a straitjacket for the planning authority and that the Council was entitled to depart from the Guide where material considerations indicated otherwise provided that the appropriate weight was attached to the Guide. He outlined that the proposed landscaping plan included the retention of the existing landscape features along with the planting of 34 new trees and a holly hedge boundary. In addition to the proposed planting, an extensive front and rear lawn had

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been incorporated within the design – with a depth of 21metres to the front boundary and 29metres to the rear, thereby allowing the landscape to remain dominant within the Conservation Area.

He explained that officers felt that the proposed dwelling was of a betterment over the existing dwelling, where it sat much closer to the north western boundary with the existing garage 1metre from the boundary and the existing dwelling 5.2metres from the boundary. The new replacement was sited in a more central position, thereby allowing it to sit more comfortably within the plot. The proposed building coverage made up around 15% of the site and, overall, it was considered that the expanse of garden was in scale with the proposed dwelling and that it would read as a dwelling set within a mature landscaped garden with well-defined boundaries.

In conclusion, whilst the proposed replacement dwelling would fail to comply with the Malone Park Conservation Area Guide in terms of the 1.5 times limit, the Committee was advised that the breach of policy was considered to be outweighed by the proposed landscape design which would ensure that landscaping still remained dominant along with a well-designed and detailed replacement dwelling which was considered sympathetic to the Conservation Area, taking into the account the conclusions reached in the previous appeal by the Commissioner. It was therefore considered that criteria (f) and (g) of Policy BH 12 of PPS 6 were satisfied.

The proposal was also considered to comply with Policy BH10 and BH12 of PPS 6, paragraph 6.18 of the SPPS, Policy QD1 of PPS7, Policy BH2 of the draft Plan Strategy and Section 104(11) of the Act.

The Planning Manager highlighted that, subject to the notification of the application for Conservation Area Consent for demolition to the Department under Section 29 of the Planning Act (Northern Ireland) 2011, it was recommended that the application be approved subject to conditions.

The Chairperson welcomed to the meeting, Mr. M. Worthington, representing the Malone Park Residents Association and Mr. J. Anderson, Ulster Architectural Heritage Vice Chair, who were all objecting to the application. Dr. B. Austin, a neighbour, was also on the call but was having technical difficulties and Mr. Anderson read out a statement on his behalf. Together they stated that:

- the application represented a pivotal point in time for all Conservation Areas in Belfast;
- the Council's Planning officer, the Conservation officer and the Planning Appeals Commission all agreed that 28 Malone Park made a positive contribution to the character of the area and hence the policy presumption against complete demolition in BH14 PPS6 was engaged;
- if the application was to be approved, the Council would be misdirecting itself as the application was premised on the building making a significant positive contribution which was not the test set out in BH 14;
- the Council had also sought to diverge even further from its own decision in May regarding the Design Guide, by indicating that a

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footprint at least 1.9 times the size of the original dwelling was now acceptable;

- the Residents Association implores the Committee to refuse the application;
- Belfast Conservation Areas were important in protecting communities of buildings which with their surroundings and character, add individuality and a sense of their historic place and purpose;
- it was worrying that the Council was prepared to override the expert advice of its Conservation officer to retain 28 Malone Park especially given that there was no sign that the Council had taken any action to monitor the condition of no. 28 or to encourage the owner to maintain the house/gardens to prevent further deterioration;
- in 2016, the PAC stated that the house, if left, would deteriorate further;
- in response, the Council should have heeded that warning and exercised its Conservation Area duty of care;
- that the current application was, in all material respects, identical to the 2015 application;
- there could be no doubt that the case for demolition which had been rejected twice and dismissed on appeal had not been altered one iota;
- the proposal for a replacement building was without significant change and grossly violated the strongly worded Design Guide intended to protect the Conservation Area;
- the question for the Committee was whether it found any credible basis for the baffling and indefensible reversal in planning service's viewpoint; and
- should the application be granted, the Council would be responsible for the sounding of the death knell of the Adelaide/Malone Park Conservation Area, the enormous precedent arising from such an act will announce an open season for property development in the Conservation Area.

The Chairperson then welcomed Mr. D. Stelfox, an accredited conservation architect who was advising the applicant and his architects on their proposals, to the meeting. He advised the Committee that:

- he had submitted heritage impact assessments which concurred with planning officers to approve the applications;
- the first application had been submitted in 2015 and, even at that stage, the property was already in a very poor condition and beyond economic repair, as confirmed by an independent report by Construction Procurement Delivery (CPD), commissioned by the Council and accepted by the PAC;
- the facts established by the initial application, its refusal and the following appeal were of great significance to the determination of the revised application;
- the relevant policy test was whether the rebuilding proposal made a contribution to the character and appearance of the Conservation Area which was at least equal to, and where possible, greater than the existing building on the site;

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- the PAC judgement had stated that the existing property made only a limited contribution to the character and the significance of the area and was not of the standard of the rest of the Park;
- the proposed design of the replacement dwelling was also found to be of high quality and appropriate for the Park and that the scale, size and proportion of the footprint of the house was compatible with policy;
- the appeal had been lost on landscaping grounds and the revised application had addressed those issues in respect of criteria (f) and (g) of Policy BH 12 of PPS 6;
- in addition, further requests had been agreed to with regards to the moving of the dwelling away from the boundary with 30 Malone Park, and reducing it in size;
- the dwelling would be similar in scale to the neighbouring property at no. 30 and, critically, HED had concluded that there was no harm to the setting of no. 30;
- the PAC judgement had also commented on the plot ratio, stating that the numerical figures regarding site coverage were not as important as the desired outcome of the landscaping remaining dominant;
- in other words, if it could be demonstrated that existing or enhanced landscaping was the dominant characteristic of the site then it would be deemed compliant with policy and not simply because it failed a numerical test;
- the proposal also had a plot ratio considerably lower than a number of properties within Malone Park;
- the delay has caused significant visual impact on the area, was unsafe to enter and was having a significant negative impact on the character of the Park; and
- implored the Committee to agree with the officers recommendation to approve the applications.

Due to a technical difficulty, the Chairperson invited Dr. Austin to address the Committee briefly. He stated that the plot ratio which Mr. Stelfox had referred to was nothing to do with the guidelines in Malone Park, which talked about the increase of ground coverage, and that the current proposal grossly exceeded the 50% ratio.

In response, Mr. Stelfox, advised the Committee that the policy regarding the relationship between the building and the landscaping and the surroundings, and the plot ratio, was a relevant factor, as it lead to an understanding of how a building sat within its landscaped setting, which he suggested was one of the overriding policies in the Malone Park Conservation Area Guide.

In questions for officers, a Member was provided with clarification on the separation distances of other detached properties within Malone Park.

She also asked for clarification in respect of the status of a PAC judgement, in that policy was not a straitjacket, and that things changed over time. The Planning Manager advised that the PAC was a formally recognised as an independent appeals tribunal and its decisions had an elevated legal status because of that. It was therefore important that the previous appeal decision was not challenged and therefore it held very significant weight. He

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added that officers' advice to the Committee was that consideration should be narrowed down to whether or not the grounds for dismissal of the previous appeal had been addressed by the current application.

In response to a Member's question in terms of the policy tests for demolition, the Planning Manager explained that the PAC did consider those particular issues in terms of viability and the condition of the building and that the full details were included as part of the Case officer's report.

A Member sought clarity on the demolition of the existing property, given the Conservation officer's objection. The Planning Manager explained that the Conservation officer felt that the property made a significant contribution to the Conservation Area, however, it was considered that greater weight should be given to the conclusions of the PAC on the extent to which the existing building contributed to the Area and the quality of the replacement scheme, given its status as an independent appeals tribunal.

Moved by Councillor Groogan  
Seconded by Councillor Hanvey

That the Committee rejects the application as it is contrary to Policy BH 12 (g) "the development conforms with the guidance set out in conservation area documents" – in that the replacement dwelling is contrary to the conservation area guide in terms of the 1.5 calculation by a considerable degree and the new setting of the building means that the landscaping does not remain dominant, (for example, the close relationship to no. 30 Malone Park and the impact on the setting of trees) as highlighted by the conservation officer as well.

As such the application also fails on BH12 (a) as it does not preserve or enhance the character and appearance of the area;

In turn, BH14 is also not met as there is no appropriate redevelopment to justify demolition;

and to delegate authority to officers to formalise the wording of the refusal reasons

On a vote, five Members voted for the proposal and eight against and it was accordingly declared lost.

Moved by The High Sheriff (Councillor Hussey)  
Seconded by Alderman Rodgers,

That, subject to the notification of the application for Conservation Area Consent for demolition to the Department under Section 29 of the Planning Act (Northern Ireland) 2011, the Committee approves the applications, subject to conditions, and grants delegated authority to the Director of Planning and Building Control to finalise the wording of conditions.

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On a vote, eight Members voted for the proposal and five against and it was accordingly declared carried.

**(Reconsidered item) LA04/2021/2519/F -  
variation of condition no.11 of planning  
approval LA04/2018/0059/F re: changing restricted  
opening hours from 11pm to 1.00am at Former  
Church of the Holy Rosary, 348-350 Ormeau Road**

(Councillor Groogan, having declared an interest in this item, remained in the meeting but did not participate in the vote).

The Principal Planning officer reminded the Committee that the application had been listed on the agenda for the Special meeting of 27th June but that the Committee had agreed to defer consideration at that meeting to allow a site visit to be undertaken. The site visit had since taken place, on 5th August.

She outlined that Mr. M. McFarlane, on behalf of Bredagh GAC, had since requested the removal of its letter of support for the application.

The Committee was also advised that Environmental Health had provided additional clarifying comments on their position in relation to noise control. She explained that Environmental Health still had concerns regarding the potential for noise disturbance due to patron dispersal from the premises.

Environmental Health was not objecting to the application but had provided a number of conditions, including that the restaurant (and bar) should not operate outside 11am to 1am on Fridays and Saturdays and 10am - 11pm from Sunday to Thursday; the submission of a Noise Management Plan, to include the supervision and management of patrons within the premises and outside during patron arrival and dispersal; and music limiting technology installed to ensure a maximum level would not be exceeded.

The Principal Planning officer presented the details of the application to the Committee. She explained that the site was located within the existing settlement limits of the City, as defined within the BUAP and draft BMAPs and that the buildings on site were Listed. Planning approval had been granted for an 18 bedroom hotel and licensed restaurant in November 2019 but no works had commenced on site to date. The key issue which had been considered was the application's impact on neighbouring amenity due to noise, nuisance and general disturbance.

The Committee was advised that the site was primarily surrounded by residential dwellings in the Bell Towers and in Fitzwilliam Avenue. She explained that 21 objections had been received, including three which had been received since the most recent Case officer's report had been published, and that they all focused on concerns in respect of noise impact and parking issues.

The Chairperson welcomed Councillor Groogan to address the Committee. She advised the Committee that she did not believe that the variation application should be approved for the following reasons:

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- it was inappropriate because of the impact on neighbouring amenity due to noise, nuisance and general disturbance;
- there was no reason why it should be decided any differently than it had been previously, when it was initially assessed and indeed, when an almost identical application to vary was refused less than a year ago (ref: LA04/2020/1229/F);
- that variation was deemed to have insufficient evidence that there would be “no additional detriment to neighbouring properties” and had provided no justification for it. There was very little, if anything, substantially different in the current application, with no additional mitigating measures to justify the change to address any of the concerns around noise;
- the suggestion of a midnight closing time was based on use by residents of the hotel only, not the general public. As that would be incredibly difficult to enforce in planning terms, it was decided that an 11pm restriction was more appropriate to give some protection to neighbouring residents and that was what the Committee should be basing their decision on - a change from 11pm to 1am;
- correspondence from the agent, on 3rd November 2021, stated that planning permission had not been implemented to date by the applicant and would not be “unless planning condition no 11 was varied in accordance with the application to make the scheme commercially viable”;
- any attempt to hold the Council to ransom to try to force it to set aside valid planning concerns, because of unsubstantiated claims around commercial viability, was wrong;
- no restaurant in the City operated until 1am and the operator had a range of restaurants, including in hotels, which only operated to 10pm;
- their letter of 1st November referred to functions and it was concerning that events of up to 200 people would be very different to the usual coming and goings from a restaurant; and
- as Environmental Health had pointed out, it was difficult to effectively mitigate noise from patrons leaving a premises. The only protection residents had was the 11pm restriction, which was in keeping with other similar licensed restaurants in the area, and she urged the Committee not to remove that necessary, reasonable and limited protection.

The Chairperson then welcomed Councillor McKeown to address the Committee. He also objected to the application to vary the condition, for the following reasons:

- the issues regarding operating hours were considered extensively in 2019 when overall the permission was granted. The situation since then had not changed in that it remained a residential area, where any proposed development needed to be in-keeping with its surroundings both in terms of structure and crucially in this case, operation;
- the noise report provided on behalf of the applicant did not adequately address the potential impact on the nearby community;

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- it noted that the restaurant could facilitate 200 patrons, yet the modelling of how it would impact at street level seemed to involve two people shouting in the vicinity of the front door;
- aside from the lack of detail around the time the so-called 'test' was conducted, it did not represent the true potential impact of patrons egressing from the premises late at night and circulating in the area;
- staff had no authority or jurisdiction over the conduct of individuals outside the boundary of the premises;
- there was significant potential for shouting, singing, taxis being hailed and car doors slamming in the street in the residential area late into the night;
- contrary to what the noise report stated, parking was available along both sides of the Ormeau Road during the evening and all weekend. There was therefore a significant likelihood that people would park on the road and create noise — in fact, there was little incentive to park in the church carpark and walk 120 yards when on-street parking adjacent to residential areas was closer to the premises;
- there was a lack of precedent for a licensed restaurant opening to 1am in the area and, should the application be approved, it would represent a significant and irreversible departure for the area;
- it was a settled residential community and extending the hours of opening to 1am at the weekend could have a serious detrimental impact on the wellbeing of residents and would cause stress to those affected.

The Chairperson welcomed Mr. M. Morgan and Ms. C. Gallagher to the meeting, who were representing residents of the Bell Towers and Fitzwilliam Avenue, and were both objecting to the application. Together they advised the Committee that:

- the site was entirely surrounded by residential properties;
- the Committee had reached the correct and proportionate decision in 2019 when it limited the operating hours of the bar to 11pm;
- nothing significant had changed since that time;
- adding 60mm to the width of the windows did not cater for the dispersal of patrons from the venue;
- despite the applicant stating that it was “a good neighbour”, there had been no correspondence or engagement with or from the applicant and the residents of the Bell Towers or of Fitzwilliam Avenue;
- residents were entitled to the peaceful enjoyment of their premises; and
- people do not go out to eat at 11pm in Belfast, rather, they go out to drink, and residents were extremely concerned at the consequences of allowing the premises to operate with up to 200 people until 1am, similar to a nightclub.

The Chairperson then welcomed Mr. C. Shanks, agent, Mr. T. O'Neill, Galgorm Group, and Mr. S. Carr, Irwin Carr, who were representing the applicant and agent. Together they advised the Committee that:

- the Galgorm Collection wished to invest £8million in giving new life to the listed former Holy Rosary Church and Parochial Hall;

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- it wished to ensure that reasonable, fair trading hours were in place at the site before it committed its £8million investment on the Ormeau Road;
- they were a renowned hospitality operator in NI with a reputation for the highest quality of service offer and product across their existing hotels at Galgorm hotel and spa in Ballymena, the Rabbit in Templepatrick and the Old Crawfordsburn Inn;
- the condition on the original planning permission placed an unfair and unreasonable restriction on the operating hours of the hotel's bar/restaurant to 11pm. That did not allow for a sustainable, viable or fair hotel trading environment when compared with existing hotel operators in the wider Belfast market;
- its proposed variation to the hours of operation condition originally sought permission to extend from 11pm to 1am seven days a week, which represented a level playing field with other hotels they would compete with for business;
- they fully understood the concerns on breakout noise and parking raised by local residents and, with its advisors, had taken all possible steps to work closely with Environmental Health (EH) and to put all appropriate mitigation in place that would enable the proposed new hotel to successfully and harmoniously co-exist with its neighbours. It was not something new to them having achieved such harmony in managing its other properties adjacent to dwellings in Templepatrick and Crawfordsburn;
- in seeking to respond to the concerns, the applicant had voluntarily reduced the request to midnight on Sunday to Thursday, and to 1am on Fridays, Saturdays and public holidays;
- it would manage the new hotel in accordance with a stringent Noise Management Plan that had been formulated closely with EH to specifically seek to avoid the suggested amenity concerns around noise expressed by local residents, through robust management of the facility;
- in considering the parent planning permission for the site, EH had accepted that opening hours to midnight throughout the working week were acceptable, however, the planners reduced the conditioned opening hours to 11pm contrary to EH officer advice;
- the current EH advice confirmed that extending to 1am on Fridays and Saturdays was acceptable, subject to compliance with the noise management plan. That was a welcome change in position and reflected the hard work and additional mitigation put in place by the applicant. It also confirmed that midnight on a Sunday was acceptable;
- the applicant had already made a very substantial concession in accepting midnight Monday-Thursday rather than seeking an unrestricted 1am operational opening time consistently in place at all other hotel operators in Belfast and elsewhere in NI;
- the nearby Parador hotel had seating for 30-40 persons outside its bar on the pavement to the Ormeau Road, opposite residential property and with terraced family housing to the rear in Florenceville Avenue. It operated with no restrictions on its opening times;

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- the application in front of the Committee, in contrast, had no external seating area, it would ensure there could be no public entry to the facility an hour before closing time, it would operate in accordance with a strenuous Noise Management Plan to manage and limit external breakout noise, it would ensure a supervised and managed patron exit from the bar/restaurant and it would deliver off-street parking area for patrons away from residential properties; and
- by approving the application to vary the condition, it would breathe new life into a listed building at risk, bring £150,000 in rates to the Council, and wider transformational and beneficial change for the site and the wider Ormeau and South Belfast area.

A Member asked Mr. S. Carr for clarification in respect of the noise modelling which had been carried out, whereby 2 persons positioned in the vicinity of the door “shouted loudly”, and how that was suitable given the venue’s maximum capacity was for 200 persons. Mr. Carr advised the Committee that, in respect of patrons leaving a premises, they had tried to establish a worst case scenario and that they had set the noise limit at 80 decibels (dB) which had been used at a number of other premises in the vicinity. However, when they had spoken to Environmental Health, they had increased the limit to 90 dB. He explained that there were a number of incidents on the Ormeau Road and they were able to show that the noise limits of patrons leaving the premises would not be exceeded.

Mr Shanks added that they had spent two years demonstrating to Environmental Health that there was not going to be an issue at the site and that it was Environmental Health which had a statutory responsibility to advise the Committee to ensure that there would not be any harm to amenity. He added that the 90 dB limit was far higher than the level that the nearby bar, the Errigle, had been subject to for its outdoor area.

The Chairperson welcomed Ms. M. Quinn, Environmental Health officer, to the meeting. She advised the Committee that their lengthy response had concluded that, while, in theory, you could manage noise from patrons, what happened in practice was down to how responsibly things were managed. She explained that they felt that extending the hours over the entire week would be a step too far and that it was difficult to predict or know how the premises would have any remit over patrons as they dispersed from the immediate vicinity of the site.

In response to a Member’s question, she acknowledged that the premises could change ownership and that it was very difficult to predict patron dispersal noise as there was a lack of guidance on the subject and that potential scenarios could be missed. She added that excessive noise from patrons who had left the premises and were, for example, on the street, was not within the remit of Council noise officers and that was a matter for the police.

Mr. Shanks advised the Committee, in response to comments which had been made, that there was nothing to suggest that the Galgorm Group had any intention of selling the site. He added that the Noise Management Plan was comprehensive in addressing the dispersal of patrons and that, as a renowned hospitality operator, they would not allow 200 patrons to disperse onto the Ormeau Road en masse. He also clarified that no public admittance would be permitted one hour before closing time.

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A Member requested information from officers in relation to the viability of the application. The Principal Planning officer clarified that viability was a material consideration but that the applicant had not submitted any documentation in respect of that and therefore officers had not assessed it. However, she explained that, regardless if it came down to issues of viability, there was still a responsibility through planning policy to protect amenity. The Members were advised that it was difficult and that consideration had been made primarily on the basis of amenity, whilst accounting for the fact that approval had previously been granted for the renovation of the listed building.

A Member queried why speakers were being brought back in to make further contributions after they had already spoken. The City Solicitor clarified that the Committee's Operating Protocol provided that the objectors were entitled to rebut any factual inaccuracies, followed by the applicant/agent who was then entitled to do the same. She added that the applications under discussion at that meeting in particular had involved particularly technical discussions but that the Protocol would be reviewed by the Committee in due course.

Moved by Councillor Garrett  
Seconded by Councillor Maskey,

That the Committee agrees to refuse the application for the variation of Condition 11 of planning approval LA04/2018/0059/F, relating to operating hours, in order to protect the residents against adverse noise impact.

On a vote, six Members voted for the proposal and six against. As there was an equality of votes the Chairperson exercised his second and casting vote in favour of the proposal and it was accordingly declared carried.

(The Meeting adjourned for 10 minutes at this point)

**(Reconsidered item) LA04/2021/2285/F - Apartments  
development 29 Parkside Gardens**

The Principal Planning officer presented the Committee with the details of the application. She reminded the Members that it had initially been submitted before the Committee on 15th February, 2022 but that it had been deferred for a site visit to take place on 3rd March, 2022. The application was subsequently presented to the Committee on the 15th March, 2022. At that meeting, the Committee had agreed to defer consideration of the application to allow the applicant to reconsider the issues which had been raised by officers, including parking and amenity concerns.

The Committee was advised that the applicant had submitted amendments to the scheme following the previous Committee meeting, in an attempt to address the concerns which had been raised by officers.

With regards to parking, the number of parking spaces had been reduced from 11 to 7 resulting in a reduced amount of hard standing on the site. DFI Roads had provided further comment and had offered no objections.

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In relation to the amenity space, as a result of the reduction in parking spaces, she explained that the communal amenity space provision had increased from 263.1sqm to 418.9sqm. She outlined that that had resulted in an increase from 23.9sqm per apartment to 38.08sqm per apartment. The Committee was advised that while the quantum was in excess of the guidance, the scale and height of the building was such that the significant areas of the space would be over shadowed for parts of the day, which would detract from its value. In addition, she advised that the scheme did not offer any private amenity space.

The Committee was advised that the scheme included additional tree planting to the rear of numbers 31 and 33 Parkside Gardens. The Tree officer was content with the tree proposal arrangements.

She explained that the amended plans illustrated that the outlook for the south facing apartments had been altered to include obscured glazing to habitable rooms. As the windows were located in habitable rooms, such as kitchens/dining areas, she highlighted that it would be unreasonable to use obscure glazing and would impact the quality of the living environment. The use of obscured glazing to habitable rooms was an indication of over development.

The Members were advised that the bin collection area had been repositioned to a hard standing area close to the entrance point of the site.

The Committee was advised that NI Water had raised concerns with capacity issues, though an engineering solution was possible. She explained that that solution would be subject to agreement with NI Water.

The Principal Planning officer outlined that not all issues had been resolved, in that the scale and massing remained the same as the previous plan, there would still be potential for overlooking from apartments 4, 7, 8 and 11 and that there was still no private amenity space for residents.

The Chairperson welcomed Mr. T. Bell, agent, Mr. B. Kerr, Newington Housing Association, and Mr. R. Dougan, Architect, to the meeting. Mr. Bell advised the Committee that:

- the Case officer's report stated that while the communal amenity space now exceeded guidance levels, it then undermined the point by suggesting that there would be overshadowing for parts of the day;
- there was no counter evidence to support that view and that the generous amenity areas exceeded the upper guidance limit by 8sqm per unit, they were both south facing and were beside a public park;
- Creating Places policy was clear in that it did not require private amenity space in apartments and that private communal space was deemed acceptable;
- regarding the proposed obscured glazing, he advised the Members that there were three other unobscured windows in the same room of the two units impacted, thereby providing adequate outlook and daylight;

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- the report stated that there would be unacceptable overlooking and perception of dominance. The separation distances exceeded minimum and were south facing from the obscured glazing façade 12.8m and from the set back 16.2metres from the common boundary;
- the proposal was of a reduced density from Alexandra Avenue and Parkend Street and, in any case, it was an inner city urban location with 2.5 storey blocks;
- the proposal was policy and no objections were received from third parties.

Mr. Kerr advised the Committee that:

- Newington Housing Association had been interested in regenerating the area for 15 years;
- the amount of communal amenity space was now far greater, per unit, than the majority of other housing schemes; and
- the regeneration of the site would assist in addressing the significant social housing waiting list in North Belfast.

In response to a query raised by Mr. Bell, the Principal Planning officer advised the Committee that amended elevations had been received from the developer in March, which showed an addition onto the front of the building, but that they had not been accompanied by amended floor plans.

A Member stated that they felt that the applicant had addressed his previous concerns in respect of reducing the large amount of hard standing to the front of the property, with additional amenity space now included. He added that he felt that the obscured glazing in one window of certain properties had been added to address the overlooking concerns were compliant with Policy QD1 of PPS7.

A further Member stated that Newington Housing Association was an extremely credible organisation which worked with the community in which it was developing sites and that the amendments to improve the application were to be welcomed.

Moved by Councillor Murphy  
Seconded by Councillor Maskey

That the Committee approves the application as it considers that it complies with Policy QD1 of PPS7 and grants delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions.

On a vote, seven Members voted for the proposal, four against, with three no votes, and accordingly it was declared carried.

**LA04/2022/0293/F - Erection of hotel/aparthotel comprising 162 hotel beds and 94 aparthotel beds, conference facilities, restaurant /cafe/bar uses (including roof top bar), gym, landscaped public realm, car parking, cycle parking and associated**

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**site and road works at lands directly south of  
Titanic Belfast and north-west of Hamilton Dock  
located off Queens Road**

The Senior Planning officer provided the Committee with a presentation on the proposal.

She explained that HED (Historic Monuments) had submitted a consultation response stating that there was no evidence of a scheduled monument consent and that it needed to be completed before a decision was made. The agent had responded to HED to clarify that there was an existing scheduled monument consent granted after the previous extant approval and HED had since confirmed that they were therefore content with the application, subject to conditions.

The Committee was advised that the main issues which had been considered during the assessment included:

- the principle of a hotel at that location;
- loss of open space;
- scale, massing and design;
- impact on Built and Archaeological Heritage;
- traffic and road safety;
- flooding and drainage;
- impact on amenity;
- human health;
- the impact on natural heritage;
- Pre-application Community Consultation; and
- consideration of developer contributions.

The Members were advised that the site was located within an established industrial/commercial area within the wider Titanic Quarter. It formed part of the mixed-use Titanic Quarter zoning. The site had previously benefitted from being part of the wider Phase 2 Concept Masterplan (Z/2010/2864/O) which was granted in June 2008, with a hotel approved on the site in 2010. The Senior Planning officer explained that while both the outline and hotel permissions had since lapsed, they remained a material consideration.

The Committee was advised that a further planning application, LA04/2019/1636/F, for hotel use was approved by the Committee in February 2020, which further established the principle of development and a hotel use at that location. The 'Design Principles' document which accompanied the Concept Masterplan included a range of parameters for the particular site (referred to in the masterplan as Block 8) relating to land area, gross floor space, storeys and height. The extant approval exceeded the height set out in the masterplan by approximately 2.2m but was considered appropriate given the quality of the proposal and design cues taken from the nearby listed H&W Drawing Offices. She explained that the current scheme was only 150mm higher than the extant approval. HED had considered the proposal and had no objections.

The Senior Planning officer outlined that the amended scheme for a 256-bed hotel was very similar in terms of design, height, massing and layout to the extant approval for a 276-

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bed hotel (LA04/2019/1636/F). In response to market conditions, the applicant now wanted it to comprise 94 apart-hotel rooms and 162 conventional hotel rooms.

Consultees including DfI Roads, NIEA, Shared Environmental Services, Historic Environment Division, NI Water, DfI Rivers, City Airport, NIE, the Council's Landscape Team, Environmental Health, Senior Urban Design Officer and Tree Officer had no objection to the proposal, subject to conditions.

Two representations had been received from local residents. Their concerns focused on noise, the hours of operation and licensing in respect of the rooftop bar and general noise mitigation. She explained that Environmental Health had reviewed the Noise Impact Assessment and had advised that it met the relevant requirements. It had also provided a number of conditions in order to protect nearby residents from loss of amenity.

The Chairperson welcomed Ms. S. Murphy, agent, and Mr. C. O'Hara, transport consultant, to the meeting. Ms. Murphy advised the Committee that:

- the applicant was committed to delivering the project, hence the revised aparthotel element;
- a noise assessment had been carried out and that suitable conditions had been attached to restrict the number of people on the roof terrace and the inclusion of a noise barrier to protect neighbouring amenity; and
- a condition requiring a construction management plan would set out how the traffic would be operated during the construction phase, and would be drawn up in conjunction with Titanic Quarter, the Harbour Commissioners and other contractors in the area.

A Member asked for information relating to safe cycling routes surrounding the hotel. In response, Mr. O'Hara outlined that there were cycle routes that connected the city centre to the Titanic Quarter and that three of the most used docking stations for the Belfast Bikes were within the area. He added that the new eastern access road, which was now called Hamilton Road, had a cycle lane which connected onto Sydenham Road and Airport Road, and which connected to Victoria Park and various greenways.

In response to a further Member's question, Ms. Murphy confirmed that the applicant's intention was that construction works would commence in Quarter 2 or 3 of 2023 and would take approximately 24 months.

The Committee approved the application and granted delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions.

**LA04/2022/0023/O - Site for 15 storey residential development, 32no. 1 bedroom apartments, 35no. 2 bedroom apartments and 1no. studio apartment at Holmes Street to the rear of 15-21 Bruce Street**

The Committee was provided with the key aspects of the outline application.

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The Senior Planning officer explained that the details of scale and massing were to be determined at the outline stage, with siting, design, external appearance, access and landscaping being reserved for subsequent approval. She advised that, despite those matters being reserved, an indicative scheme had been submitted to help demonstrate that those could be safely achieved.

She outlined that the site was within the development limits and within the city centre of Belfast in BUAP and both versions of Draft BMAP. The site was un-zoned whiteland within BUAP, unzoned whiteland but also within the main office area/Commercial District Character Area in dBMAP (2004); and was zoned for Uncommitted Housing under CC04/01. It was also within the Commercial District Character Area in dBMAP (2015) and within the Linen Conservation Area.

The Committee was advised that, having regard to the location of the site and its surrounding context which included a number of tall buildings, it was considered that the site could accommodate a building of the scale and massing proposed, in keeping with the character and appearance of the area.

The Senior Planning officer outlined that consultees, including DfI Roads, NIEA, Historic Environment Division, NI Water, DfI Rivers, the Council's Landscape Team, Environmental Health Department and Economic Development team had no objection to the proposal, subject to conditions.

She explained that the applicant had proposed provision of the following Green Travel Measures to mitigate the lack of parking provided with the scheme:

1. Membership of a bike scheme such as Belfast Bikes for 3 years;
2. a 3-year Residential Travel Card scheme;
3. 50% subsidy of Car Club membership; and
4. a Residential Travel Plan

The measures would be secured through a Section 76 Planning Agreement and were considered appropriate given the highly sustainable location of the site and its proximity to numerous transport links.

The Committee was advised that the Council's Economic Development Team had no objection to the proposal, subject to a Section 76 clause regarding Employability and Skills for the construction phase.

The Senior Planning officer explained that the Conservation Officer had raised concerns about the proposal. The Conservation officer had stated that, in terms of a hierarchy of heights, Holmes Street would ideally be subservient to Bruce Street. The Conservation officer had also expressed concern regarding the indicative ground floor use (residential and storage/plant) having a deadening effect on the frontage. The Senior Planning officer advised the Committee that that issue had been discussed with the applicant and agent. The argument put forward was that, due to its cul de sac location, retail or commercial use would not be viable and that office use would not contribute any more than residential would in terms of vibrancy. Given the small footprint of the site and unusual circumstances of the city centre cul

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de sac, that was considered appropriate. She highlighted that the precise detail of the ground floor and activation of the street were matters for subsequent approval.

The NI Housing Executive had advised that there was a social housing need within the area.

In response to a Member's question, the Senior Planning officer advised the Committee that there wasn't any vehicle to request social housing at the reserved matters stage. There was also nothing to preclude the applicant from bringing any forward at that point but, were social housing to be required, it would need to be part of the outline permission, however, a legal agreement could not be requested by officers to ensure that, given that there was no policy provision to do so.

In response to a further Member's query, she clarified that the maximum scale, height and massing of the proposed building were established as part of the outline permission.

The Planning Manager (Development Management) advised the Committee that three late objections had been submitted in respect of the application. A city centre resident was concerned about the potential for short term/AirBnB lets. He explained that the issue generally fell outside the planning process and that such lets required certification from the Tourist Board.

Further objections had been received from the Belfast Civic Trust which had raised concerns about the proposed height and dominance of the building and he advised the Committee that those issues had been covered within the Case officer's report and that the officer's recommendation remained as an approval.

The Committee approved the application and granted delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and the completion of a Section 76 Planning Agreement to secure a developer contribution towards Employability and Skills during the construction phase of the development.

**LA04/2022/0683/F - Awning installed to front of existing building, Spectrum Centre 331 Shankill Road**

The Committee was advised that the application was before the Committee for its consideration as the proposed awning was subject to Council funding.

The Members were advised that the site was located within the development limits for Belfast and was un-zoned white land within the adopted BUAP 2001. In draft BMAP 2004 the site was located within the proposed Area of Townscape Character BT 069 and was BT 052 in the 2015 version.

The application had been neighbour notified and advertised in the local press and no third-party representations had been received.

DFI Roads and Historic Environment Division had been consulted and also had no objection to the proposal.

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The Committee approved the application and granted delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions.

**LA04/2022/0510/F - Construction of 90no. apartments  
(change of house type from that approved LA04/2019/  
0025/F) with associated car parking and landscaping  
at Parklands, Knocknagoney Dale, Knocknagoney**

The Principal Planning officer outlined the details of the application to the Committee. He explained that permission was previously granted for 90 dwellings on the site, extant approval LA04/2019/0025/F, which had been approved on 19th September 2019, subject to conditions and a Section 76 Planning Agreement. The Members were advised that the current application sought approval for a change of house type from that previously approved along with changes to finishes, minor external design changes and additional balconies. The proposed development was under construction and was substantially complete.

The Committee was advised that the main issues which had been considered in the assessment of the application included:

- the principle of development;
- scale, height, massing and design;
- traffic and parking;
- the impact on the character of the area/LLPA; and
- the impact on adjacent land uses.

The Principal Planning officer explained that no third party objections had been received to the proposed development. He added that consultees including the Urban Design Officer, Environmental Health, DFI Roads, DAERA, Rivers Agency and NI Water had no objection in principle to the proposal, subject to conditions.

He outlined that the residential use had been established through the previous apartments located on the site and previous planning approvals for residential developments. A pedestrian access point was proposed onto the Hollywood Road which would provide improved connectivity to the immediately adjoining Knocknagoney Park.

The Committee approved the application and granted delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and the completion of a Section 76 Planning Agreement to secure the management and maintenance of communal open space areas.

**LA04/2022/0646/F - Section 54 to vary Condition 2 of  
planning permission LA04/2017/2753/F (relating to details  
of public realm improvements) at 30-44 Bradbury Place**

The Principal Planning officer outlined the details of the Section 54 Planning Application to the Committee, which sought to vary condition 2 of permission LA04/2017/2753/F, to amend the trigger point for the approval of details of public realm improvements to the footway along the frontage of the site.

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He explained that the applicant had submitted details of proposed public realm improvements in order to discharge condition 2 under reference LA04/2021/0917/DC. The Department for Communities (DfC) had been consulted and had raised a concern that the proposals at that location would need to align with the design specification for Streets Ahead Phase 5, but that those details had not yet been agreed. The Committee was advised that, to agree the public realm improvements in advance of that, would likely result in the applicant/developer carrying out works that might need to be replaced.

It had therefore not been possible to agree the details and the condition was not discharged. Instead, it was agreed that a Section 54 application would be submitted to amend the trigger point for the submission of details of the proposed public realm improvements until the specification of Streets Ahead Phase 5 was agreed.

DfI Roads and DfC Belfast Regeneration Directorate had been consulted.

DfI Roads had offered no objection to the Section 54 application. DfC had advised that concept designs for the Belfast Streets Ahead Phase 5 Project (BSA 5) would not be available until the end of 2022/early 2023. In relation to the delivery of the scheme, there was not a confirmed date at present but that they expected construction to start in 2025/2026, subject to a business case, planning approval and funding availability.

Accordingly, the Senior Planning officer explained that the following wording was recommended for the revised condition:

*“Prior to the end of June 2023 the applicant shall submit details of public realm improvements along the Bradbury Place frontage as highlighted in yellow on Drawing No.01A which shall be agreed in writing with the Council and shall be carried out as agreed prior to occupation of the hereby approved development.*

*Reason: In the interests of the character and appearance of the area.”*

The Committee was reminded that the granting of a Section 54 application to vary conditions created a new standalone planning permission. Therefore, should permission be granted, the other original conditions should be repeated as appropriate. The original permission was also subject to a Section 76 Planning Agreement (S76) to secure the management of the student accommodation and accordingly the Section 54 permission would also require a Section 76 Agreement.

The Committee approved the application and granted delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions a Section 76 Planning Agreement.

**LA04/2022/1256/F - Conversion of existing residential property into a house of multiple occupation (HMO), with a minor single storey extension to the rear of the property, Innov8 Living, 14 Belmont Avenue**

**Meeting of Planning Committee,  
Tuesday, 16th August, 2022**

The Committee was provided with the details of the application for a proposed House of Multiple Occupation (HMO), which had been requested to go before the Committee by a Member.

DFI Roads and the Council's Development Plan team had been consulted and had no objection to the application.

The Senior Planning officer explained that an updated consultation response had been received from the Local Development Plan (LDP) Team in respect of the application. The LDP Team had advised that the proposed change of use, if approved, would result in a total of 3 HMO units along Belmont Avenue. The proposed change of use would also comply with the new Local Development Plan Draft Plan Strategy 2035.

In respect of the principle of the proposal at this location, she outlined that the application site was not located within an HMO Policy Area or Development Node as designated in the HMO Subject Plan for Belfast City Council Area 2015. Policy HMO 5 of the Subject Plan therefore applied in terms of assessing the number of HMOs in the area. She advised that Policy HMO 5 stated that planning permission would only be granted for further HMO development where, as a result, the number of HMOs did not exceed 10% of the dwelling units on that road or street. She explained that up to 8 HMOs were permitted and that the 10% threshold would not, therefore, be exceeded. The Members were also advised that the proposal complied in full with the HMO Subject Plan 2015.

The Committee was advised that three representations had been received in relation to the application, raising issues including the unsuitable use of houses with noise impact, traffic congestion and parking, devaluing of properties, the timing of the Neighbourhood Notification letters and considerable development in the immediate vicinity.

The Senior Planning officer detailed that the site was within the proposed Belmont Area of Townscape Character in Draft BMAP. It was unzoned whiteland in the BUAP. She explained that officers felt that the proposed rear extension would have a limited impact on neighbouring amenity and was considered to be sympathetic to the host dwelling, the proposed Belmont ATC and the surrounding area in accordance with Policy EXT1 of PPS7 Addendum and the SPPS.

A Member stated that he had concerns regarding the neighbouring amenity, specifically in terms of parking and traffic movements, and that no parking survey had been submitted which the Committee could interrogate. He also raised concerns regarding the small amount of private amenity space for the residents to share, which included a bin storage area.

Moved by The High Sheriff (Councillor Hussey),  
Seconded by Councillor Spratt,

That the Committee refuses the application for the following reasons:

1. the impact on neighbouring amenity, specifically due to parking and traffic movements; and

**Meeting of Planning Committee,  
Tuesday, 16th August, 2022**

2. the poor quality and inadequate private amenity space for the prospective residents.

The Planning Manager advised the Committee that there was no specific parking requirement for HMOs and that the site was in a relatively sustainable location, within walking distance to public transport and shops. Regard also had to be given to the current use of the property. He added that DFI Roads had raised no objection and was the highway authority for the City and, thus, it would be difficult to sustain a refusal based on that reason. He added that officers would have concerns about evidencing the amenity space issue if a decision to refuse was to go to appeal.

The Chairperson put the proposal to refuse the application to the Committee. On a vote, ten Members voted for the proposal and, with three no votes, it was accordingly declared carried.

**LA04/2021/2114/F & LA04/2021/2113/ DCA - Demolition of existing dwelling and car part, construction of a new replacement one and a half storey detached dwelling with integral garage; and associated site works, 27 Cleaver Avenue**

The Senior Planning officer provided the Committee with the principal aspects of the applications. They sought permission for the demolition of an existing dwelling and car port and the construction of a new replacement one and a half storey detached dwelling with associated site works.

She explained that the surrounding area was residential, comprising predominantly of two storey detached properties in large plots. The site was within the Malone Conservation Area, Sub Area K-Beechlands/Cleaver. In the BUAP, Draft BMAP 2004 and 2014, the site was un-zoned "white land" within the development limits of Belfast.

The Committee was advised that the key issues which had been considered during the assessment of the applications included:

- the principle of development;
- impact on the Malone Conservation Area;
- impact on amenity;
- impact on trees; and
- access and parking layout.

The Senior Planning officer explained that it was not considered that the dwelling to be demolished made a material contribution to the Malone Conservation Area and therefore the demolition was acceptable, subject to a suitable replacement scheme. The proposed one and a half storey detached replacement dwelling was deemed to be of an acceptable scale and massing and in keeping with the character and appearance of the surrounding area. Overall, the proposal was considered to preserve the Malone Conservation Area.

The Committee was advised that the Conservation Officer had offered no objection to the proposal, further to amendments received to the design which included the removal of the integral garage and its replacement with a smaller storage area to facilitate a setback and to

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ensure that it was subservient to the main dwelling, as was commonly the case throughout the Conservation Area.

The Members were advised that the proposal complied with Policy BH12 and BH14 of PPS 6, paragraph 6.18 of the SPPS, Policy BH2 of the Belfast LDP Draft Plan Strategy and Section 104(11) of the Act.

Subject to the notification of the application for Conservation Area Consent for demolition to the Department under Section 29 of the Planning Act (Northern Ireland) 2011, the Committee granted approval to the applications subject to conditions. Delegated authority was given to the Director of Planning and Building Control to finalise the wording of conditions.

**LA04/2022/0155/F - Extension of time for temporary  
Change of use of and alterations of former printing hall  
to event space for a period of 3 years, The Limelight  
Belfast Ltd, Ground floor print hall, 122-144 Royal Avenue**

The Committee noted that the application was before the Committee as the Council had an interest in the land.

The Senior Planning officer explained that temporary permission was being sought for the extension of time for a temporary change of use and alterations of the former printing hall event space for a period of three years.

The Members were advised that the site did not have any particular zoning within draft BMAP and also fell within the City Centre limit, the Scotch/Cathedral character area and city centre area of parking constraint under draft BMAP. The site adjoined a listed building which was the Belfast Telegraph Building.

The Senior Planning officer outlined that the application had been neighbour notified and advertised in the local press and that no third-party representations had been received.

He advised that DFI Roads, Environmental Health and Historic Environment Division (HED) had all been consulted. HED and DFI Roads both had no objection to the proposal. Environmental Health had no objection to the proposal, however the officer clarified that they did not recommend a 12 month approval, rather they advised that the time period was a matter for Planning Service. Environmental Health also advised that no noise complaints had been received in the last number of years during events, albeit the event space had been closed for an extended period of time during Covid 19 lockdowns.

On balance, considering the temporary planning permissions granted to date, that the extant permission for the redevelopment of the site was due to expire in February 2023 and Environmental Health's response, he outlined that officers were recommending that a temporary permission of no more than 18 months be granted to ensure that the Council could consider the development in the light of circumstances then prevailing and to ensure future development was not hindered by an extended temporary use as event space.

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The Committee approved the application for a temporary period of 18 months and granted delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions.

**LA04/2021/2602/F & LA04/2021/2611/LBC – Removal of Existing 3m High Palisade Perimeter Fence. New Metal Railings and Gates with associated Lighting, Central Steps, Belfast City Cemetery, Falls Road**

The Committee was advised that the applications were before it as the applicant was Belfast City Council.

The Senior Planning officer explained that the applications comprised the removal of an existing 3metre high palisade perimeter fence and to erect new metal railings and gates with associated lighting.

He explained that the new boundary railing would replace the existing palisade fence. The railings would be 2.7m, reduced to 2.3m high at the gates, which would be located at the top and bottom of the steps to enable access to the steps during cemetery opening hours.

He outlined that the Central Steps and Vault at Belfast City Cemetery (HB26/25/001D) were a Grade B1 listed building of special architectural or historic interest, as set out in Section 80 and protected under the Planning Act (NI) 2011.

The Members were advised that the proposal was deemed to comply with the SPPS and PPS 6. The proposed development was considered acceptable with no adverse impacts on the Listed Building. HED had been consulted and was content without conditions. No third-party objections were received from consultees or members of the public.

The Committee granted full permission and listed building consent, with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions.

Chairperson

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## Climate and City Resilience Committee

Thursday, 11th August, 2022

### MEETING OF THE CLIMATE AND CITY RESILIENCE COMMITTEE

#### HELD IN THE COUNCIL CHAMBER AND REMOТЕLY VIA MICROSOFT TEAMS

Members present: Councillor Walsh (Chairperson);  
Councillors Bower, de Faoite, Donnelly, Ferguson,  
Gormley, Haire, Maghie, McCabe, McCann,  
McKeown, McLaughlin, Murray, Newton, Smyth,  
Spratt and Thompson.

In attendance: Mr. J. Tully, Director of City and Organisational Strategy;  
Mrs. D. Caldwell, Climate Commissioner;  
Mr. R. McLernon, Climate Programme Manager - City;  
Mr. J. McKearney, Project Support Assistant;  
Mr. J. Hanna, Senior Democratic Services Officer; and  
Mrs. G. Boyd, Democratic Services Officer.

#### **Apologies**

An apology for an inability to attend was reported from Alderman Sandford.

#### **Minutes**

The minutes of the meeting of 9th June were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 4th July.

#### **Declarations of Interest**

No declarations of interest were noted

#### **UK Shared Prosperity Funding Investment Plan for NI**

The Chair of the Committee advised Members that the report on the UK shared prosperity funding investment plan for Northern Ireland had been withdrawn from the agenda and would be brought to a future meeting of the committee.

Noted.

#### **Dublin - Belfast Economic Corridor**

The Director of Economic Development advised Members that the purpose of the report was to provide Members of the Committee with a progress update on the Dublin-Belfast Economic Corridor (DBEC) and the work on a development plan, strategy and action plan to deliver on the partnership's objectives.

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 provide the Committee with a progress update on the Dublin-Belfast Economic Corridor (DBEC) and work on a development plan, strategy and action plan to deliver on the partnership’s objectives.**

**2.0 Recommendations**

**2.1 The Members of the Committee are asked to**

- **Note the contents of this report and progress to date to develop the Dublin-Belfast Economic Corridor.**

**3.0 Main report**

**3.1 At CG&R 12 January 2022 Members were provided with an update on progress to support the development of the Dublin-Belfast Economic Corridor including progress on the creation of a development plan and ongoing work on developing a strategy and action plan. Members noted the progress to date and endorsed the developmental plans of the partnership.**

**3.2 Since the last committee update the Development plan for the partnership has been completed. The strategy and action plan will be finalised in September 2022. Belfast City Council continues to act as lead partner on contract management alongside a project steering group made up of partnership representatives. The work to date has made a number of recommendations to support the ongoing development of the partnership including:**

- **A phased development timeline up to 2030. In the short term from 2022-2024 priorities include set up of initial partnership personnel, consideration of legal structures, and identification of funding options.**
- **DBEC should remain an informal partnership model in the short term, together with an MOU, with a view to exploring independent legal status for the partnership in the future. This will be funded initially through council contributions.**
- **DBEC should be established with a bottom-up governance structure, largely based on the current existing structure. This includes a board of 12 growing to 16 in the long term to include private sector representatives.**

- The partnership should be housed at a single location with staff and resources to lead and manage delivery of the partnership aims.
  - Key areas of focus should include Research and Development, Trade and Investment, Skills and Infrastructure and Connectivity.
- 3.3 Stage 2 includes the development of a strategy for the partnership. The strategy aims to articulate a vision for the partnership to enable sustainable economic growth across the region. This part of the project will undertake a review of the economic context and key emerging work areas at a local and regional level and their potential to impact the region, and assess the strengths, weaknesses, opportunities and threats to achieving sustainable economic growth across the region. This will provide an evidence base for action, identifying areas of focus for the partnership to address future opportunities and address any gaps in existing provision.
- 3.4 Stage 3 includes the development of an action plan. This aims to build on the foundations of the development plan and strategy. This piece of work will prioritise key areas of work for the partnership aligned with the key thematic areas to 2030. The action plan aims to clearly define the role of DBEC and other partners in delivering key actions and will identify new areas for collaboration, it will also identify potential opportunities to access funding and resources to deliver on the objectives of the partnership.
- 3.5 All stages of this work have been informed by extensive stakeholder engagement including workshops with DBEC partners and one to one meetings with stakeholders and strategic partners.
- 3.6 It is expected that the final draft of the development plan, strategy and action plan will be presented to the members of the political advisory group for consultation and feedback. The meeting will take place at the end of September, date to be confirmed.
- 3.7 Based on the recommendations of the development plan it has been agreed that a dedicated resource is put in place to support the delivery of the strategy and action plan for the partnership. This resource will include two dedicated positions which will be located in Newry and Mourne District Council as they are currently hold the chairing role, the positions will be responsible to the partnership. It is intended that the recruitment process will commence in August with the staff being in place by November.

- 3.8** In tandem with work on the development plan, strategy and action plan officials from partner councils have continued to identify collaborative opportunities, in addition to engaging with external stakeholders to further the aims of the partnership. Belfast City Council officials have met with representatives of Special EU Programmes Body, Intertradelreland, the Irish Government's Shared Island Unit, in addition to a range of business representative organisations to identify joint interventions and potential opportunities to access funding.
- 3.9** In June 2022, the partnership applied to the Irish Government's Shared Island Local Government Development Fund for funding to conduct a feasibility study on regional innovation centres. This funding is aimed at supporting cross-border local authority partnerships develop proposals for joint capital projects.
- 3.10** Belfast City Council have also partnered with Dublin City Council and Cork County Council to make applications for grants under this fund. The application with Dublin City Council is in relation to the circular economy and with Cork on Harbour facilities. These applications are being evaluated and allocations are expected to be announced in August.
- 3.11** The Peace Plus programme has also been identified as a potential source of funding relevant to the Dublin-Belfast Economic Corridor. In particular Theme 2, Delivering Economic Regeneration and Transformation and Theme 6, Building and Embedding Partnership. Funding calls under these thematic areas are expected to open in the Autumn.
- 3.12** The DBEC partnership are currently scoping out potential collaborative initiatives that would align with these thematic areas under Peace Plus, in preparation for funding calls.
- 3.12** Members will be updated with further progress on the strategy and action plan at a later date.

**Financial and Resource Implications**

- 3.13** The activities outlined within this report will be resourced from the 2022/23 Enterprise and Business Growth budget. Applications for grants under the Shared Island Fund do not require a matching financial contribution from council's, however, in-kind staff time will be required.

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

- 3.14 The unit is currently undertaking a process of equality screening on the overall work programme, this will ensure consideration is given to equality and good relation impacts throughout the delivery of this project.”

After discussion the Members noted the contents of the report.

**Presentation from KPMG to update Members  
On BCC's Climate Change Risk Assessment**

The Climate Commissioner for Belfast introduced Barry O'Dwyer of KPMG to the Committee. Mr. O'Dwyer advised Members that KPMG had been working with Belfast City Council (BCC) on three individual but integrated projects which aimed to develop a robust and costed Climate Action Plan for Belfast City Council. These were a Climate Risk Assessment (June –August 2022), a Climate Action Plan (August–October 2022) and a Climate Investment Framework (October–November 2022).

He informed Members of Northern Ireland's and Belfast's Changing Climate and highlighted the impact these would have for Belfast City Council, including damage to BCC infrastructure and assets, disruption and closure of services disruption of business-critical infrastructure, safety risk for staff and public, and financial loss and reputational risk.

These changes were projected to continue and intensify, with a greater chance of hotter drier summers and warmer wetter winters with more extreme weather and rising sea levels.

The project was structured around 5 individual but interconnected work packages. Mr. O'Dwyer went on to highlight the aims and objectives of the risk assessment and highlighted also that the Climate Change Risk assessment has a specific focus on BCC assets, infrastructure and people and that assets and infrastructure had been grouped into a number of categories. He went on to look at the current and future risk profile and outlined the next steps for the work packages and the timelines for each work package.

After discussion, the Members noted the contents of the presentation.

Chairperson

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## Standards and Business Committee

Tuesday, 23rd August, 2022

### MEETING OF THE STANDARDS AND BUSINESS COMMITTEE

#### HELD IN THE COUNCIL CHAMBER AND REMOTELY VIA MICROSOFT TEAMS

Members present: Councillor Hanvey (Chairperson);  
Councillors Canavan, Corr, Douglas, Duffy, de Faoite,  
Ferguson, Flynn, Gormley, T. Kelly, Kyle, Long, Lyons,  
McAteer, McCabe, McCullough, Pankhurst and Verner.

In attendance: Ms. N. Largey, Interim City Solicitor;  
Mr. J. Hanna, Senior Democratic Services Officer; and  
Ms. C. Donnelly, Democratic Services Officer.

#### **Apologies**

No apologies for inability to attend were reported.

#### **Minutes**

The minutes of the meeting of 28th June were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council, at its meeting on 4th July, subject to the omission of those matters which had been delegated to the Committee.

#### **Declarations of Interest**

No Declarations of Interest were recorded.

#### **Motions**

The Committee considered a report in relation to Notices of Motion which had been received for consideration by the Council at its meeting on 1st September.

The Committee considered each motion in turn and agreed the following:

#### **Devolution of Local Transport Powers**

That the motion in relation to Devolution of Local Transport Powers be referred to the Council for debate, with no restrictions on the number of speakers.

#### **Drink Spike Testing Kits in Licensed Premises**

That the motion in relation to Drink Spike Testing Kits in Licensed Premises be referred, in the first instance, to the Licensing Committee.

**Standards and Business Committee,  
Tuesday, 23rd August, 2022**

**GLL and Trade Unions**

Moved by Councillor Ferguson,  
Seconded by Councillor Flynn,

That the motion in relation to GLL and Trade Unions be referred to the Council for debate, with no restrictions on the number of speakers.

**Amendment**

Moved by Councillor Pankhurst,  
Seconded by Councillor T. Kelly,

That the proposal standing in the name of Councillor Ferguson be amended to provide that the Committee agrees to adopt the motion.

On a vote, eleven Members voted for the amendment and seven against and it was declared carried.

The amendment was put as the substantive motion and agreed.

A copy of the motion is set out hereunder:

**Moved by Councillor Ferguson,  
Seconded by Councillor Michael Collins,**

**“This Council recognises the importance of collective bargaining in the workplace and the central role of trade unions to this process, as representative voices for workers. Moreover, in a period where very many workers are opting to take industrial action, the Council recognises the right of workers to do so, and the role it can play in winning much needed pay increases during a cost-of-living crisis and while inflation continues to rise.**

**The Council notes that there are ongoing issues in Council leisure centres across our city, which workers and their trade unions have been attempting to resolve. The Council also notes, with disappointment, that GLL do not officially recognise trade unions in Council leisure facilities, denying workers the ability to collectively bargain effectively.**

**This Council agrees that GLL should officially recognise trade unions in Belfast City Council leisure centres and will write to the leadership of the organisation to urge them to do so.**

**The Chief Executive of the Council will also convene a meeting with the relevant trade unions to hear directly about the issues facing workers in our leisure centres and commit to address them with GLL.”**

**Commonwealth Games success and  
female sporting needs in the City**

The Committee agreed that the motion in relation to Commonwealth Games success and female sporting needs in the city be considered in two parts, and that the first part, undernoted, be referred to the Council for debate, with no restrictions on the number of speakers:

**Moved by Councillor Maskey,  
Seconded by Councillor McCabe,**

**“This Council recognises the special achievements of Team Northern Ireland at the Commonwealth Games and the recent success with the Northern Ireland Women’s Soccer team reaching the European Championships.**

**We resolve that the Belfast Mayor invites both teams to the City Hall to give them proper civic recognition for their successes”;** and

That, the second part of the motion, undernoted, be referred, in the first instance, to the People and Communities Committee:

**“This Council also notes with concern a lack of capacity for female sports across the City and resolves to work in partnership with the Department of Communities, Sport NI, the Irish Football Association and any other relevant body to do an immediate and focussed audit of female sporting needs across the City in an attempt to have as early data as possible in terms of what is required to meet capacity for female sports across all sporting disciplines.”**

**Suspension of Government Debt Recovery for  
those in receipt of Benefits and Universal Credit**

The Committee agreed that the motion in relation to Suspension of Government Debt Recovery for those in receipt of Benefits and Universal Credit be adopted:

**Moved by Councillor Matt Collins,  
Seconded by Councillor Ferguson,**

**"This Council notes new research carried out by the Joseph Rowntree Foundation documenting the alarming cost of living impact due to benefit deductions and debt recovery.**

**Many in receipt of means tested benefits and on Universal Credit, including many in work, are in bill payment arrears; taking on unaffordable debt; are going without household essentials; and are unable to properly heat their homes or feed their families. With inflation continuing to rise and the hardship emergency predicted to become more extreme as we face into the winter months the situation for many is set to worsen in the absence of immediate intervention.**

**Standards and Business Committee,  
Tuesday, 23rd August, 2022**

**Benefit reductions to repay government and utility providers at unaffordable rates are compounding the hardship crisis faced by many of those struggling the most. Government departments are in some cases claiming back debts at higher rates than private creditors. Many people are unaware that they can receive debt reduction help.**

**This Council will write to the Department of Communities' Minister requesting the immediate suspension of government debt recovery for those in receipt of benefits and universal credit.**

**The Council also requests that the Department of Communities provide information on how many benefit and universal credit claims were subject to deductions in the most recent month for which data is available, broken down by Council area; how much on average was deducted in each Council area; what the total sum was of deductions in each Council area; and what proportion of each of those sums was deducted to repay advance payments."**

**Support for Striking Communication Workers Union**

Moved by Councillor Pankhurst,  
Seconded by Councillor T. Kelly,

That the motion in relation to Support for Striking Communication Workers Union be adopted.

**Amendment**

Moved by Councillor Ferguson,  
Seconded by Councillor Flynn,

That the proposal standing in the name of Councillor Pankhurst be amended to provide that the Committee agrees that the motion, in relation to Support for Striking Communication Workers Union, be referred to the Council for debate, with no restrictions on the number of speakers.

On a vote, eight Members voted for the amendment and ten against and it was declared lost.

The proposal standing in the name of Councillor Pankhurst was put as the substantive motion and agreed.

A copy of the motion is set out hereunder:

**Moved by Councillor Michael Collins,  
Seconded by Councillor Ferguson,**

**"This Council supports the decision by communication workers to engage in strike action to lift pay.**

**Standards and Business Committee,  
Tuesday, 23rd August, 2022**

**August will see significant strike action by workers in the Communication Workers Union, including staff from Royal Mail, BT and Openreach in a bid to improve staff wages.**

**As the cost-of-living spirals out of control, workers deserve a substantial pay increase to help offset rapidly escalating bills. These strikes are considered a last recourse for workers, in a context where the political institutions have utterly failed to address the issue of poverty wages, and shareholder profits have been prioritised over pay rises for workers in line with inflation.**

**Recent studies show that over half the population here now live in fuel poverty. Lifting wages would be a welcome step toward addressing fuel poverty, inequality, and improving the livelihood of those struggling to cope with rising costs.**

**Belfast City Council supports these communication workers in their demands for an above inflation pay offer. Council resolves to write to senior management of Royal Mail, BT and Openreach encouraging them to present a fair, above inflation pay offer to workers.**

**The Council also resolves to host an all-party meeting of Councillors, officers and representatives from CWU engaging in strike action, to explore ways in which Council can support their demands for a fair pay increase.”**

**Herbicide Reduction Policy**

The Committee agreed that the motion in relation to Herbicide Reduction Policy be referred, in the first instance, to the People and Communities Committee.

Chairperson

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## **Devolution of Local Transport Powers**

“This Council notes our ambitions as laid out in the Belfast Agenda, Bolder Vision and Resilience Strategy for a sustainable, well connected, vibrant and carbon neutral Belfast. We acknowledge that our ability to achieve these ambitions has been severely hampered by our reliance on Government Departments and Statutory Agencies who do not always share our vision or who lack the agility to deliver at the speed required.

This Council has already called for the devolution of regeneration powers to help meet the ambitions of this Council. We believe that the further devolution of local transport and infrastructure powers are also necessary if we are to bring the Belfast Agenda to fruition.

As such, we will initiate dialogue with the Department for Infrastructure, Department for Communities and the Northern Ireland Local Government Association to commence the process of devolving these key powers.”

Proposer: Councillor O'Hara

Seconder: Councillor Groogan

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**“Commonwealth Games success”.**

“This Council recognises the special achievements of Team Northern Ireland at the Commonwealth Games and the recent success with the Northern Ireland Women’s Soccer team reaching the European Championships.

We resolve that the Belfast Mayor invites both teams to the City Hall to give them proper civic recognition for their successes.

Proposer: Councillor Maskey

Seconder: Councillor McCabe

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