

# Health and Environmental Services Committee

Monday, 12th April, 2010

## MEETING OF HEALTH AND ENVIRONMENTAL SERVICES COMMITTEE

Members present: Councillor McCarthy (Chairman); and  
Councillors Austin, W. Browne, Campbell, Cunningham,  
Hendron, Humphrey, Jones, B. Kelly, Kirkpatrick,  
McKenzie, O'Neill and Rodway.

In attendance: Mr. W. Francey, Director of Health and  
Environmental Services;  
Mr. T. Martin, Head of Building Control;  
Mr. S. Skimin, Head of Cleansing Services;  
Mr. T. Walker, Head of Waste Management;  
Mrs. S. Wylie, Head of Environmental Health;  
Mr. M. McBride, Business Support Manager; and  
Mr. H. Downey, Committee Administrator.

### Apologies

Apologies for inability to attend were reported from Councillors Adamson, Cush, Kyle and Mallon.

### Minutes

The minutes of the meeting of 3rd March were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st April.

### Directorate

#### Change of Date of May Meeting

The Director of Health and Environmental Services informed the Committee that a recruitment exercise to appoint his successor had been initiated and was due to be completed on 30th April. He pointed out that, as the next monthly meeting of the Health and Environmental Services Committee was scheduled to be held on Wednesday, 5th May, it would be beneficial if it were to take place later in the month in order to afford the new Director, if appointed, time to consider and approve reports prior to their circulation.

Accordingly, the Committee agreed that its next monthly meeting be held at 4.30 p.m. on Monday, 10th May.

### **Media Coverage**

The Committee considered a report which outlined the amount of media coverage and the extent of press enquiries received concerning the work of the Committee during the period from 1st October, 2009 till 28th February, 2010. The Director of Health and Environmental Services highlighted the significant amount of positive coverage which had been generated in respect of the Council's ongoing anti-litter and recycling activities. The Christmas Get Home Safe Campaign, which had also attracted favourable coverage, had provided the Council with an opportunity to publicise the work being undertaken in the area of community safety, particularly in relation to the provision of training for staff employed in bars and off licences to address the sale of alcohol to underage persons and binge drinking. Other successful initiatives which had been undertaken during the period had included an awareness campaign to raise health and safety concerns regarding illegal tattooists and the launch of the Young People's Awards. The Council's various enforcement activities in relation to food safety, the illegal sale of tobacco, on-street drinking, littering and the control of dogs, had been highlighted also.

Noted.

### **Appointment of Head of Environmental Health**

(At this point in the meeting, all officers present, with the exception of the Director of Health and Environmental Services and the Committee Administrator, left the room whilst this item was discussed.)

The Director of Health and Environmental Services reminded the Committee that, at its meeting on 3rd March, it had been advised of the need to undertake a recruitment exercise to fill the post of Head of Environmental Health. The post had become vacant following the recent appointment of Mr. Andrew Hassard as Director of Parks and Leisure and had been filled on a secondment basis since February, 2007.

He reported that the process had now been concluded and the selection panel had recommended that Mrs. Suzanne Wylie be appointed to the post of Head of Environmental Health, with effect from 12th April.

The Committee noted the information which had been provided and congratulated Mrs. Wylie on her appointment.

### **Waste Management**

#### **Consultation Document – Draft Guidance on the Legal Definition of Waste**

The Committee considered the undernoted report:

### **“Relevant Background Information**

The Northern Ireland Environment Agency (NIEA) has issued a consultation paper seeking views on new draft guidance produced to define more clearly what is and is not waste. The full consultation paper is available on-line at <http://www.ni-environment.gov.uk>. It is intended that the draft guidance will replace definitions originally contained within the Department of the Environment Northern Ireland (DOE) circular 11/94 and will identify principles arising from European Court of Justice (ECJ) case law which has now been established, the considerations which have to be taken into account and the criteria to be satisfied when deciding if a material is or is not waste.

It is important to note that this draft guidance is not changing the legal definition of waste or superceding any case law. Rather, it is to provide guidance on the current case law on the topic at the time of publishing.

This consultation closes for comments on 12th April and final guidance will be updated, as necessary, once published.

### **Key Issues**

The newly published draft guidance covers the following areas:

#### *I. A practical guide for businesses and other organisations.*

**Key issues:** This part of the guidance outlines the initial basic decision-making process and addresses a series of related issues in a relatively easy to understand format. It appears to adequately cover the wide range of aspects that require consideration and as such is helpful.

#### *II. Background and rationale.*

**Key issues:** This part contains reference to the Waste Strategy for England 2007 and the National Waste Strategy for Wales 2002, but does not make any reference to the Northern Ireland Strategy.

*One of the objectives contained in Strand 5 of the NI Strategy, entitled ‘Towards Resource Management’, is to make ‘producers of waste and waste management business aware of their legal responsibilities by providing them with timely, user friendly guidance and information to facilitate.’*

In the interests of completeness and equity, it is recommended that appropriate reference should be made to the Northern Ireland Strategy to ensure consistency with the other administrations. There is a need to regularly review and update the guidance to ensure it reflects the prevailing position and this commitment is duly recognised in this section. It will be important to realise this commitment.

*III. Detailed guidance on the legal definition of waste and its application.*

**Key issues:** This part of the draft guidance is comprehensive and covers the wide range of issues which could influence decision-making regarding waste.

arc21 and the constituent councils are in agreement with the proposals presented by the NIEA, and the explanations of the types of waste controlled under the EC Waste Framework Directive (WFD) and other legislation.

Furthermore, arc21 and the constituent councils welcome that, as well as dealing with the core subject, the draft guidance also takes the opportunity to address the perception of waste emphasising the continuing need to promote it as a resource.

The arc21 response to the draft guidance is attached for Members' consideration.

**Resource Implications**

**Financial**

None.

**Recommendation**

The Committee is asked to endorse the attached arc21 response, subject to ratification by full Council at its meeting on 4th May.

**Arc21 Response to the Northern Ireland Environment Agency  
Consultation Document on the Legal Definition  
of Waste and its Application**

**Introduction**

arc21 is a collaborative legal public sector entity embracing eleven Councils located along the Eastern Region of Northern Ireland which covers 25% of the land base, populated by 57% of the national population and accounts for 54% of the national municipal waste arisings.

The establishment of arc21 together with its functionality is enshrined in legislation with the original provision being The Local Government (Constituting a Joint Committee a Body Corporate) Order (NI) 2004.

In essence, it is primarily responsible for activities associated with the production, ongoing development and implementation of a Waste Management Plan within the Eastern Region Area.

The eleven constituent Councils of arc21 are Antrim Borough Council, Ards Borough Council, Ballymena Borough Council, Belfast City Council, Castlereagh Borough Council, Carrickfergus Borough Council, Down District Council, Larne Borough Council, Lisburn City Council, Newtownabbey Borough Council and North Down Borough Council.

### Background

In the majority of cases, taking a decision on whether or not something is waste is straightforward. However in some cases it is more difficult and the aim of the draft guidance is to help ensure that the right decision is taken in these more difficult cases.

It is intended that the draft guidance will supersede that originally provided in DoE circular 11/94 and will identify the principles deriving from the European Court of Justice case law that has now been established, the considerations that have to be taken into account and the criteria that needs to be satisfied when deciding that a substance or object is or is not waste.

The draft guidance does not change the legal definition of waste and it does not take precedence over the case law on the definition's interpretation.

The draft guidance is split into three distinct parts:

- Part One – A Practical Guide for Businesses & Other Organisations.
- Part Two – Background & Rationale.
- Part Three – Detailed Guidance on the Legal Definition of Waste & Its Application.

### Response

arc21 welcomes the opportunity to respond to the consultation and would comment as follows:

***Part One – A Practical Guide for Businesses & Other Organisations.***

- Q1 – Do you consider that the practical guide provided in this part of the draft guidance accurately summarises the wide range of factors that need to be taken into account in determining when substances or objects are discarded and become waste; and when waste ceases to be waste? If not, what factors do you consider should be set out in this summary – replying by reference either to the detailed guidance in part 3 or your answers to questions 5- 13?***
- Q2 – Do you consider that the practical guide is helpful? If not, what do you suggest should be included to make it helpful?***
- Q3 – Do you consider it helpful to set out the practical guide in textual and/or diagrammatic formats?***

***Answer - This particular part of the guidance outlines the initial basic decision-making process and addresses a series of related issues in a relatively easy to understand format. It appears to adequately cover the wide range of aspects that require consideration and as such is helpful.***

***The use of both textual and diagrammatic formats is particular helpful and arc21 would suggest that reverting back to either one to the exclusion of the other would be a retrograde step.***

***It is important that the two formats consistently reflect each other with no scope for differences in the conclusion. An example where there is a slight difference can be found in question 3, which asks ‘Does the substance/object need to be disposed of?’***

***In the diagram if the answer is yes the conclusion is ‘likely to be waste’. However in the text the conclusion is ‘it is waste’ which is more definitive than the diagrammatic conclusion.***

***Part Two – Background & Rationale.***

- Q4 - Do you consider that this part of the draft guidance fully explains the background to and the rationale for the guidance. If not, what further explanation do you think should be provided?***

***Answer - It is suggested that the guidance document would benefit from this part being at the start of the document and therefore becoming Part One with the current Part One (A Practical Guide for Businesses & Other Organisations) becoming Part Two. This would allow the guidance to follow a more logical flow and would help readers in its application.***

This part contains reference to the Waste Strategy for England 2007 and the National Waste Strategy for Wales 2002 but does not make any reference to the Northern Ireland Strategy entitled 'Towards Resource Management'. One of the objectives contained in the Strand 5 of the NI Strategy is to make 'producers of waste and waste management business aware of their legal responsibilities by providing them with timely, user friendly guidance and information to facilitate.'

It is suggested in the interests of completeness and equity; appropriate reference should be made to the Northern Ireland Strategy consistent with that of the other administrations.

The need to ensure the guidance is regularly reviewed and updated to ensure it reflects the prevailing position is important and this commitment is duly recognised in this section. It will be important to realise this commitment.

*Part Three – Detailed Guidance on the Legal Definition of Waste & Its Application.*

- Q5 - Do you agree with the proposed answer to the question 'Why Regulate Waste?' If not, what is the answer to this question and what are your reasons?**
- Q6 - Do you agree with the proposed explanation of the types of waste controlled under (a) the WFD or (b) 'other legislation' (i.e. the distinction between waste and Directive waste). If not, what issues do you consider need to be addressed to ensure the explanation is full and accurate?**
- Q7 - Do you consider that there are any issues that should be addressed in this section of the revised guidance?**
- Q8 - Do you consider that this section of the draft guidance fully and accurately identifies the principles established by the ECJ in its case law on the interpretation of the definition of waste?**
- Q9 - Do you consider that this section fully and accurately identifies the factors that need to be taken into account, and the criteria that needs to be satisfied, when deciding whether or not a substance or object is discarded?**

- Q10 - Do you consider that this section of the draft guidance (a) accurately analyses the concepts of (i) products, (ii) residues and (iii) by-products; and (b) accurately identifies and explains the principles set by the EJC to distinguish between (i) production residues classified as waste and (ii) production residues classified as non-waste by-products?**
- Q11 – Do you consider that this section of the draft guidance fully and accurately identifies the principles established by the ECJ and national courts to determine that the objectives of the WFD and other EU waste legislation have been achieved and, as a consequence, substances or objects cease to be waste?**
- Q12 - Do you consider that the draft guidance fulfils the Davidson Recommendation?**
- Q13 - Are there any issues or factors other than those dealt with in the guidance that you think the guidance should cover?**

This part of the guidance document is comprehensive and covers the wide range of issues that could influence a decision. arc21 agree with the proposed answer to the question ‘*Why regulate waste?*’ and the proposed explanation of the types of waste controlled under the WFD and other legislation.

The contents do not appear to have omitted any issue that would require to be addressed. It is particularly encouraging that the guidance as well as dealing with the core subject matter also takes the opportunity to attempt to address the perception of waste being a stigma emphasising the continuing need to promote it as a resource.

This part deals with a very complex matter in a rational and logical way stepping through the four specific sections: Background, General Principles of ECJ Case Law, By-Products and End –of-Waste.

Consequently, arc21 considers that the contents of the draft guidance are sufficient in regards to questions 8-11.

In regards to fulfilling the Davidson Recommendation, the use of examples is particularly helpful and perhaps could be enhanced through augmenting each textual explanation with a diagram outlining the various steps in the decision making process that resulted in the conclusion reached in the quoted examples.



**Finally, one scenario which may be worthy of consideration for inclusion in the document is that relating to the on-site use of materials originating from that site during construction without the material going beyond the boundaries of the site (e.g. soil from excavation on one part of the site used in reconfiguration of another area within the site)."**

The Committee endorsed arc21's response to the consultation document.

### **QUESTOR Industrial Advisory Board**

The Committee was advised that the Waste Management and the Economic Initiatives Services had, over a number of years, been working together to identify ways in which to improve opportunities for business growth and sustainability. A number of schemes had been undertaken jointly, including the Business Improvement Through Environmental Solutions (BITES) initiative and the joint representation of both Services on the Board of the QUESTOR business enterprise programme which was facilitated by Queen's University.

The Head of Waste Management explained that, as part of the Council's environmental industries action plan which had been developed in 2007, it had become a member of the QUESTOR Centre on a two-year introductory basis. He explained that the Centre undertook a multi-disciplinary environmental research programme on behalf of industries, government agencies and local Councils. Each participant, including the Council, was represented on the Centre's Industrial Advisory Board which was responsible for making decisions in relation to the research projects to be funded. He informed the Members that the organisation's Director had invited the Chairman and the Deputy Chairman of the Health and Environmental Services and the Development Committees to visit the Centre, on a date to be arranged, in order to review the facilities provided therein and to attend a dinner being hosted by the Industrial Advisory Board which was taking place on 11th May.

The Committee agreed that the Chairman and the Deputy Chairman undertake a visit to the QUESTOR Centre and attend the Industrial Advisory Board Dinner.

### **Update on Waste Framework Directive**

The Committee considered the undernoted report:

#### **"Relevant Background Information**

**Members will be aware that, at the Committee's meeting on 2nd December, a report proposing a response to a Department of Environment (the DOE) consultation paper on the revised EC Waste Framework Directive (WFD) was presented.**

**At this meeting, it was highlighted that this was the first of two such consultations and was being undertaken to help the DOE decide on policies which would enable Northern Ireland to meet, in particular, the new provisions of the WFD. The first consultation**

exercise focused purely on the policy proposals necessary to comply with the WFD and Member States are required to bring into force by 12 December, 2010 all laws, regulations and administrative provisions necessary to comply with the WFD.

The revised WFD's objective is to establish measures '*To protect the environment and human health by preventing or reducing the adverse impacts of the generation and management of waste and by reducing overall impacts of resource use improving the efficiency of such use.*' The recent revision of the WFD focuses on policy proposals covering issues such as:

- the waste hierarchy;
- producer responsibility;
- separate collection of waste;
- household recycling targets; and
- waste prevention.

This places a greater emphasis on the second stage of the consultation process which will focus on additional measures to transpose the content of the WFD. It is probable that the issue of landfill bans will be raised in this stage. It is worth noting that, presently, a consultation paper on the introduction of restrictions on the landfilling of certain wastes has been issued in England and Wales, which includes the prospect of banning the landfilling of certain wastes in future. This consultation process closes in mid-June.

### Key Issues

In the report which was presented to the Committee on 2nd December, it was highlighted that, whilst it was too early to quantify the implications of implementation of transposing legislation, it was likely that there would be significant financial and other implications for the Council.

Since this report, arc21 has been working diligently to determine what the impact of the revised WFD is likely to mean for its constituent councils. The current arc21 procurement process was initiated to meet the requirements of the earlier EC Landfill Directive (LFD) and, against this background, arc21 has been paying close attention to the need within the WFD for every council to achieve 50% recycling by 2020. It has produced a Waste Flow Model which considers what levels of recycling the region needs to achieve to meet this target as well as identifying what level each of the constituent councils has to achieve.

Following discussions between arc21 and the Council regarding the Waste Data Flow spreadsheet for Belfast, it is apparent that the Council will need to take additional steps to secure further waste for recycling from its municipal waste streams. This will mean that wastes which were previously scheduled for treatment and disposal in the facilities being procured to meet the LFD targets will have to be recycled instead.

The Council is affected comparatively more so than other constituent councils within arc21 due to our lower recycling rate. Over the next couple of years, the Council will need to find new ways to engage more closely with the public to effect greater levels of behaviour and attitude changes and issue new contracts to target particular elements of the municipal waste stream specifically for recycling purposes.

By way of example of the types of initiatives which we may need to adopt, Members will be aware that there are over 9,000 households on the black box recycling service which are currently on pilot kitchen waste collection schemes. The Waste Management Service is reviewing the performance of these schemes but the requirements of the WFD adds further weight to the case for this service to be extended across the inner city.

The Council will continue to work closely with arc21 to determine the next steps which the Council will need to take to fulfil the requirements of the WFD and when and, with this in mind, a report will be submitted to the Committee in the near future advising of the outcome of the review of the pilot food kitchen waste collection schemes.

#### **Resource Implications**

There will be significant financial and other resource implications arising from the implementation of the WFD both in terms of letting and managing contracts.

However, it is too early at this stage to gauge what these costs would be.

#### **Recommendation**

**It is recommended that Members note the report.”**

The Committee adopted the recommendation.

### **Waste Week 2010**

The Committee was advised that the Waste Management Service had, since 2003, organised in the first week in June a programme of events in order to raise awareness of all issues surrounding the management of waste. The Head of Waste Management explained that the event, which was known as "Waste Week", had been undertaken in partnership with other Departments within the Council with a view to ensuring that the waste reduction and recycling message could be delivered to as wide and varied an audience as possible. He provided an overview of this year's event, which would include the hosting in four parks within the City of educational fun days for schools, the holding in the Council's staff car park in Ormeau Avenue of a car boot sale, the opening for one day of a reused/recycled household shop in Victoria Square and a green "meet-the-buyer" seminar. It was anticipated that the event would provide also an opportunity for the Waste Management Service to launch the next phase of its waste communications campaign.

The Head of Waste Management pointed out that the focus of Waste Week and of European Week of Waste Reduction, which was held each November, was increasingly to raise understanding amongst householders of the benefits of diverting as much waste as possible from landfill. He added that the total cost associated with Waste Week would not exceed £15,000 and that that amount had been included within the Waste Management Service's budget.

The Committee noted the information which had been provided.

### **Awards for Excellence in Recycling and Waste Management**

The Head of Waste Management informed the Committee that letsrecycle.com was an on-line organisation which promoted the message of recycling, re-use of materials and waste minimisation within the waste industry. The organisation had, for several years, organised an annual awards scheme in order to recognise businesses, local authorities and community groups which achieved excellence in recycling and waste management. He provided details in respect of each of the nine categories of award and pointed out that the Council had been notified recently that the Ormeau Recycling Centre had been shortlisted in the category relating to "Civic Amenity Site of the Year". The Centre had been selected for submission by the Council as it was the newest facility of its kind within the City and was considered to best meet letsrecycle.com's awards criteria.

He reported that the awards ceremony would be held in London on 5th May and that, since one of its facilities had been nominated for an award, the Council had been offered two free places at the event. He pointed out that there would be no fees for attendance but that the cost per delegate for travel and subsistence would be in the region of £150.

The Committee agreed that it be represented at the Awards for Excellence in Recycling and Waste Management by the Chairman and the Head of Waste Management (or their nominees).

### **Building Control**

#### **Application for the Erection of a Dual-Language Street Sign**

The Head of Building Control reported that the undernoted application to erect an additional street nameplate in a language other than English had been received by the Council:

<b><u>Street Name</u></b>	<b><u>Proposed Second Street Name</u></b>	<b><u>Language</u></b>
Broadway	An Bealach Leathan	Irish

He explained that the portion of Broadway to which the application related stretched from the Falls Road to the Westlink Junction but did not include that part leading from the Westlink Junction to Donegall Avenue. He pointed out that the Council's policy on dual-language street signs stated that consideration would be given to long streets where majority opinion on whether to erect a street sign in a second language may differ between readily identifiable, substantial lengths of the street. In such circumstances, consideration would be given to erecting dual-language nameplates in those substantial portions of the street where the required majority of occupiers had expressed such a wish. He confirmed that, in accordance with Council policy, a survey of that portion of Broadway had been conducted which had determined that in excess of 66.6% of the residents therein had been in favour of the additional nameplate. Accordingly he recommended that its erection be authorised.

The Committee adopted the recommendation.

#### **Naming of Streets**

The Committee approved the undernoted applications for the naming of streets in the City which did not conflict with existing approved street names and to which the Royal Mail had offered no objections:

<b><u>Proposed Name</u></b>	<b><u>Location</u></b>	<b><u>Applicant</u></b>
Highgrove Meadows	Off Ballygomartin Road BT13	Lissue Developments Limited
Ladas Park	Off Ladas Way BT6	John Williamson Architects

### **Environmental Health**

#### **National Community Safety Network Annual Conference**

The Head of Environmental Health informed the Committee that the above-mentioned Conference would be held from 15th till 17th June in the Belfast Waterfront Hall. She reported that the theme of this year's event was "Community Safety in Changing Times" and that it would consider key issues such as anti-social behaviour, community cohesion and engagement, domestic abuse, race and diversity and violent crime. The event would provide also an opportunity for Community Safety Partnerships, Local Authorities and Police Services to share examples of best practice.

She informed the Members that the cost per delegate of attending the Conference would be in the region of £480 and pointed out that there was sufficient funding available within the Environmental Health Service's budget to enable, in addition to the Chairman and the Deputy Chairman, an extra two Members to attend, should the Committee be agreeable.

The Committee agreed that the Chairman and the Deputy Chairman, together with an additional two Members, be authorised to attend the National Community Safety Network Annual Conference.

**Consultation Document –**  
**Draft Clean Neighbourhoods and Environment Bill**

The Committee considered the undernoted report:

**“RELEVANT BACKGROUND INFORMATION**

The Department of the Environment's Clean Neighbourhoods Team, wrote to consultees, including District Councils, on 1st March 2010 inviting their views on proposals for a Clean Neighbourhoods and Environment Bill (CNE), as set out in the published consultation paper. The closing date for the consultation is 23rd April.

The Council has long awaited the publication of this Bill and had originally hoped it would be brought into statute in 2006. The Council previously submitted a response to an informal consultation and also supported the Northern Ireland Local Government Association (NILGA) during April, 2008 to lobby for the legislation to be brought forward. At that time, NILGA looked to advance the key areas and asked for agreement among councils of the top 3 areas they wished to see enacted. The Council responded to that and whilst we highlighted 3 issues, Graffiti and Fly-posting, Noise Nuisance and Alleygating, its position was to request the Bill to be brought forward in its entirety.

The aim of the Clean Neighbourhoods and Environment Bill (Northern Ireland) is to give district councils a range of powers to help them to manage their local environments in an efficient and effective manner in line with the public's expectations. If legislated and implemented effectively, the new powers should lead to significant improvements in environmental conditions in local neighbourhoods and, consequently, in the quality of people's lives. In addition, clean, safe and green neighbourhoods should help to stimulate economic investment and tourism and attract people into the community to live, work and socialise. Businesses also have a role to play in supporting district councils to manage the local environment and the Department of the Environment is looking to business to show corporate social responsibility in helping to maintain the quality of the local environment.

The current set of powers, duties and guidance for providing and maintaining clean and safe public spaces/areas is not sufficiently comprehensive and is not working as effectively as it should. Tougher, clearer and more flexible powers should help district councils to deal with irresponsible individuals and specific nuisances.

The proposals contained in the Bill were developed following limited informal consultation with stakeholders but in the main they are based on experience and developments in England and Wales.

The consultation document highlights that the proposals will:

- Create revised powers to deal with nuisance alleyways;
- Deal more effectively with the problem of nuisance vehicles by allowing district councils to remove them immediately;
- Provide a range of new and extended powers to enable more effective control over the problems of litter, free distribution of printed materials and abandoned shopping trolleys;
- Provide a range of new and extended powers to enable more effective control over the problems of graffiti and fly-posting;
- Deregulate the dog byelaw system and create some new powers in respect of dog control;
- Provide more flexible powers for dealing with noisy neighbours, night-time noise from licensed premises and nuisance intruder alarms;
- Update the legislation on statutory nuisance; and
- Ensure greater flexibility at the local level for the use of fixed penalty notices.

The draft Bill is based on corresponding provisions in the Clean Neighbourhoods and Environment Act 2005 (England and Wales) in relation to vehicles; litter; fly-posting; graffiti; controls on dogs; noise; and various miscellaneous issues including fixed penalty receipts and statutory nuisances. The provisions concerning graffiti and other defacement and some aspects of the provisions concerning noise are also based on corresponding provisions in the Anti-social Behaviour Act 2003, as amended by the Clean Neighbourhoods and Environment Act.

## **KEY ISSUES**

### **Belfast City Council Position**

The Council is recommended to welcome the opportunity to respond to the draft Clean Neighbourhoods and Environment Bill. An internal corporate working group, including the following Departments and Services that will be impacted by the new Bill, have been consulted and provided input into the draft consultation response: Health & Environmental Services, (Environmental Health, Waste Management, Cleansing Services, Building Control), Parks & Leisure Department and Legal Services. Arc 21 has also given support to the draft consultation response.

Some key points raised in the response are outlined below, however, the detailed response is attached.

### **Fly-posting and Graffiti**

Improved tools to tackle litter and in particular fly posting and graffiti are something for which this Council has called for a number of years. The Council has attempted to take a very proactive, low tolerance approach to these issues, however its efforts have been hampered by legislative gaps. The Council currently spends approximately £90,000 annually to remove fly-posters. Consequently, although it is proposed that the Council be supportive of the majority of the proposals around these issues, it is also recommended that the following very significant concerns be expressed around the new provisions for fly-posting: i.e.

- The proposals limit the legal scope of councils in tackling fly-posting to dealing only with those who personally affix the posters and not those whose goods and services are advertised on the poster i.e. the beneficiaries of the advertisement. This will severely curtail the Council's efforts to control and eradicate fly-posting activities and will not have the desired significant impact on reducing the levels of fly-posting activity.

In view of the above comments, it is proposed that the Council urges the Department to review this section of the proposed CNE Bill to give Councils a comprehensive range of powers to deter fly-posting activities. If the current proposals remain unchanged, the opportunity to effectively curtail fly-posting will be lost and fly-posting will continue to have an adverse impact on the local character and appearance of neighbourhoods, particularly in urban environments.



- The proposed changes will mean that councils will only be able to remove or obliterate posters which are displayed after giving prior notice of not less than two days. The Council currently undertakes a very proactive role in the removal or obliteration of posters (approximately 2,500 per month) without notice. This has the effect of reducing the advertising value of fly posting, deterring some from investing further in this form of advertising. In addition, the requirement to serve Removal Notices in respect of this quantity of fly-posters will be onerous, costly, time consuming and in practical terms, impossible to administer. If this issue is not addressed in the Bill, it could adversely affect the visual appearance of a city like Belfast which has already taken a proactive approach.
- It is disappointing to note that in the event of non-compliance with a Removal Notice that councils have not been afforded powers to prosecute. The recovery of costs for the removal of the posters is not an appropriate substitute for powers of prosecution, which would act as a better deterrent and allow more robust control.

#### Dog Fouling

The Council is recommended to support the additional controls on dogs and dog fouling, in particular the proposal to introduce the power to make dog control orders. However, the following concern needs to be given consideration by the Department:

- The proposal to repeal Article 4 of the Litter (NI) Order 1994, which makes it an offence to permit a dog to foul in a public place and which has so far proved very effective. Consequently, the Council should express grave concerns about the potential impact of this proposal on the cleanliness of the city. It is appreciated that the proposed dog control orders can include provisions relating to dog fouling, however this will only apply to those areas that have been so designated. The Council would therefore very strongly recommend that Article 4 of the Litter Order be retained.

#### Litter

- Again the Council should welcome the additional powers. However it should also press to have the street litter powers extended to enable councils to deal effectively with litter, including cigarette butts, from pubs, clubs, restaurants and cafes.

### Noise Nuisance

The Council is recommended to welcome the additional powers to deal with noise nuisance. However it should also raise the following issues:

#### *Audible Alarms*

- The legislation should make reference to audible alarms in general and not restrict the ability to take action to intruder alarms. The Council should also ask the Department to reconsider the stipulations regarding notification of alarm notification areas, so that the process is manageable and not cost prohibitive.
- In addition, the Council should highlight that the requirement to obtain a warrant before forcing an entry to premises to silence alarms, especially at night, could restrict the effectiveness of the service in dealing with the problem as quickly as possible.

#### *Noise Act Powers*

- Belfast City Council is the only district council to date in Northern Ireland to adopt and enforce the Noise Act. The Council is of the strong view that the current level of funding from the Department (0.04 pence per head of population for those authorities who adopt the Noise Act) is grossly inadequate and the additional powers to be enacted under this legislation strengthen the case for a fundamental review of such funding. The current level of funding only supports 3% of the cost of the Council's Night Time Noise Service.

### Fixed Penalty and Resourcing

- The Council should emphasise that although Councils will be able to retain receipts from fixed penalties, this income will be minimal and will not compensate for the considerable extra resources which will be needed to deliver the increased level of services. Evidence from GB indicates that fixed penalties can be a useful deterrent but the numbers that tend to be served and costs recovered are extremely small compared to the cost of delivering the services.

The finances of local government in Northern Ireland are, like those of others in the public sector, increasingly constrained. Whilst the proposals are welcome, consideration should be given to financially compensating councils for the additional costs which will

be associated with the administration, investigations and enforcement activity. The Council should therefore seek clarity and immediate further consultation by the Department on the additional 'new burdens' funding required to properly effect the new regulatory powers and improve neighbourhoods in the way that is envisaged.

A detailed draft response to the proposed Bill is attached.

#### **RESOURCE IMPLICATIONS**

There are potentially significant resource implications for the Council as a result of the introduction of the Clean Neighbourhoods and Environment Bill. This issue has been raised in the attached draft response.

The Department of the Environment needs to engage with councils immediately on the potential for funding to support the application of the new powers.

#### **RECOMMENDATION**

It is recommended that the Committee approves the draft response.

**Pages 1009 – 1044 can be viewed on  
Modern.gov in Appendix 2 of Item 5b**

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**Health and Environmental Services Committee,**  
**Monday, 12th April, 2010**



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During discussion, Members expressed concern that the consultation document did not appear to be taking full advantage of the opportunity to address effectively neighbourhood nuisance and local environmental quality, including the persistent problem of flyposting. It was pointed out that, in relation to some of the proposed legislative procedures, the Council's powers to secure remedies would be lessened rather than enhanced. In response, the Head of Environmental Health assured the Members that these inadequacies had been addressed in detail within the Council's response.

After further discussion, the Committee approved the foregoing response to the draft Clean Neighbourhoods and Environment Bill and agreed that a letter be forwarded to each M.L.A. within the Belfast Electoral Areas requesting that they support the Council's submission.

**Consultation Document –**  
**Assisting with Affordability Concerns**  
**for Vulnerable Energy Consumers**

The Committee considered the undernoted report:

**“Relevant Background Information**

**Fuel Poverty continues to be a significant problem for a growing number of households. It is associated with serious impacts on health and social wellbeing, with vulnerable groups such as the elderly, children and people living with disabilities and chronic illness, most affected. A household in fuel poverty is defined as one where, in order to maintain an acceptable level of temperature throughout the home, it would have to spend more than 10% of its income on all household fuel use.**

**The Fuel Poverty Task Force, which was convened by the Minister for Social Development, has requested the Utility Regulator to assist with the formulation of policy options in relation to the introduction of ‘social tariffs’ in the energy sector in Northern Ireland. The Utility Regulator has therefore produced a consultation paper on the introduction of extra help with energy costs for vulnerable customers. The paper is entitled ‘Assisting with Affordability Concerns for Vulnerable Energy Consumers’.**

**The Regulator proposes a staged approach to the development of policy options as follows:**

- Stage 1 - setting out, what they suggest are, some of the broad policy questions that must be addressed before Northern Ireland can turn to more detailed consideration and design of specific options for interventions to deal with energy affordability for vulnerable customers.**



**Stage 2 - subsequent work by and with stakeholders, Government Departments and other interested bodies to fully develop and analyse best options for going forward.**

**Stage 3 - seeking to implement the selected option.**

The consultation paper however focuses on stage 1 and sets out, what the Regulator refers to as, 'a set of key base questions' in relation to energy affordability tariffs that need to be considered before moving to stage 2.

The Utility Regulator has limited influence on fuel poverty in that it only regulates the gas and electricity sectors. It does not regulate the heating oil sector and, as around 70% of the population of Northern Ireland use oil for domestic heating, its contribution in assisting with affordability for vulnerable people must be considered in this light.

Although the consultation paper lists 18 detailed questions for response the Council is not obliged to adhere to this method of reply. It is recommended that the Committee agrees to provide a general overview of its concerns and suggestions in respect of Fuel Poverty, including how the Regulator, as a member of the Fuel Poverty Task Force, can constructively influence affordability concerns for vulnerable energy consumers.

#### Key Issues

- Fuel poverty is a growing problem.
- Vulnerable people, such as the elderly, are most affected.
- The Consultation paper seeks views, in particular, from Northern Ireland's political leaders.
- The Utility Regulator's consultation paper is focused on Stage 1 of what it considers to be a three stage process.
- A three stage process may be prolonged yet there is an urgency to deal with fuel poverty.
- The Regulator does not have a statutory remit to address fuel poverty.
- The Regulator has a statutory role for the regulation of the electricity and gas sectors but not for oil.

- The Regulator's remit may need to change if it is to be able to lead initiatives on affordability tariffs so that there is equity for all consumers.
- Social tariffs could result in higher prices for a significant number of households and businesses and therefore they may not be the most effective way of addressing affordability problems.
- There are concerns around the current arrangements for cold weather payments, such as the fact that they are not effectively targeted at those in fuel poverty.
- According to the Institute of Public Policy Research this year's cold weather contributed to the deaths of 36,000 people across the UK, 49% more than last year.
- Targeting energy inefficient properties perhaps on an areas basis, as an alternative or complementary approach, may allow for a more effective method of dealing with fuel poverty.
- Councils will have greater powers to promote energy efficiency and provide funding or other assistance to improve energy efficiency if the recommendations in the draft Regeneration and Housing Bill are enacted.

### Recommendation

It is recommended that the Committee endorses the attached draft response to the Utility Regulator's consultation paper - Assisting with Affordability Concerns for Vulnerable Energy Consumers.

### COUNCIL RESPONSE

#### Assisting with Affordability Concerns for Vulnerable Energy Consumers

### Introduction

Belfast City Council welcomes the Utility Regulator's Contribution to the debate on the options for the introduction of extra help for vulnerable customers in relation to their energy costs. In particular, the Council is very concerned about current levels of fuel poverty and is keen to facilitate any efforts designed to reduce the number of people, particularly vulnerable individuals, who are fuel poor.

The Council notes that this consultation is specifically in response to the Minister's Fuel Poverty Task Force request to the Utility Regulator to assist with the formulation of policy options in relation to the introduction of 'social tariffs' in the energy sector in Northern Ireland.

#### The Role of the Utility Regulator

The Council notes that the role of the Utility Regulator is limited to electricity consumers and the gas industry. Fuel oil, on the other hand, which is the main energy source for domestic premises in Northern Ireland, is not regulated. Recent evidence, however, of increasing oil prices at a time of falling temperatures (January 2010) has graphically illustrated the impact of a non regulated energy sector and demonstrates how exposed vulnerable people are to the problem of fuel poverty in this non-regulated sector.

#### Staged Approach

The Regulator has suggested that the consultation should proceed through a staged process involving the setting out of broad policy questions (Stage 1), an analysis of the options for going forward (Stage 2) before implementation (Stage 3). The Consultation paper however concentrates specifically on Stage 1. The Council does not disagree with the logic of a staged approach to affordability policy/scheme development, however there is an imperative to take action sooner rather than later to address fuel poverty and the Regulator's proposed staged approach brings with it the possibility of a protracted process. Urgent and effective action is required and the Council would be concerned that the development of social tariffs may simply take too long.

#### Social Tariffs

If the objectives of the Fuel Poverty Task Force around the formulation of policy options in relation to the introduction of social tariffs are to be achieved then the Regulator would require the appropriate statutory remit to begin to tackle affordability issues. The Utility Regulator Board has stated that it could not proactively lead initiatives on affordability tariffs as it may not be in the interests of all consumers. Also, the Regulator has acknowledged that, with regard to fuel poverty, it has limited influence as it does not have a specific statutory remit to address fuel poverty. The Council would therefore support the view that the Utility Regulator should not be constrained in seeking to address fuel poverty by virtue of a limited remit and should be able to consider all consumers. Clearly statutory authorities, such as the Utility Regulator, should have sufficient mandate to deliver initiatives that directly benefit the fuel poor.

### Options

The focus on the development of social tariffs should not of itself presume that this is the principal or best means for addressing fuel poverty. The development of social tariffs for the poor will presumably result in an additional cost to others which in turn could move some, who are currently not fuel poor, into fuel poverty. Also, whilst the current approach of cold weather payments does benefit many of the fuel poor, its universal application means that some of it goes to people who do not fit the definition of 'fuel poor'. In effect, much of the finance made available to help the fuel poor is not reaching the right people. The Council is therefore concerned that the focus on fuel poverty is too concentrated on income and on people's ability to pay their heating costs. The Council would therefore suggest that a more pragmatic and permanent approach, focusing on energy efficiency, should also be considered. This could be done by targeting the homes of people in fuel poverty and those who are on low incomes as a priority. This approach would also help to reduce carbon emissions with the added benefits of improved air quality whilst contributing to the battle against global warming.

According to the Institute of Public Policy Research, this winter's prolonged cold weather contributed to the deaths of 36,000 people across the United Kingdom, which is 49% more than the year before. Improving thermal insulation, particularly for the elderly and vulnerable, allows people to remain in their own homes and out of hospital thus reducing health costs as well as being good for the environment.

Whilst Belfast City Council would support the principle of affordable social tariffs as a tool in the fight to reduce fuel poverty it is important that the approach of the Fuel Poverty Task Force does not preclude detailed consideration of targeting energy inefficient homes. This could be done on a phased basis, focusing on those on low incomes or in specific geographical areas, as a practical, effective and permanent method of dealing with this important and growing problem.

### Conclusion

The Council notes that the Regulator recognises that fuel poverty is multi-factorial and suggests that a more specialist category be used to define those that need support, such as 'fuel poverty vulnerable', is required. The Council would suggest that the issues raised by Question 14 (Chapter 5) in the Consultation document, 'Respondents' views are welcome on the issues raised in relation to identifying eligible customers' goes to the heart of the issue. The views therefore expressed by the Council seek, in the main, to provide an answer to this.

**Although the Council currently has no specific remit to address fuel poverty it is important to point out that, under the DSD's recently published draft Regeneration and Housing Bill, there are proposals to provide all Councils with powers to promote domestic energy efficiency, including powers to provide funding or other assistance and produce action plans to improve domestic energy efficiency. Belfast City Council therefore anticipates that its influence in assisting in the development of policy options in relation to energy efficiency, and therefore in fuel poverty, will increase significantly in the future.**

**The Council hopes that these comments will help to inform the debate around fuel poverty generally, and the use of social tariffs in particular, and would request that it be included in any future consultations around this issue."**

During discussion, a Member highlighted a programme of energy efficiency measures being undertaken in Great Britain by the National Consumer Council and stated that Councils in Northern Ireland should be working proactively with that organisation to implement similar schemes.

The Committee approved the foregoing response to the consultation document, subject to the inclusion of the aforementioned comment.

### **Review of Bye-Laws Prohibiting the Consumption of Alcohol in Designated Places**

The Committee was reminded that the Council's current Bye-Laws prohibiting the consumption of alcohol in designated places had come into operation on 12th September, 2007. The Head of Environmental Health reported that, over the past two years, the Community Safety Team had, in conjunction with the Police Service of Northern Ireland's Neighbourhood Policing Teams, undertaken a more intensive programme of joint enforcement of the Bye-Laws in order to tackle the problems of underage and on-street drinking. These operations, which had taken place mostly on a Friday and a Saturday evening in neighbourhoods across the City and at major civic events and parades, had focused also on preventing the sale by off-licences of alcohol to minors. This approach had, since 2006/2007, generated an increase of 323 in the number of prosecutions being brought by the Council in respect of breaches of the Bye-Laws.

The Head of Environmental Health explained that these enforcement operations had been welcomed by local communities who, along with Elected Representatives and partner agencies, had often assisted in identifying hotspots where alcohol was being consumed. As a result, it was now proposed that a review be undertaken of the current Bye-Laws in order to determine whether additional streets or areas which had experienced difficulties in relation to on-street drinking and anti-social behaviour should be included. She stated that, in order to assist in this process, a draft list of areas/streets which were not designated currently had been compiled. These would, as part of a

consultation process, be forwarded to Members to enable them to make additions, if required. Officers from the Community Safety Team would be available also to facilitate Party Group briefings in relation to the review. The information would be forwarded to the Police Service of Northern Ireland and would be considered by the District Policing Partnership. Informal consultation would take place also with the Department for Social Development.

The Head of Environmental Health explained that the new draft Bye-Laws, incorporating the additional streets and areas for designation, would then be presented to the Committee for adoption, following which a statutory process would be undertaken which would culminate in an application being submitted to the Department of Social Development seeking confirmation of their implementation. In response to a question from a Member regarding possible changes to the method of designating streets, the Head of Environmental Health explained that Articles 68-72 of the Criminal Justice (Northern Ireland) Order 2008 should provide the Police Service of Northern Ireland with powers to deal with the consumption or possession of alcohol in designated public places where there was a problem of anti-social behaviour associated with the consumption of alcohol. However, the Secretary of State for Northern Ireland had yet to make an order to commence these provisions and to draft regulations outlining a new procedure by which Councils could designate public places covered by this new offence. These regulations would progressively replace the current Bye-Laws.

After discussion, the Committee agreed to undertake, as outlined, a review of the streets and areas designated currently within the Bye-Laws prohibiting the consumption of alcohol in designated streets. The Committee agreed further that a letter be forwarded to the Secretary of State for Northern Ireland requesting that an Order be made to commence the provisions of Articles 68-72 of the Criminal Justice (Northern Ireland) Order 2008.

### **Update on Hate Crime Initiatives**

The Committee was advised that the Belfast Community Safety Partnership's Safer Belfast Plan for 2009 – 2011 had identified the addressing of hate crime as being one of the key priorities for creating a safer City. In response, the Partnership had supported the development of a series of initiatives to address the issue and to help people to feel safer. The Head of Environmental Health reported that this work had been co-ordinated on behalf of the Partnership by a multi-agency group comprised of representatives from the statutory, voluntary and private sectors, including the Council, and that it had been funded from a range of sources including the Community Safety Partnership, Peace III and the Northern Ireland Office.

She explained that the Partnership was undertaking a range of initiatives, being co-ordinated by the Council's Hate Crime Officer, aimed at tackling hate crime, which was defined as being incidents/crimes believed to be motivated by race/ethnicity, disability, faith, sectarianism or sexual orientation. She provided an overview of these initiatives, which included a tension monitoring process aimed at identifying incidents or events which had created, or could create, tensions within communities. This process had been based upon a model which had been used successfully in other cities and

was based upon taking interventative action before tensions reached a level where the consequences were unmanageable. She reported also that an inter-agency group had been established in November, 2009 to monitor regularly and pro-actively quantitative evidence of hate crime, in addition to anecdotal information obtained from communities and professionals working within neighbourhoods. This information would then be used by the group to agree co-ordinated actions, which would be monitored on an on-going basis, in order to decrease tensions.

The Head of Environmental Health reported further that another initiative had involved the hosting of an annual Hate Crime conference which provided various stakeholders with an opportunity to discuss with service providers their specific concerns and actions regarding hate crime. In order to raise awareness of the issue, the Community Safety Partnership supported also training in local communities and sponsored neighbourhood events which sought to tackle prejudice and provide information on matters relating to hate crime. Additionally, the Partnership, in conjunction with other funders, supported Chinese, Polish and other advocacy workers whose role was to encourage individuals from those communities to report crime or incidences where they had been the victims of crime. The Community Safety Team had assisted also with several emergency situations, including the attacks on the Roma community and events following a high profile soccer international at Windsor Park.

The Committee noted the information which had been provided and that progress reports would be submitted as the initiatives progressed.

**Holyland Strategic Study – Approval  
to Initiate a Tendering Exercise**

The Committee considered the undernoted report:

**“RELEVANT BACKGROUND INFORMATION**

**The Committee is aware of the issues in the Holyland area of the city in respect of over densification of housing units and high levels of anti-social behaviour.**

**The demographic makeup of the Holyland area of South Belfast has changed dramatically over the last 20 years. It contains around 1,500 households with a population of 9,000<sup>1</sup>. This is likely to be due to a number of reasons which include the expansion in student numbers at universities, a subsequent insufficient availability of university controlled and/or regulated accommodation, significant investment by private landlords in multiple occupancy accommodation, development control policy at the time, an increasing transient population and the attraction to students of living in this area of south Belfast. Longer term residents in the area, who have been there for many years, are faced with continuing problems of anti-social behaviour and noise nuisance and other environmental issues.**

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<sup>1</sup> HMO Subject Plan 2008

A Holyland Inter-agency Group, led by the Council, was formed in 2005 to facilitate a co-ordinated approach to delivering services and interventions in the area, as well as to influence policy change. This Group has input to the Department of the Environment's HMO Subject Plan (2008), introduced the community safety warden service, encouraged increased enforcement of HMO standards and improved cleansing services in the area. In 2010, it also developed an inter-agency action plan for the area, which includes a series of interventions and commitments to investigate or take forward various policy and / or legislative changes. However, the Group accepts that its effect on the underlying problems is limited.

The events of St Patrick's Day 2009 and 2010 continue to focus attention on the range of issues that impact on the quality of life of those living in the Holyland area. They also highlight the disproportionate allocation of agency resources to dealing with the issues that arise. A full cost analysis is currently being prepared for the intervention work for St Patrick's Day 2010.

In recognising the complexities involved in finding any longer term solutions to these problems, Belfast City Council passed a motion in December 2009 calling for a strategic study for the area, as follows:

*The Council is concerned about the problems in the Holyland area of the City which have been evident for a number of years. It recognises the work that its officers have undertaken in leading a multi-agency group to take forward interventions to deal with some of the issues which residents have to face.*

*The Council also welcomes the recent initiative led by the Minister for Employment and Learning, bringing together a Stakeholder Forum aimed at involving all groups in defining the problems and suggesting possible solutions.*

*To support this work and ensure a long term strategic approach, the Council supports the commissioning of a discrete study, led by Council officials in conjunction with other agencies, which specifically identifies the underlying causes of these problems and leads to the development of proposals for a long term strategic plan for the area.*

A project team has been formed to progress such a strategic study aimed at identifying longer term, more sustainable solutions to the underlying problems in the Holyland and wider university area. This team is led by Belfast City Council with representatives from the Strategic Investment Board, the Northern Ireland Housing Executive, DoE Planning Service, Queen's University Belfast, University of Ulster Jordanstown and the Belfast Metropolitan College.



### **KEY ISSUES**

In responding to the motion passed by Council, the multi-agency project team has developed a specification for the strategic study on longer term solutions for this area. It is intended that the Council will commission this work on behalf of the project team.

The purpose of the study is to identify options to achieve a more balanced, mixed tenure community with low levels of crime, anti-social behaviour and fear of crime and a good quality environment and housing supply. It will consider issues such as the population density of the area, any additional controls on properties of multiple occupation, innovative solutions regarding student accommodation, as well as potential possibilities for regenerating the area. To develop such ideas, a review of best practice elsewhere will be incorporated into the research.

The report will present a number of options, each of which will be economically appraised. It will take account of the wider strategic plans for the city and the impact that any longer term changes to the make up of the Holyland may have on other areas of the city. Engagement with key stakeholders, including residents, students, agencies and elected representatives, is critical and will be an ongoing process throughout this project.

It is likely that the study will cost in the region of £50,000, but that each of the agencies involved in the project team will make a financial contribution. The costs to the Council will be no more than £15,000. Obviously recommendations arising from the study may have significant cost implications. However the intention is that the report should be presented to government departments and the Assembly for consideration. The study is set to be completed by January, 2011.

Submissions received in respect of the tender exercise will be assessed against detailed evaluation criteria based on both cost and quality, in line with the Council's procurement procedures. The most economically advantageous tender will be awarded the contract.

### **RESOURCE IMPLICATIONS**

#### **Financial**

It is estimated that this proposal requires a budget of up to £50,000. The Strategic Investment Board, Northern Ireland Housing Executive and academic institutions are currently seeking approval to allocate a total of £35,000 towards the overall cost of the project.

The Committee is, therefore, requested to commit the remaining £15,000 to progress this study in partnership with the other agencies. This will be funded from the departmental Revenue Estimates for 2010/2011.

### **RECOMMENDATIONS**

It is recommended that the Committee agrees:

- To the commencement of the tendering exercise;
- That the tender can be awarded under delegated authority in line with the evaluation criteria; and
- To allocate a maximum of £15,000 to this study, subject to a further £35,000 being secured from the other agencies.”

During discussion, a Member pointed out that the difficulties experienced within the Holyland could, to some extent, be attributed to the Department of the Environment's Planning Service, which had permitted an increase in the number of Houses in Multiple Occupation. He expressed the view that, since that Body was a member of the project team which had been established to progress the strategic study, it should be requested to contribute to the costs associated therewith.

Accordingly, the Committee adopted the recommendations and agreed that a letter be forwarded to the Department of the Environment Planning Service seeking a contribution towards the cost of undertaking the strategic study.

### **Mr. W. Francey**

The Chairman informed the Committee that this would be the last meeting of the Health and Environmental Services Committee which would be attended by Mr. W. Francey in his capacity as Director of Health and Environmental Services before retiring from the Council. On behalf of the Members, he thanked Mr. Francey for his services to and the work which he had undertaken on behalf of the Council and wished him well in his retirement.

Mr. Francey thanked the Chairman for his kind remarks and the Committee for the support which it had provided to him during his term as Director of Health and Environmental Services.

Chairman