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BELFAST CITY COUNCIL

SUMMONS TO ATTEND THE MONTHLY MEETING OF THE COUNCIL

TO: THE COUNCILLORS OF BELFAST CITY COUNCIL

Notice is hereby given that the monthly meeting of the City Council will be held in the Council Chamber, City Hall, Belfast on Wednesday, 1st April, 2015 at 6.00 pm, for the transaction of the following business:

1. Minutes of Monthly Meeting of District Council of 3rd March (Pages 1 - 6)
2. Minutes of Annual General Meeting of the District Council of 24th March (Pages 7 - 70)
3. Official Announcements and Memorials
4. Minutes of the Shadow Policy and Resources Committee of 20th March (Pages 71 - 168)
5. Minutes of the Transition Committee of 9th March (Pages 169 - 188)
6. Minutes of the Shadow Planning Committee of 11th March (Pages 189 - 210)
7. Motion re: Belfast City Council Boundary

Councillor Craig to move:

“This Council considers that its present boundaries are artificial, do not adequately reflect the socio-economic geography of the City, and are a serious impediment to the economic development of not only Belfast but the entire Province. Accordingly, this Council will seek to engage the necessary advisors to assist it in building the most robust case possible for the extension of its boundaries. Any revised boundaries will reflect fully the City's physical and human geography and permit the Council to maximise its role as the engine of development throughout Ulster.

In addition, the Council will embark on a campaign to ensure that the proposed new boundaries are brought into reality by the Northern Ireland Assembly through the necessary amendments to the Local Government (Boundaries) Order (Northern Ireland) 2012. Therefore, the Council requests the Strategic Policy and Resources Committee to consider how best this matter could be taken forward.”

8. Motion re: Tax Justice

Councillor Hanna to move:

“This Council notes:

- the growing awareness of aggressive tax avoidance and tax evasion and its associated impact, as well as the importance of curtailing tax avoidance and evasion to create a sound market economy in which all traders can compete on a level playing field to provide goods and services
- the wider impact of tax avoidance and evasion on the local and international economy, and in particular its cost to some of the world’s poorest countries. As a result of tax avoidance and evasion by some multinational corporations, developing nations are estimated to lose sums greater than the amount they receive in development aid each year;
- the steps the UK Government has taken to tackle tax abuse by companies seeking to secure public contracts by issuing “Procurement Policy Note 03/14: promoting tax compliance”.

Accordingly, this Council agrees to amend its procurement policies to ensure that all bidders for Council contracts above current European Union thresholds self-certify that they are fully tax compliant, in line with central government practice, and that the Council actively publicises this policy.”

9. Motion re: Opposition to Water Charges

Alderman Stalford to move:

“This Council recognises that many Belfast citizens are struggling due to rising utility bills and the increasing cost of living to pay for basic necessities. It believes that the decision of the Northern Ireland Executive to prevent the introduction of additional water charging was a much-needed step that has alleviated some of the burden upon the most vulnerable members of our society.

Accordingly, this Council re-affirms its opposition to the introduction of any additional water charging which would have a devastating impact upon senior citizens, the working poor, students and other vulnerable groups.”

10. Motion re: Irish Rugby Teams

Councillor O' Donnghaile to move:

“This Council congratulates both the Ireland senior men's and women's international rugby squads on their recent victories in the Six Nations tournaments. It recognises again the positive impact which sport has on the health and well-being of our City and its people and agrees to invite both teams to a civic reception which will allow the people of Belfast the opportunity to show their support and appreciation for the teams.”

11. Motion re: Public Service Spending Cuts

Councillor Brown to move:

“This Council recognises that cuts in spending on public services has a disproportionately negative impact on the poorest and most vulnerable in our society in general and in the most deprived areas of Belfast in particular. This Council considers that the cap on rates payable on properties valued over £400,000 to be a regressive, unaffordable and unjustified perk for the very wealthiest in our society, and calls on the Northern Ireland Executive to abolish the cap on rates and to reinstate the Rates Deferral Scheme to afford appropriate protection to rate payers who are asset rich but income poor.”

The Members of Belfast City Council are hereby summoned to attend.

Chief Executive

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Belfast District Council (Shadow)

MEETING OF BELFAST DISTRICT COUNCIL

Held in the City Hall on Tuesday, 3rd March, 2015
at 6.00 p.m., pursuant to Notice.

Members present: Councillor Hargey (Presiding Councillor);
Councillor R. Patterson (Deputy Presiding
Councillor); Councillors Attwood, Austin,
Beattie, Bell, Boyle, Bradshaw, Brown,
Browne, Bunting, Campbell, Carroll,
Carson, Clarke, Convery, Copeland, Corr,
Corr Johnston, Craig, Dudgeon, Garrett,
Graham, B. Groves, E. Groves, Haire, Hanna,
Heading, Howard, Hussey, Hutchinson,
Johnston, Jones, Kingston, Kyle, Long,
Magee, Magennis, McAllister, McAteer,
McCabe, McConville, McCoubrey,
McDonough-Brown, McGimpsey, McKee,
McNamee, McVeigh, Mullan, Newton,
Ó Donnghaile, O'Hara, L. Patterson,
Robinson, Rodgers, Sandford, Spence
and Stalford.

Summons

The Chief Executive submitted the summons convening the meeting.

Apologies

Apologies were reported on behalf of Councillors Armitage and Mallon.

Minutes

Moved by the Presiding Councillor,
Seconded by the Deputy Presiding Councillor and

Resolved – That the minutes of the proceedings of the Belfast District
Council of 9th February be approved and adopted.

Announcements

The Presiding Councillor, on behalf of the Shadow Council, extended congratulations to Councillor Mallon and to her husband, Brendan, on the news that they were expecting their first child. The Members extended also their best wishes to Councillor Bell on his recent engagement.

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St. George's Market Traders Association - Deputation

The Presiding Councillor reported that a request to address the Shadow Council had been received from the St. George's Market Traders Association regarding the decision which had been taken by the Shadow Strategic Policy and Resources Committee on 20th February in respect of the hosting of a Web Summit at the Market from 15th till 19th June.

The Shadow Council acceded to the request and Mr. P. Dyer, together with Ms. A. McGuinness, Ms. C. McClarty, Mr. S. Kerr and Mr. P. Lynn were admitted to the meeting.

Mr. Dyer indicated that the St. George's market traders had met with the organisers that previous evening to discuss the Council's decision to permit the Summit to take place in the market. He reported that the traders were opposed to the decision and stated that, if permitted, it would result in a loss of revenue for market traders on those trading days which would be affected. He requested that the Shadow Council reconsider its decision in this regard.

The Presiding Councillor thanked the deputation for attending and they retired from the meeting.

The Shadow Council noted that the matter would be discussed later in the meeting under the minutes of the Strategic Policy and Resources Committee.

Shadow Strategic Policy and Resources Committee

Moved by Councillor Stalford,
Seconded by Councillor Carson,

That the minutes of the proceedings of the Shadow Strategic Policy and Resources Committee of 13th and 20th February be approved and adopted.

Amendment

Web Summit Event at the St. George's Market

Moved by Councillor Ó Donnghaile,
Seconded by Councillor Stalford and

Resolved - That the decision of the Shadow Strategic Policy and Resources Committee of 20th February, under the heading 'Proposal for Web Summit Event at the St. George's Market', be amended to provide that the market is permitted to operate on the normal trading days over the period from 14th till 19th June, and that:

- the Council, appreciating the huge significance of the Web Summit, will continue to work with Visit Belfast and the conference organisers to help to accommodate them on non-

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trading days to find an alternative space in order to meet their needs so that the conference can proceed in Belfast; and

- when facilitating such events in future, market-trading days will be protected and that engagement with traders will be initiated at the earliest possible opportunity.

Amendment

Allocation of Special Responsibility Allowance

Moved by Councillor R. Brown,
Seconded by Councillor Corr Johnston,

That the decision of the Shadow Strategic Policy and Resources Committee of 13th February under the heading 'Allocation of Special Responsibility Allowance' be amended to provide that the amounts to be allocated be reduced by a figure of 10%, with that saving to be reinvested in Council services.

On a vote by show of hands, thirteen members voted for the proposal and thirty-eight against and it was accordingly declared lost.

Amendment

**Allocation of Political Places on the
Belfast Policing and Community Safety Partnerships**

Moved by Councillor Long,
Seconded by Councillor McNamee,

That the decision of the Shadow Strategic Policy and Resources Committee of 20th February under the heading 'Allocation of Political Places on the Belfast Policing and Community Safety Partnership and the Four District Policing and Community Safety Partnerships' be rejected and accordingly the Council agrees:

- To appoint a Belfast Policing and Community Safety Partnership comprising of ten political Members and nine independent members; and
- That the Quota Greatest Remainder method be used to provide indicative Party allocations on the Partnership and District Partnerships.

On a vote by show of hands, eighteen Members voted for the amendment and thirty-seven against and it was accordingly declared lost.

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Adoption of Minutes

Subject to the foregoing amendment, the minutes of the proceedings of the Shadow Strategic Policy and Resources Committee of 13th and 20th of February, were approved and adopted.

Transition Committee

Moved by Councillor Jones,
Seconded by Councillor Magennis,

Resolved - That the minutes of the proceedings of the Transition Committee of 10th February, excluding the item under the heading 'Service Convergence – Pricing for Outdoor Leisure' which had been subject to 'call-in' be approved and adopted.

Shadow Planning Committee

Moved by Councillor Mullan,
Seconded by Councillor Bunting and

Resolved - That the minutes of the proceedings of the Shadow Planning Committee of 19th February be approved and adopted.

Notices of Motion

Role of Women in the City - Stained Glass Window

Moved by Councillor O' Hara,
Seconded by Councillor Graham,

“As we approach and celebrate International Women’s Day on 7th March, this Council recognises and pays tribute to the significant contribution which women have made to all aspects of life in our City. In acknowledging this further, the Council will, under the auspices of the Women’s Steering Group, commission a new stained glass window in the City Hall which will recognise, reflect and celebrate the positive role which women have played in our City.”

In accordance with Standing Orders, the motion was referred to the Shadow Strategic Policy and Resources Committee for consideration.

Animal Cruelty

Moved by Councillor Long,
Seconded by Councillor Stalford,

“This Council notes the widespread support in all parts of Belfast for the ending of animal cruelty and the improvement of animal welfare and, therefore, calls upon the **Northern Ireland Executive** to bring forward

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proposals and subsequent legislation to outlaw the hunting of mammals with dogs and a ban on the use and sale of snares for the purposes of capturing or killing animals.

****In addition, the Council agrees that a letter be forwarded to the Justice Minister requesting that adequate training be provided to members of the judiciary in respect of animal welfare issues; and that a register be established for those individuals who have been convicted of animal cruelty banning them from owning animals.****

The Council endorsed the motion, subject to the addition of the *paragraph as set out in bold and subject to the amendment in the first paragraph that motion be brought to the attention of the Northern Ireland Executive, rather than the Minister for Agriculture and Rural Development.

Family-Friendly City Centre

Moved by Councillor Hanna,
Seconded by Councillor Attwood,

“This Council notes that city centres which are child and family-friendly bring a wide range of benefits, including contributing to healthy childhood development, driving economic regeneration since families spend more time in the city and making city centre living a more viable option for families, thereby contributing to longer-term social regeneration. This Council commends the work of the Belfast Healthy Cities organisation which has been researching child-friendly places since 2011, including the provision of temporary 'Kids Spaces' in the City centre.

Accordingly, the Council agrees to harness its new planning, community planning and economic regeneration powers to develop a world-class family friendly strategy for Belfast, including the development of 'Kids Spaces' in the City centre.”

In accordance with Standing Orders, the motion was referred to the Shadow Strategic Policy and Resources Committee for consideration.

Presiding Councillor

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Belfast District Council (Shadow)

ANNUAL MEETING OF BELFAST DISTRICT COUNCIL

Held in the City Hall on Tuesday,
24th March, 2015 at 6.00 p.m.

Members present: Councillor Hargey (Presiding Councillor);
Councillors Armitage, Attwood, Austin,
Beattie, Bell, Boyle, Bradshaw, Brown,
Browne, Bunting, Campbell, Carroll,
Carson, Clarke, Convery, Copeland, Corr,
Corr Johnston, Craig, Dudgeon, Garrett,
Graham, B. Groves, E. Groves, Haire,
Howard, Hussey, Hutchinson, Johnston,
Jones, Kingston, Kyle, Long, Magee,
Magennis, McAllister, McAteer, McCabe,
McConville, McCoubrey, McDonough-Brown,
McGimpsey, McKee, McNamee, McVeigh,
Mullan, Newton, Ó Donnghaile, O'Hara,
L. Patterson, Rodgers, Sandford, Spence
and Stalford.

Summons

The Chief Executive submitted the summons convening the meeting.

Apologies

Apologies were reported on behalf of the Deputy Presiding Councillor (Councillor R. Patterson) and Councillors Hanna, Heading, Mallon and Robinson.

Filming of Proceedings

The Chief Executive reported that requests had been received seeking permission to film the meeting. She asked that the Council indicate whether it wished to accede to those requests.

The Council granted the permission sought.

Announcements

The Presiding Councillor, on behalf of the Shadow Council, extended congratulations to Councillor O' Hara on her recent engagement.

Draft Standing Orders for the New Council

The Chief Executive reminded the Council that, in accordance with Section 37 of the Local Government Act (Northern Ireland) 2014, it was required to prepare Standing Orders for the regulation of the business of the Council. She pointed out that the Local

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Government (Standing Orders) Regulations 2015 had as yet to be approved by the Northern Ireland Assembly. Accordingly, the Shadow Strategic Policy and Resources Committee, at its meeting on 20th March, 2015, had agreed to recommend to the Council that it endorse a draft set of Standing Orders which would regulate the Council's business until such times as the aforementioned Regulations had been passed by the Assembly.

Accordingly, subject to the adoption of the Local Government (Standing Orders) Regulations 2015 by the Northern Ireland Assembly, the Council adopted the following set of draft Standing Orders:

STANDING ORDERS

“Introduction

These Standing Orders are for the purpose of regulating the conduct of business at the Council and Committee meetings of the Belfast City Council.

In order to make the Standing Orders more easily understood and applied, they have been divided into Sections 1, 2 and 3. Section 1 is for the purpose of regulating the business conducted at meetings of the full Council. Section 2 is for the regulation of business at meetings of Standing Committees. Section 3 contains other miscellaneous Standing Orders.

The Standing Orders contain elements which are mandatory as a result of the Local Government Act (Northern Ireland) 2014 – “the 2014 Act” - and the Local Government (Standing Orders) Regulations (Northern Ireland) 2015. These mandatory elements are marked as such.

The Standing Orders should be read in conjunction with the Council's Constitution, Financial Regulations and Scheme of Delegation. In the case of any conflict, the Standing Orders will prevail, subject to legal advice to the contrary.

As the Licensing and Planning Committees operate with delegated authority and in a quasi judicial environment, specific protocols regulating meetings of those Committees appear at Appendices 1 and 2 to these Standing Orders.

**Section 1
THE COUNCIL**

EXPLANATORY NOTE

In Section 1 of these Standing Orders the phrase “notice of motion” refers to such a motion submitted under the provisions of Standing

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Order 13. The phrase “motion” refers either to a notice of motion or to a motion moved by the Chairperson of a Standing Committee to approve and adopt the proceedings of a Committee, as appropriate.

ANNUAL AND MONTHLY MEETINGS

1 The Annual Meeting of the Council will be held each year in June unless that year is a local election year. In a local election year, the Annual Meeting will be held within 21 days of the election day.

Monthly meetings of the Council will be held on the first working day of each month except in August. Monthly Meetings shall not, however, take place on a Bank or Public Holiday, Friday, Saturday or Sunday, but shall be held on the next following weekday instead.

TIME OF MEETING

2 The Annual Meeting and other monthly meetings of the Council shall be held in the Council Chamber at 6.00 o'clock p.m. except where otherwise fixed by statute or by special summons.

ALLOCATION OF SEATS

3 Seating of Members in the Council Chamber shall be through mutual arrangement between the various political parties and any independent Members. Any points of dispute shall be decided by the Council.

QUORUM

4 The quorum is one-quarter of the membership of the Council, i.e. 15 Members.

ATTENDANCES

5 The Chief Executive shall record the names of all Members present at meetings of Council.

DECLARATIONS OF INTEREST

6 The Lord Mayor will remind Members of their obligation to declare any interest they may have in respect of matters under consideration at the meeting. Such declarations will be recorded by the Chief Executive.

COUNT OUT

7 If the attention of the Lord Mayor is called by a Member of Council or the Chief Executive to the fact that there is not a quorum

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present, the division bell shall be rung and the Chief Executive shall call the roll of Members, and if there is not a quorum present, the Lord Mayor shall declare the meeting of Council at an end, and the names of those who are present and those who are absent shall be recorded on the minutes of the Council.

DEPUTATIONS TO THE COUNCIL

8 Deputations will normally only be admitted to the Council if the Chief Executive shall have received seven days previous written notice of the intended deputation and its purpose. Deputations shall not comprise of more than 3 persons and shall be restricted to making not more than two short speeches of not more than 10 minutes in total duration. If the matter upon which the Deputation wishes to address the Council falls within the remit of a Committee, the Lord Mayor may direct that the Deputation shall be heard at that Committee rather than at the Council meeting

ADMISSION OF THE PUBLIC TO THE COUNCIL MEETING

9 The public may attend only in the public gallery of the Council, unless specially excluded by a resolution of the Council under the provisions of Standing Order 10, during the whole or part of the proceedings at the meeting, subject to the following conditions -

- (a) They must remain seated and no expression of opinion or noise of any kind shall be permitted;
- (b) Admission of the public will be subject to compliance with safety requirements.
- (c) The use of mobile phones or recording devices of any kind will be strictly prohibited.

The Lord Mayor may exclude any member of the public in breach of these conditions.

EXCLUSION OF THE PUBLIC FROM THE COUNCIL MEETING

10 (a) The public shall be excluded from a meeting of the Council whenever it is likely that, during the transaction of an item of business, confidential information would be disclosed to them in breach of an obligation of confidence.

(b) The Council may by resolution exclude the public from a meeting of the Council (whether during the whole or part of the proceedings at the meeting) for such special reasons as may be specified in the resolution, being reasons arising from the nature of the business to be transacted or of the proceedings at the meeting.

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(c) The Lord Mayor may at any time during the meeting, if he/she thinks it necessary to secure order, direct the removal of any individual or group of individuals from the Council Chamber, or order the Council Chamber to be wholly cleared of members of the public.

(d) The Council, having excluded the public, shall only consider the matter referred to it by the resolution. If it should be deemed necessary to consider any matter not included in the resolution, the public shall be re-admitted and the Lord Mayor may ask leave of the Council to take up the consideration of such additional matters as may be deemed desirable.

(e) The Council, having excluded the public, shall not have the power to adjourn its own sittings or to adjourn a debate to a future sitting. If the business referred to in the resolution is not transacted, the Council may be resumed and a Member of the Council may propose that the Council again exclude the public on a future day to deal with the business specified in the resolution which was not transacted.

(f) If the Council, with the public excluded, has transacted part of the business referred to it, without being able to reach a decision on all the business so referred, a Member of the Council may, with leave of the Council, report on the progress to that point and ask the Council's permission to sit again.

(g) When the Council transacts business with the public excluded, a motion for adoption relating to that item of business may be proposed but without further questions or discussion.

(h) In the event the public are excluded the reason for doing so will be recorded by the Chief Executive.

ORDER OF BUSINESS

11 At the commencement of each Meeting of the Council the Lord Mayor may read a short passage from the scriptures. Thereafter, subject to any Statutory requirements to the contrary, the order of business at every Monthly Meeting of the Council shall be as follows:-

- (a) Confirmation of the minutes of the Council meeting(s);
- (b) Official announcements or memorials;
- (c) Deputations;
- (d) Minutes of the proceedings of the several Committees and their recommendations, excluding any matters successfully called-in under the provisions of Standing Order 47;

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- (e) Matters previously called-in under the provisions of Standing Order 47 and which have either been considered by the Ad-Hoc Committee established for that purpose or which have been referred to a practising Barrister or Solicitor and for which a legal opinion has been received;
- (f) Notices of Motion.

COUNCIL MINUTES TO BE CONFIRMED

12 The minutes of the Council to be confirmed shall be taken as read, provided that a copy of the minutes shall have been sent to each Member of the Council at least five days previously, and no discussion shall be allowed upon the minutes except as to their accuracy, and any objection upon that ground must take the form of a proposal which shall require to be seconded before it may be discussed.

NOTICES OF MOTION

13 (a) All notices of motion shall be given in writing to the Chief Executive not later than seven days at least before the Council meeting. Such notices shall clearly state the nature of the motion intended to be submitted to the Council and shall bear the names of the proposer and seconder.

(b) Every notice of motion shall be relevant to some matter in relation to which the Council has powers or duties or which directly affects the City and its citizens. Such notices shall be dated and numbered as received.

(c) Notices of motion shall be entered in their proper place by the Chief Executive on the Summons Paper in the order in which they were received.

(d) The Lord Mayor may exclude from the Council Summons any notice of motion which may be out of order or may make such clerical corrections as will bring it into a proper form.

(e) A Member shall have not more than one notice of motion on the Summons Paper at the same time.

(f) If the subject matter of any motion of which notice has been given falls within the remit of any Committee it shall, upon being proposed and seconded, stand referred without discussion to that Committee, or to such other Committee as the Council may determine, for consideration and report, subject to the provision that the Lord Mayor may, due to the urgency of the matter, allow it to be discussed at the Council meeting rather than it being referred to a Committee.

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(g) If a notice of motion fails to be considered at a meeting of the Council such notice of motion will only be included on the Summons Paper for the following meeting if submitted in writing to the Chief Executive by the Member concerned not later than seven clear days, at least, before the date of that Council meeting.

(h) Any notice of motion which fails to be considered at two consecutive meetings will not be accepted for inclusion on the Summons Paper for a period of six months from the date of the second meeting at which the matter has failed to be considered.

(i) A notice of motion may be withdrawn or altered by the proposer and seconder with the consent of the Council and it shall not be permissible for any Member to speak upon such motion after the proposer and seconder have asked permission to withdraw or alter it, unless such permission shall have been refused

(j) Any Member who has spoken to an original notice of motion shall also have the right to speak on any amendment to the motion; and the proposer of every original notice of motion, but not of any amendment, shall have the right to reply at the end of the debate on the motion. In this reply the proposer shall not introduce any new matter, but shall confine himself/herself strictly to answering previous observations. The right of reply shall not extend to the proposer of an amendment which, having been carried, has become a substantive motion.

(k) The decision of the Council on any notice of motion not referred to a Committee of the Council under Standing Order 13(f) shall be subject to call-in under the provisions of Standing Order 47.

(l) No notice of motion seeking to commit the Council to expenditure not previously agreed through the Committee process will be considered but shall instead stand referred to the appropriate Committee for consideration and report. This standing order will not apply when the Lord Mayor, in consultation with the Chief Executive, rules that the matter is one of emergency or is otherwise of such urgency that it would be impracticable or prejudicial to the Council's interests to require compliance. In this case, a report outlining specific details of the purpose of such expenditure and the budget from which the expenditure would be drawn from shall be put before Members.

COMMITTEE MINUTES TO BE SUBMITTED

14 In order to give sufficient time for the production of the minutes and for their perusal by the Members of the Council, minutes of

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meetings of a Committee held later than seven clear days before the meeting of the Council shall not be submitted to that meeting for approval except in case of extreme urgency to be decided by the Committee in question and recorded in its minutes.

It shall be the duty of a Committee, through the Chairperson or his/her representative, when its minutes are submitted for approval, to call the attention of the Council to any matter of an unusual or special character contained therein.

DISCUSSION ON COMMITTEE MINUTES

15 The Chairpersons of each of the Standing Committees shall propose that the minutes of the proceedings of the Committee for which they are the Chairperson are “approved and adopted” and the Lord Mayor shall immediately thereafter seek a seconder for that motion.

Any amendment to be moved by any Member in relation to that motion shall be about a matter which is included in the minutes submitted to the meeting. Where possible, amendments to be moved should be sent to the Chief Executive in advance of the meeting of the Council.

Any Member who wishes to receive further information regarding any matters appearing in the minutes submitted to the Council for approval shall where possible put requests in writing to the Chairperson of the Committee concerned before the commencement of the Council meeting and he/she shall be entitled to a reply when the proceedings of the particular Committee are submitted for approval.

Once the Council has concluded any debate on a particular matter contained within the minutes of a Committee and has dealt with any amendments properly proposed and seconded and has moved on to another item, the Lord Mayor shall not permit any further discussion on that matter.

AMENDMENTS

16 When a notice of motion or a motion to approve and adopt the proceedings of a Committee is under debate at any meeting of the Council an amendment or further motion shall not be received, except the following:-

- (a) To amend the motion; or
- (b) That the Council meeting is adjourned; or
- (c) That the debate is adjourned; or

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(d) That the question under debate is immediately put to a vote;
or

(e) That the Council proceeds to the next business.

(a) TO AMEND THE MOTION

An amendment must be legitimate. It must not be a mere negative; must be relevant to the motion which it seeks to amend, and not inconsistent with anything already agreed upon at the same meeting. An amendment must relate solely to the motion which it seeks to amend, and not be in effect a new proposition on a different matter.

An amendment to a motion moved by the Chairperson of a Committee that the minutes of the proceedings of the Committee are "approved and adopted" must not lay any greater financial burden on the meeting than the decision in the Committee minutes.

When an amendment upon an original motion has been proposed and seconded, a second or subsequent amendment shall not be accepted until the first amendment is dealt with. If an amendment is carried, the motion as amended shall take the place of the original motion, and shall become the question upon which any further amendment may be moved.

A Member shall not be entitled to move an amendment if he/she has previously spoken to the motion, or to move more than one amendment to any motion, nor shall more than one amendment be moved with the same or similar intention.

(b) THAT THE COUNCIL MEETING IS ADJOURNED

Any Member of the Council who has not already spoken on any motion or amendment then under debate may propose "that the Council meeting is adjourned". Such a proposal must be seconded, but it need not be submitted in writing. The proposer and seconder shall not speak beyond formally proposing and seconding the motion, which shall be put to the vote without debate.

If the proposal for the adjournment is carried, the Lord Mayor shall (unless stated in the proposal) fix the date for the adjourned meeting for the continuation of the debate on the motion or amendment under discussion at the time of the adjournment, and for the transaction of the remaining business (if any) on the agenda for the meeting so adjourned.

If the proposal fails, a second proposal "that the Council meeting is adjourned" shall not be made within half-an-hour, unless

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in the opinion of the Lord Mayor the circumstances are materially altered.

(c) THAT THE DEBATE IS ADJOURNED

Any Member of the Council who has not already spoken to any motion or amendment then under debate may propose “that the debate is adjourned”. Such a proposal must be seconded, but it need not be submitted in writing. The proposer and seconder shall not speak beyond formally proposing and seconding it.

Before putting to the meeting a proposal “that the debate is adjourned”, the Lord Mayor shall invite the proposer of the motion or amendment under discussion to reply on the question of adjournment and, after such reply, which will not prejudice the right of the proposer of a motion to reply on the original question, shall put the proposal for adjournment of the debate to the vote without further debate.

If the proposal is carried, the Council shall proceed to the next business on the agenda, and the discussion of the adjourned debate shall be resumed at the next monthly meeting of the Council unless a special meeting of the Council shall be called for that purpose. On resuming an adjourned debate, the Member who proposed its adjournment shall be entitled to speak first.

If the proposal fails, a second proposal “that the debate is adjourned” shall not be made within half-an-hour. A Member shall not move or second more than one proposal for the adjournment of the same debate.

(d) THAT THE QUESTION UNDER DEBATE IS IMMEDIATELY PUT TO THE VOTE

Any Member who has not already spoken to any motion or amendment then under debate may propose “that the question under debate is immediately put to the vote”. Such a proposal must be seconded, but it need not be submitted writing. The proposer and seconder shall not speak beyond formally proposing and seconding it.

If the Lord Mayor is of the opinion that the matter under debate has been sufficiently discussed, he/she shall put the proposal “that the question under debate is immediately put to the vote” to the vote without debate and if this is carried the motion or amendment under discussion shall be put to the Council. If the Lord Mayor is of the opinion that the matter under debate has not been sufficiently discussed then the debate shall continue and the Lord Mayor’s ruling on such matters shall not be open to discussion.

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If the proposal fails, a second proposal “that the question under debate is immediately put to the vote” shall not be made on the same matter within half-an-hour. A Member shall not move or second more than one proposal “that the question under debate is immediately put to the vote” on the discussion of the same matter.

(e) THAT THE COUNCIL PROCEEDS TO THE NEXT BUSINESS

Any Member of the Council who has not already spoken to any motion or amendment then under debate may propose, “that the Council proceeds to the next business”. Such a proposal must be seconded, but it need not be submitted in writing. The proposer and seconder shall not speak beyond formally proposing and seconding the motion which shall be put to the vote without debate.

If the proposal is carried the matter under discussion shall be considered as dropped.

If the proposal fails, a second proposal “that the Council proceeds to the next business” shall not be made on the same matter within half-an-hour. A Member shall not move or second more than one proposal “that the Council proceeds to the next business” on the discussion of the same matter.

AMENDMENTS TO BE SUBMITTED IN WRITING AND SECONDED

17 All notices of motion shall appear on the agenda for the Council meeting. All amendments to amend a notice of motion and all amendments to amend a motion that the proceedings of a Committee are approved and adopted shall, where practicable, be submitted to the Lord Mayor in writing by the proposer, and read to the meeting, and such amendment shall not be discussed by anyone other than the proposer until it has been seconded.

RESERVING SPEECH

18 A Member of the Council may formally second an original motion or amendment and reserve the right to make his/her speech on the matter later in the debate rather than at the time of seconding.

DURATION OF SPEECHES

19 In submitting a notice of motion, the proposer shall not speak for more than ten minutes, except with the permission of the Council, and in replying for not more than five minutes. Other speakers shall each be allowed five minutes.

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In moving an amendment to a motion that a set of Committee minutes are approved and adopted, the proposer and any other Member addressing the amendment shall not speak for more than five minutes.

POINTS OF ORDER

20 A Member, whether or not he/she has previously spoken to the motion or amendment under debate, may call the attention of the Lord Mayor to a point of order which shall be immediately ruled upon by him/her. Such points of order must be strictly related to an alleged breach of the Standing Orders.

EXPLANATIONS

21 A Member who has been referred to by another Member during a speech and has had ascribed to him/her an opinion which they feel to be inaccurate may, with the consent of the Lord Mayor, give a short explanation of the matter at the conclusion of the speech in which they are referred to, regardless of whether or not they have already spoken on the matter under discussion. This explanation must deal solely with the issue at hand, must not introduce new arguments and not in effect be a new speech on the matter. A Member giving such an explanation must resume their seat if the Lord Mayor shall so direct. The Lord Mayor should permit an explanation to be provided if improper conduct or an improper motive has been alleged against the member wishing to give the explanation.

MEMBERS TO SPEAK ONCE ONLY

22 Subject to the previous Standing Orders, a Member shall not address the Council more than once on the same motion or amendment.

ADJOURNMENT OF MEETING AFTER FIVE HOURS CONTINUOUS SITTING

23 Any meeting of the Council which has lasted continuously for five hours shall stand adjourned unless the Council shall by resolution decide to continue sitting.

In the event of such adjournment, the Lord Mayor shall fix the date for the adjourned meeting for the continuation of the debate on the motion or amendment under discussion at the time of the adjournment and for the transaction of the remaining business (if any) on the agenda for the meeting so adjourned.

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VOTING AND DIVISIONS

24 Subject to any statutory provisions to the contrary, any matter to be decided by the Council will be by simple majority, conducted by show of hands.

If, before a vote is called, any Member present at the meeting requests it, the names for and against the proposal or amendment and those abstaining from voting will be taken down in writing and recorded in the minutes of the meeting. Upon such a request being received, the division bell shall be rung, and a period of one minute shall be allowed to elapse, when the doors of the Council Chamber shall be closed and no one admitted until the vote has been taken.

During the taking of the votes Members shall remain seated.

In the case of an equality of votes, the Lord Mayor shall have a second and casting vote.

QUALIFIED MAJORITY VOTING (MANDATORY)

25 Any decisions in relation to:

(a) the adoption of executive arrangements or prescribed arrangements as the Council's form of governance (Section 19 of the 2014 Act);

(b) the adoption of the Sainte Lague method for filling positions of responsibility (Paragraph 3(2) of Schedule 1 of the 2014 Act);

(c) the adoption of a Single Transferable Vote election as the method for filling positions of responsibility (Part 2 of Schedule 1 of the 2014 Act);

(d) the adoption of the Droop Quota method for appointing councillors to Committees (Paragraph 3(3) of Schedule 2 of the 2014 Act);

(e) a call-in made in accordance with Section 41(1)(b) of the 2014 Act, i.e. on the grounds of adverse community impact; and

(f) the suspension of Standing Orders, other than Standing Orders 25, 34, 35 and 47 which cannot be suspended;

shall be taken by a qualified majority where not less than 80% of the Members present and voting shall be required for the decision to be carried

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Any vote on a decision where a qualified majority is required shall be by way of a recorded vote where the names of the Members voting for and against the question shall be taken down in writing and recorded in the minutes of the meeting.

RESCINDING OF DECISIONS WITHIN SIX MONTHS

26 A motion to alter or rescind a decision of the Council shall not be competent within six months from the date of such decision unless:-

(a) the motion shall be brought forward as a recommendation of the Committee concerned: or

(b) the notice shall bear, in addition to the name of the Member who submits the motion, the signatures of at least one-quarter of the total number of Members of the Council.

QUESTIONS DECIDED TWICE IN SAME FINANCIAL YEAR

27 A matter which within any financial year has twice been decided by the Council in the same way shall not in the same financial year again be submitted for the Council's consideration, and this Order shall not be evaded by the substitution of any motion which is differently worded, but in principle the same.

CODE OF CONDUCT

28 Members must have due regard to the provisions of the Northern Ireland Local Government Code of Conduct for Councillors in relation to their conduct during the whole of the proceedings of a meeting of the Council and particularly so in relation to the provisions as set out in Standing Orders 29 to 32.

MODE OF ADDRESS

29 Members of Council shall be seated, except when addressing the Lord Mayor, and shall address other Members by their respective title of "Lord Mayor", "Chairperson", "Alderman" or "Councillor". When a Member is called to speak he/she shall rise and address the Lord Mayor and he/she shall not be interrupted except as provided for in these Standing Orders.

The Lord Mayor shall determine the order of speaking by the Members. When the Lord Mayor rises, a Member shall not continue standing or speaking, nor shall any other Member rise until the Chair be resumed.

OFFENSIVE EXPRESSION

30 A Member shall not impute motives or use offensive expression in reference to any Member of the Council.

DISORDERLY CONDUCT

31 (a) If at a meeting any Member of the Council, in the opinion of the Lord Mayor, misconducts himself/herself by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Council, the Lord Mayor or any other Member may move “That the Member named be not further heard”, and the motion if seconded shall be immediately put to a vote without discussion.

(b) If the Member named continues his/her misconduct after a motion under paragraph (a) has been carried:-

(i) the Lord Mayor or any other Member may move “That the Member named immediately leave the meeting” (in which case the motion shall be put and determined without seconding or discussion);

(ii) the Lord Mayor may adjourn the meeting of the Council for such period as he/she in his/her discretion shall consider expedient.

(c) When the Lord Mayor is of the opinion that the due and orderly dispatch of business is impossible, he/she in addition to any other power vested in him/her may, without discussion, adjourn the meeting of the Council for such period as he/she considers necessary.

RULING OF THE LORD MAYOR

32 The ruling of the Lord Mayor upon all questions of order, and of matters arising in debate, shall be final, and shall not be open to discussion.

SUSPENSION OF STANDING ORDERS

33 For the purpose of affording greater freedom of debate, any of the Standing Orders may be suspended at any meeting of the Council. Upon a motion duly proposed, seconded, and carried by a weighted majority vote such standing orders shall be suspended for that item of business. Previous notice of any such motion shall not be necessary. This standing order shall not apply in respect of those standing orders that are mandatory under the provisions of

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the Local Government (Standing Orders) Regulations (Northern Ireland) 2015.

**MANDATORY STANDING ORDERS IN RELATION TO THE
PROCEEDINGS OF THE FIRST ANNUAL MEETING OF THE
COUNCIL FOLLOWING THE LOCAL ELECTIONS**

**POSITIONS OF RESPONSIBILITY, etc. – TIME LIMITS
(MANDATORY)**

34 (1) Subject to sub-paragraph (2) of this standing order, in relation to positions of responsibility selected in accordance with paragraphs 2(1) and 2(2) or paragraph 4(1) or paragraphs 6(1) and 6(2) of Schedule 1 to the 2014 Act, the period specified for –

- (a) the nominating officer to select a position of responsibility and the term for which it must be held; and
- (b) the person nominated to accept the selected position

is 15 minutes.

(2) An extension to the period specified in sub-paragraph (1) of this standing order may be granted subject to the approval of the Council. Such an extension may be requested by –

- (a) the nominating officer;
- (b) the person nominated to hold the selected position; or
- (c) another member.

APPOINTMENT OF MORE THAN ONE COMMITTEE (MANDATORY)

35 (1) Where the Council appoints more than one committee at the same meeting in accordance with paragraph 5 of Schedule 2 to the 2014 Act, for the purposes of determining the number of places that must be allocated across the parties and independent members of the Council, it must agree –

- (a) the number of committees to be appointed; and
- (b) the number of councillors that shall constitute the membership of each committee.

(2) The total number of places to which a nominating officer of a party may nominate members who stood in the name of that party when elected must be calculated in accordance with paragraphs 2 to 4 of Schedule 2 to the 2014 Act and any resolution of the Council made thereunder.

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(3) A nominating officer's function under paragraph 2(1)(b) of Schedule 2 to the 2014 Act shall be exercised in such manner as to ensure that –

(a) all the members of a committee are not nominated by the same nominating officer;

(b) a nominating officer of a party may nominate members who stood in the name of that party to fill the majority of places on a committee, if the majority of members stood in the name of that party; and

(c) subject to (a) and (b), the number of members nominated by each nominating officer of a party, in so far as is reasonably practicable, bears the same proportion to the number of places on that committee as is borne by the number of members who stood in the name of that party.

(4) Nominations made in accordance with sub-paragraph (3) of this standing order shall take into account any positions of responsibility on a committee held by a member who stood in the name of the party.

SECTION 2

STANDING COMMITTEES

36 The following shall be the Standing Committees of the Council:

- (a) Strategic Policy and Resources
- (b) City Growth and Regeneration
- (c) People and Communities
- (d) Licensing
- (e) Planning

DUTIES OF COMMITTEES

37 The Standing Committees shall be responsible to the Council for the matters described hereunder and shall control the various Departments which carry out the functions of the Council, that is to say

(a) Strategic Policy and Resources Committee

The Strategic Policy and Resources Committee will be responsible for setting the strategic direction of the Council through the development of its corporate plan and other key corporate and cross cutting strategies and policies. It will also ensure effective use of resources and value for money for ratepayers, and oversee the Council's relationship with a number of key agencies and partners.

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This includes:-

working with partners to lead the development of the community plan

Supporting the development, implementation and monitoring of the Physical Investment Strategy

Developing and implementing the organisation's Good Relations & Equality Strategies

Allocating resources based on the corporate and city priorities

Managing and monitoring performance against the achievement of the council objectives and those agreed in the community plan

Developing the council's finance strategy and all matters relating to its implementation including; all revenue and capital financing and borrowing, the annual revenue and capital budgets and the rate to be levied, monitoring of financial performance

Developing the council's organisational development strategy and all matters relating to its implementation including; governance and organisation structures, organisational improvement initiatives, member and officer capacity building and monitoring of organisational performance

Developing the internal strategies to ensure the smooth running of the council including; asset management, procurement, grants, human resources, diversity, communications and accommodation

Managing and maintaining the corporate land bank and city assets, including the City Hall

**Agreeing the Local Development Plan with the Planning Committee
Overseeing the delivery of the internal council services listed below;**

Human Resources; Corporate Communications; Legal Services; Democratic Services; Corporate Policy and Strategic Planning; Finance and Performance; Digital Services and Audit Governance and Risk Services. Property and Projects will also report on Procurement; Contract Management; Programme Management; Estates Unit and Facilities Management . Good relations will also be the responsibility of this committee.

(b) City Growth and Regeneration Committee

The City Growth and Regeneration Committee will be responsible for the development and implementation of strategies, policies, programmes and projects directed to the regeneration and growth of the city in the context of the outcomes agreed in the community and corporate plans and other corporate strategy.

This includes:-

Influencing and contributing to regional regeneration and growth strategies and activities

Developing and implementing city-wide economic strategies and policies

Managing and maximising the impact of major physical developments in the city

Coordinating and promoting major city wide events

Sourcing and providing support to attract and utilise European and other grants which contribute to the growth of the city

Providing support for economic development initiatives

Supporting the development of culture, heritage and the arts

Working with other agencies to promote Belfast as a key investment and tourism opportunity

Developing programmes and actions to support local businesses and attract inward investment

Managing the Council's markets and maximising their benefit to the city

Influencing and contributing to strategies and policies affecting skills, employability, transportation and energy in the City

Overseeing the delivery of the following services

Economic Development, Urban Development, Tourism, Culture and Arts, European and International Relations, Waterfront and Ulster Halls, City Markets, City Events, Belfast Castle, Malone House, Belfast Zoo and the transferring car parks

(c) People and Communities Committee

The People and Communities Committee will be responsible for the development and implementation of strategies, policies, programmes and projects aimed at improving life at a local level in the context of the outcomes agreed in the community and corporate plans and other corporate strategy. This includes

Developing and delivering programmes, events and activities to promote health, safety and well being at a local level

Administering and enforcing the Council's powers and duties under the Public Health Acts and all environmental health and building related legislation and regulations

Securing and providing adequate provision for the recycling, treatment and disposal of commercial and domestic waste including bulky waste and the collection and disposal of abandoned motor vehicles.

Exercising the Council's powers for improving local environmental quality in relation to housing legislation, Managing controlled waste, emergency planning and community safety and anti-social behaviour, clean neighbourhoods and other environmental or regulatory issues not falling within the remit of any other Committee.

Managing, maintaining and maximising the benefit of the Council's parks, pitches, playgrounds and other public spaces as well as community centres and other indoor facilities

Developing and implementing activities to ensure the delivery of corporate strategies and initiatives in respect of the promotion of health and physical activity, environmental protection, community safety and other such areas under the domain of this Committee.

Overseeing the delivery of the Council's frontline services and associated community assets including;

Overseeing the delivery of the Council's frontline services and associated community assets including;

Environmental Services; Cleansing; Waste Management; Parks and Cemeteries service (excluding zoo, Malone House and Belfast Castle), Neighbourhood and Development Services; Community Services, Community Safety and Emergency Planning.

(d) Licensing Committee

The Licensing Committee shall be responsible for the consideration of all matters pertaining to policy and legislation in relation to licensing issues. The Licensing Committee shall have delegated authority for determining the following matters:

(i) The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985

Entertainment Licences

- Applications for the grant of outdoor licences
- Applications for the grant, renewal, transfer or variation of licences where objections are received
- Suspension and revocation of licences
- Applications for a waiver to permit entertainment involving striptease or nudity.

Sex Establishments

- Applications for the grant of licences
- Applications for the renewal, transfer or variation of licences
- Revocation of licences

(ii) The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (as amended by the Betting and Gaming (Northern Ireland) Order 2004).

- Applications for the grant of amusement and pleasure permits
- Applications for the renewal of amusement permits where adverse representations have been made
- Registration of Societies in relation to the running of lotteries.

(iii) Street Trading Act (Northern Ireland) 2001

- Designation of streets or part thereof
- Applications for the grant of licences
- Applications for the renewal, transfer or variation of licences where objections are received
- Revocation of licences
- Setting of licence fees

(iv) administration of the provisions of the Licensing (Northern Ireland) Order 1996 and the Registration of Clubs (Northern Ireland) Order 1996 relating to entertainments and liquor licensing in licensed premises and registered clubs.

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(v) such other licensing matters as the Director of Health and Environmental Services considers appropriate to be addressed by the Licensing Committee.

Whilst the Committee has full delegated authority in relation to licensing decisions it may reconsider any decision referred to it by the Director of Health and Environmental Services in consultation with the Director of Legal Services.

(e) Planning Committee

The Planning Committee shall be responsible for all the Council's planning functions, excepting those matters which are expressly delegated to officers or reserved to full Council.

Specific responsibilities include:

Exercising the Council's powers and duties in relation to local planning policies, plan strategies, the statement of community involvement and any other development plan documents in conjunction with the Strategic Policy and Resource Committee who will consider all of the said policies and plans to ensure that they are consistent with the broader strategic objectives of the Council;

Reconsideration of local planning policies, plan strategies, the statement of community involvement and any other development plan documents in respect of which the Strategic Policy and Resource Committee considers to be inconsistent with the broader strategic objectives of the Council;

Deciding applications for planning permission and whether to impose any condition, limitation or other restriction on an approval, consent, licence or permission;

Revoking, amending, modifying or varying any approval, consent, licence or permission;

Determining any matters related to the exercise of permitted development rights as set out in the Planning (General Development) Order (NI) 1993 or any other legislation relating to such rights;

Exercising the Council's powers and duties in relation to development control;

Determining applications for the display of advertisements and whether to impose any condition, limitation or other restriction on such advertisements;

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Determining applications for planning permission or consents for listed buildings and exercising any related powers and duties; including the revocation or modification of such a consent;

Exercising the Council's powers in relation to the preservation of trees;

Dealing with any other planning related matter that a meeting of Council or any other Committee considers appropriate to be referred to the Planning Committee;

Responding to consultations on local planning policies, plan strategies the statement of community involvement and any other development plan documents in adjoining authorities;

Responding to consultations issued by the Department of Social Development, or any other Department, in relation to planning matters;

Responding to consultations in relation to regionally significant or major applications to be determined by the Department of Social Development

MEMBERSHIP OF STANDING COMMITTEES

38 The membership of the Standing Committees shall be made in accordance with the provisions of Schedule 2 to the 2014 Act.

QUORUM

39 The quorum of every Committee shall be five, with the exception of the Planning Committee where the quorum shall be four.

MEETINGS OF STANDING COMMITTEES

40 Committees shall normally meet on a monthly basis or as often as determined by the Committee.

Unless in cases of emergency, the Committees of the Council shall not meet during the month of July in any year. During that month the business of the Council managed by the Committees shall, where circumstances render it necessary, be discharged by the Chief Executive or, in her absence, her Deputy acting upon recommendations made by the Directors of Departments. If, however, any matter arises which in the opinion of the Chief Executive or her Deputy ought properly to be placed before a Committee for consideration, the Chief Executive or her Deputy, in consultation with the Chair or in his or her absence the Deputy

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Chair of the Committee concerned, shall call a meeting of the Committee for that purpose.

OTHER MEMBERS MAY ATTEND COMMITTEES

41 Members of the Council who wish to attend Committees other than those of which they are Members shall be at liberty to do so. They may be permitted by the Chairperson to speak on any question before the Committee, but not to vote or take any other part in the proceedings.

ADMISSION OF THE PUBLIC TO COMMITTEE MEETINGS

42 The public may attend only in the part of the Committee Room set aside for that purpose, unless specially excluded by a resolution of the Committee under the provisions of Standing Order 43, during the whole or part of the proceedings at the meeting, subject to the following conditions -

- (a) They must remain seated and no expression of opinion or noise of any kind shall be permitted;
- (b) Admission of the public will be subject to compliance with safety requirements
- (c) The use of mobile phones or recording devices of any kind will be strictly prohibited.

The Chairperson may exclude any member of the public in breach of these conditions.

EXCLUSION OF THE PUBLIC FROM COMMITTEE MEETINGS

43 (a) The public shall be excluded from a meeting of a Committee whenever it is likely that, during the transaction of an item of business, confidential information would be disclosed to them in breach of an obligation of confidence.

(b) The Committee may by resolution exclude the public from a meeting of the Committee (whether during the whole or part of the proceedings at the meeting) for such special reasons as may be specified in the resolution, being reasons arising from the nature of the business to be transacted or of the proceedings at the meeting.

(c) The Chairperson may at any time during the meeting, if he/she thinks it necessary to secure order, direct the removal of any individual or group of individuals from the Committee Room, or order the Room to be wholly cleared of members of the public.

(d) The Committee, having excluded the public, shall only consider the matter referred to it by the resolution. If it should be

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deemed necessary to consider any matter not included in the resolution, the public shall be re-admitted and the Chairperson may ask leave of the Committee to take up the consideration of such additional matters as may be deemed desirable.

(e) The Committee, having excluded the public, shall not have the power to adjourn its own sittings or to adjourn a debate to a future sitting. If the business referred to in the resolution is not transacted, the Committee may be resumed and a Member of the Committee may propose that the Committee again exclude the public on a future day to deal with the business specified in the resolution which was not transacted.

(f) If the Committee, with the public excluded, has transacted part of the business referred to it, without being able to reach a decision on all the business so referred, a Member of the Committee may, with leave of the Committee, report on the progress to that point and ask the Committee's permission to sit again.

When the Committee transacts business with the public excluded, a motion for adoption relating to that item of business may be proposed but without further questions or discussion. In the event that the public are excluded for any item of business the reason for doing so will be recorded.

ORDER OF BUSINESS

44 Subject to any Statutory requirements to the contrary, the order of business at every Committee Meeting shall be as follows:-

- (a) Routine Matters
- (b) Apologies
- (c) Declarations of Interest
- (d) Deputations
- (e) Any matter successfully called-in and referred back to the Committee for reconsideration under the provision of Standing Order 47(C)(7)
- (f) Officers' Reports
- (g) Matters specifically requested to be included on the agenda by an elected Member under the provision of Standing Order 45.

REQUEST FOR A MATTER TO BE INCLUDED ON AN AGENDA

45 Any Member who wishes to have a particular matter included on the agenda for a meeting of a Committee shall make such request in writing to the appropriate Chief Officer. If the subject matter of the request falls within the remit of the Committee and the action proposed to be taken is lawful, the Chief Officer shall, after informing the appropriate Chairperson, arrange for that matter to be

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included on the agenda for the next available monthly meeting of the Committee, indicating the name of the Member who will be speaking to the issue at the meeting

The issue in question will either simply appear on the agenda against an individual Member's name or, if the appropriate Chief Officer considers that it would be helpful to the Committee in considering the matter, a short covering report may be prepared which highlights that a named Member has asked that the issue is raised and give some important factual information. No significant resources, including officer time, will be committed to such preparatory work. Resources will only be committed once the Council has decided to take action.

VOTING

46 All questions at a Committee shall be decided by a majority of the Members present and voting by show of hands, unless otherwise resolved by the Committee before a vote is taken. The Chairperson may vote and shall, in addition, have a casting vote in the case of equality of votes.

CALL-IN PROCESS (MANDATORY)

47 (a) Decisions subject to call-in

(1) The following decisions may be subject to call-in in such manner as is specified in these standing orders—

- (a) a decision of the executive;
- (b) an executive decision taken under joint arrangements in accordance with section 26 of the 2014 Act;
- (c) a key decision taken by an officer or officers of the council;
- (d) a decision taken by a committee under delegated authority in accordance with section 7 of the 2014 Act; and
- (e) a decision taken by a committee to make a recommendation for ratification by the council.

(2) The following decisions shall not be subject to call-in—

- (a) a decision on a regulatory or quasi-judicial function which is subject to a separate appeal mechanism;
- (b) a decision which is deemed to be a case of special urgency in accordance with regulation 26 of the 2014 Executive Arrangements Regulations;
- (c) a decision where an unreasonable delay could be prejudicial to the council's or the public's interests;
- (d) a decision taken by an officer or officers which is not a key decision;
- (e) a decision by the executive which serves only to note a report from or the actions of an officer or officers.

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(3) No decision shall be subject to call-in more than once for each of the reasons specified in section 41(1) of the 2014 Act.

(b) Call-in admissibility

(1) A call-in shall be submitted in writing to the clerk by 10am on the fifth working day following publication of the decision to which the call-in relates. If a call-in is received after the specified deadline, it shall be deemed inadmissible.

(2) A call-in shall—

- (a) specify the reasons why a decision should be reconsidered; and**
- (b) subject to sub-paragraph (5) of this standing order, be deemed to be inadmissible if the reasons are not specified.**

(3) In the case of a call-in submitted under section 41(1)(b) of the 2014 Act, members shall state in the reasons specified under sub-paragraph (2) of this standing order—

- (a) the community that would be affected by the decision; and**
- (b) the nature and extent of the disproportionate adverse impact.**

(4) Within one working day of receipt of a call-in, the clerk shall confirm that—

- (a) it has the support of 15 per cent of the members of the council; and**
- (b) the reasons for the call-in have been specified.**

(5) Where the reasons have not been specified on the requisition the clerk shall notify the members making the requisition that it shall be considered inadmissible if reasons are not specified in writing within the specified deadline.

(6) Within one working day of receipt of an admissible call-in submitted under section 41(1)(b) of the 2014 Act, the clerk shall seek the opinion of a practicing solicitor or barrister in accordance with section 41(2) of the 2014 Act.

(7) Where the legal opinion obtained in accordance with section 42(1) of the 2014 Act confirms that the call-in has merit, the clerk shall—

- (a) furnish the opinion to members; and**
- (b) include the decision on the agenda for the next available meeting of the council, at which it will be taken by a qualified majority.**

(8) Where the legal opinion obtained in accordance with section 42(1) of the 2014 Act indicates that the call-in does not have merit, the clerk shall—

- (a) furnish the opinion to members; and**

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(b) make arrangements for the decision to be implemented or tabled for ratification by the council, as appropriate.

(c) The call-in process: committee arrangements

(1) For the purposes of reconsideration of a decision pursuant to a call-in the minutes of a committee which record a decision—

(a) taken under delegated authority; or

(b) for ratification by the council

shall be published within two working days of the conclusion of the meetings. This date shall be regarded as the date of publication for the purposes of a call-in.

(2) If a call-in is not received by the deadline specified in paragraph (b)(1) of this standing order, the decision specified in—

(a) paragraph (c)(1)(a) of this standing order shall be implemented; or

(b) paragraph (c)(1)(b) of this standing order shall be tabled for ratification by the council.

(3) The tabling for ratification of a decision specified in paragraph (c)(1)(b) of this standing order, or the implementation of a decision specified in paragraph (c)(1)(a) of this standing order, shall be postponed (unless the total level of support for the call-in falls below 15 per cent of the members) until the call-in has been resolved. The decision maker may rescind the decision at any time prior to the call-in being resolved.

(4) If an admissible call-in is made in accordance with paragraph (b)(2) of this standing order and section 41(1)(a) of the 2014 Act, the council shall appoint an ad hoc committee of the council, the membership of which will be—

(a) the chairpersons of all committees of the council; and

(b) the deputy chairpersons of all committees of the council

to consider the process adopted by the decision-making committee.

(5) The chairperson and deputy chairperson of the committee which was responsible for the decision which is the subject of the call-in shall not have voting rights at a meeting of the committee appointed in accordance with sub-paragraph (4) of this standing order.

(6) The members who submitted the call-in, or a member on their behalf, shall be invited to attend the meeting at which the decision subject to the call-in is considered and may, upon the request of the chairperson, address the meeting, but shall not have voting rights.

(7) A committee appointed in accordance with sub-paragraph (4) of this standing order may—

(a) refer the decision back to the decision maker;

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- (b) in the case of a decision taken under delegated authority, support the decision; or
- (c) in the case of a decision for ratification by the council, refer the decision to the council.

- (8) Where a decision has been supported in accordance with sub-paragraph (7) of this standing order, that decision shall—
- (a) be approved;
 - (b) be inserted in the Register of Decisions; and
 - (c) become operative from the date of the meeting at which the committee appointed in accordance with sub-paragraph (4) of this standing order confirmed support for the decision.

CODE OF CONDUCT

48 Members must have due regard to the provisions of the Northern Ireland Local Government Code of Conduct for Councillors in relation to their conduct during the whole of the proceedings of a meeting of a Committee.

MODE OF ADDRESS, OFFENSIVE EXPRESSION AND DISORDERLY CONDUCT

49 The provisions of Standing Orders 29 to 32 shall apply in relation to the meetings of Committees, subject to the provision that a Member may remain seated when speaking and that the word “Committee” be substituted for the word “Council” and the word “Chairperson” for the words “Lord Mayor” as appropriate.

RULING OF THE CHAIRPERSON

50 The ruling of the Chairperson of the Committee upon all questions of order, and of matters arising in debate, shall be final, and shall not be open to discussion.

SECTION 3

MISCELLANEOUS STANDING ORDERS

CORPORATE SEAL

51 The Corporate Seal of the Council shall be kept in a safe place at all times when not in use.

(a) Every document sealed shall be attested and a record kept in a book containing particulars of the documents sealed.

(b) The Corporate Seal shall not be set to any document unless a resolution of the Council shall be passed in that behalf or unless the Council shall have passed a resolution authorising any

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particular Committee to affix the Common Seal to any particular documents; but a resolution of the Council (or of a Committee approved by the Council) authorising the acceptance of any tender, the purchase, sale, letting, or taking of any property, the issue of any stock, the presentation of any petition, memorial or address, the making of any contract, or any other matter or thing, shall be sufficient authority for the Lord Mayor or his/her Deputy or Chief Executive and Town Clerk to affix the Corporate Seal to any document necessary to give effect to such resolution.

PROPERTY, PURCHASES, LEASING

NOTIFICATION OF ACQUISITION OR DISPOSAL OF PROPERTY

52 Consent for the acquisition, disposal or development of land must be obtained from the Strategic Policy and Resources Committee.

Consent to re-appropriate land held or obtained for a particular purpose will require the consent of that Committee also. Such re-appropriation to include the holding of land for the development or future development of the district.

53 Declarations that land has become surplus must be reported and approved by the Strategic Policy and Resources Committee.

CONTRACTS

INTRODUCTION

In these Standing Orders:-

(a) the expression 'the Council' shall include where appropriate a Committee or person acting in accordance with delegated authority on behalf of the Council.

(b) 'Chief Officer' shall mean the Director of any Department concerned with any particular contract or the Town Solicitor

(c) 'the statutory amount' shall mean £30,000 (exclusive of VAT) or such other amount as shall be determined from time to time by the Department of the Environment for Northern Ireland under Section 100 (1) of the Local Government Act (Northern Ireland) 1972.

COMPLIANCE

54 Every contract governed by these Standing Orders shall comply with the relevant requirements of national and European Community legislation.

EXCEPTIONS

55 Exceptions from Standing Orders relating to contracts can only be allowed:-

(a) by direction of the Council acting on a recommendation of a Chief Officer that the exception is justified in special circumstances; or

(b) by a Chief Officer certifying that there is an extreme urgency, and provided that he/she has first consulted the Chairman of the appropriate Committee and the Director of Corporate Services, and that the action is subsequently reported to the next meeting of that Committee;

In either case exceptions will only be permissible if the Chief Officer has consulted the Town Solicitor and the proposed exception has been agreed.

ESTIMATES

56 Before entering into a contract for the execution of work which is likely to cost more than the statutory amount, the Chief Officer shall obtain a written estimate of the probable expense and also, where practicable, an estimate of annual maintenance expenses.

TENDERING

57 Every contract for the supply of services, goods or materials, or the execution of work, and which is likely to exceed the statutory amount in value shall, subject to permitted exceptions, be made subject to tender in accordance with one of the following procedures:-

(i) OPEN TENDERS

At least ten days' public notice must be given in more than one local newspaper circulating in the Council's district and in any other newspapers or trade journals as the Chief Officer considers appropriate. The advertisement must state the nature and purpose of the contract, and indicate a date by which tenders must be received. Where appropriate, the advertisement of contracts must comply with the requirements of European Community procurement legislation in regard to advertising in the Official Journal.

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(ii) SPECIAL SELECT LIST

Public notice must be given in respect of a particular contract in the manner set out in paragraph (i) inviting applications from interested persons to be placed on an approved list.

(iii) STANDING SELECT LIST

Tenders must be invited from amongst a list of persons who have been invited by public notice given in similar manner as in paragraph (i) to have their names placed on a list of persons able and willing to tender for contracts for the supply of goods or materials of specified categories, values or amounts, or for the execution of specified categories of works. This select list shall:-

(a) be compiled and maintained by the Chief Officer;

(b) contain the names of all persons who wish to be included in it and who are approved by the Council;

(c) indicate whether a person whose name is included in it is approved for contracts for all, or only some, of the specified categories, values or amounts; and

(d) be amended as required from time to time and reviewed following public notice in the manner set out in paragraph (i) at intervals not exceeding five years. Where practicable, each person whose name appears on an existing list shall be asked if he/she wishes his/her name to remain in the reviewed list.

Where a Select List is formed, invitations to tender for the contract shall be sent to not less than four of the persons included in the list, to be selected by the Chief Officer and approved by the Council, or if fewer than four persons have applied and are considered suitable to all those persons it shall be a condition of tendering, and of inclusion or retention on a Select List, that a contractor shall not be an unqualified person for the purposes of Sections 41 to 43 of the Fair Employment (Northern Ireland) Act 1989.

A Register of Tenderers and Contractors shall be kept recording the names of tenderers and contractors who have withdrawn their tenders after acceptance or who have committed a serious breach of their contracts, together with details of the facts. The Register shall be consulted when tenders are being considered in order that any record therein of a tenderer shall be taken into account when considering his tender. .

In appropriate cases the selection of a contractor may be made on the basis of a call off contract or framework agreement subject to the Chief Officer obtaining legal advice confirming that such action is lawful and reporting the matter to Strategic Policy & Resources Committee.

ENGAGEMENT OF CONSULTANTS

58 (a) It shall be a condition of the engagement of any architect, engineer, surveyor or other consultant (who is not an officer of the Council) who is retained to supervise a contract on behalf of the Council that he/she will -

- (i) comply with these Standing Orders;
- (ii) produce for inspection to the Chief Officer on request all records kept by him/her in relation to the contract.

(b) An architect, engineer or other consultant on contracts shall not receive any payment in commission or fees on any extra work over the approved contract price unless the Council approves the extra work beforehand.

ADVERTISING AND RECEIPT OF TENDERS

59 (a) All Council advertisements inviting tenders or inviting applications to be included on a Select List shall be signed by the Director to whom all tenders shall be addressed.

(b) Advertisements shall state -

(i) that a tender will only be considered if it is received in a plain sealed envelope marked 'Tender for (subject)', with no marking on the envelope to indicate the identity of the sender;

(ii) that tenders sent by post should be registered or sent by recorded delivery;

(iii) that tenders must reach the office of the Director by a certain time.

(c) Any tender received after the specified time shall be returned promptly to the tenderer. The tender may be opened to ascertain the name of the tenderer but no details of the tender shall be disclosed. However, a tender may be considered where the Director is satisfied that there is evidence of posting in time for delivery by the specified time in the normal course of postal delivery.

(d) As soon as a tender is received, a numbered receipt shall be given and recorded by the Director and the receipt number shall be marked on the tender. Pending their opening, all tenders shall be kept securely in the custody of the Director.

(e) Tenders for any contract shall be opened by the Director in sufficient time to enable them to be considered by the Committee concerned. Every tender shall be checked against the register of receipts to ensure that all tenders received have been accounted for

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and shall be initialled by the person opening same. The tenders shall then be submitted for consideration by the Committee.

(f) Where examination of tenders reveals errors or discrepancies which would affect the tender figure(s) in an otherwise successful tender, the tenderer must be given details of such errors and discrepancies and afforded an opportunity of confirming or withdrawing his/her offer. If the tenderer withdraws, the next tenderer in competitive order is to be examined and dealt with in the same way. Any exception to this procedure may only be authorised by the Council after consideration of a report by the Chief Officer.

(g) A tender other than the lowest tender, if payment is to be made by the Council, or the highest tender, if payment is to be received by the Council, shall not be accepted until the Council shall have considered a report from the Chief Officer as to the reasons for his/her recommendation.

SEALING, DAMAGES AND BONDS

60 (a) Every contract which exceeds the statutory amount in value shall be made under the Corporate Seal.

(b) Every written contract shall specify -

(i) the work to be done, or the services to be provided, or the goods or materials to be supplied;

(ii) the price to be paid, with a statement of discounts or other deductions; and

the time or times within which the contract is to be carried out.

(c) Every contract which exceeds the statutory amount in value and which is for the execution of works (or for the supply of goods or materials by a particular date or series of dates) shall provide for liquidated damages or the making good by the contractor of any loss incurred by the Council in case the contract is not duly performed.

(d) Where a contract is estimated to exceed a statutory amount in value and is for the execution of works (or for the supply of goods and materials by a particular date or series of dates), a Performance Bond or other adequate security shall not be required unless there are sound commercial reasons for their use.

SPECIFICATIONS AND STANDARDS

61 (a) All tenders for the execution of works or the supply of goods or materials shall be based so far as possible, except to the extent

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that the Council in a particular case otherwise decides, on a definite specification.

(b) All written contracts shall require, as a minimum, that goods and materials shall be in accordance with the relevant British Standards Institution and European Community standards and specifications.

OTHER CONTRACT CONDITIONS

62 Every written contract for the execution of works or for the supply of goods and services and having a value exceeding the statutory amount shall provide that the Council can cancel the contract and recover any resulting losses if the contractor or his/her employees or agents with or without his/her knowledge:-

(a) does anything improper to influence the Council to award him/her the contract; or

(b) commits an offence under the Prevention of Corruption Acts 1889 to 1916, the Bribery Act 2010 or Sections 46 or 47 of the Local Government Act (Northern Ireland) 1972 or any other criminal offence relating to the procurement and execution of the contract.

CONTRACTS WITH MEMBERS OR OFFICERS OF COUNCIL

63 The Chief Executive shall report to the Council any case where it comes to his/her notice that a Member or officer of the Council has any interest in any transaction with the Council.

GENERAL

AMENDMENT TO STANDING ORDERS AND REPEALS

64 These Standing Orders may be altered or rescinded by resolution of the Council passed at one meeting and confirmed at another.

Appendix 1

**PROTOCOL FOR DECISION MAKING
BY THE LICENSING COMMITTEE**

Introduction

The following protocol has been developed for use by the Licensing Committee ('the Committee'). It should be read alongside relevant provisions of the Council's Standing Orders and the Code of Conduct for Councillors and is not intended to replace either document. The key aims of the protocol are to ensure that:

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Those who apply for, or object to, licences or permits before the Committee are able to make informed representations and know the case which they have to meet; and

The Committee makes decisions in a soundly based, lawful, fair and transparent way.

Representations to Committee

Applicants, statutory consultees, and objectors ('the parties') to an application will be present whilst representations are being made in relation to that application. That is subject to the following conditions:

Deputations shall be heard in the following order:

Statutory consultees or other notice parties;

Objectors and/or their representatives;

Applicant and/or their representatives and/or those supporting the application.

Where more than one application is received in relation to a street trading site, deputations will be heard in alphabetical order according to the surnames of the applicants. Every applicant will be admitted to the meeting for the time during which deputations are made in respect of the site;

Such deputations, unless otherwise agreed in advance by the Committee, shall consist of no more than 3 persons. Where there are more than 3 objectors or groups of objectors they will be required to arrange a single deputation to express their representations;

The privilege of such deputation shall be confined to the presentation of a statement and the making of a short address either by each member of the deputation or, should they so wish, by their nominated spokesperson or legal adviser;

Each deputation shall be permitted. So far as is reasonably practicable, a maximum of 5 minutes to address the Committee. Where more than one person wishes to make representation the 5 minutes should be shared between the members of the deputation;

All members of a deputation must continue to be seated and remain silent whilst other deputations are being made to the Committee;

Cross-examination between persons making representations to Committee shall not be permitted;

Once all deputations have been made, the parties shall be permitted an opportunity to clarify any issues which may have arisen from the oral representations of another deputation. This will be strictly

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limited to responding to any such issue and will not be another opportunity to rehearse their representations;

The Committee may, upon advice from officers, exclude any deputation from being present during the whole or part of the time when any other deputations are being made due to:-

the confidential nature of information relevant to the application to be discussed; or

For such other reasons as may be appropriate;

The Committee may seek clarification from those who have spoken on any issues raised by them but should not enter into a debate with them;

Officers can address any issues raised during the course of representations from any deputation and the Committee can question officers; and

The Chairman may agree to accept representations outside these procedures under exceptional circumstances upon advice from officers.

Submission of representations to Council

Each deputation shall submit a prepared statement in advance of the meeting in a format as required by the Committee.

The statement, along with any other supporting information, must be provided in sufficient time which, unless circumstances dictate otherwise, shall be 3 weeks prior to the date of the Committee at which the matter is to be considered and the statement shall be included in the report to Committee.

Save for exceptional circumstances, all material supplied to the Committee will be shared with the parties. In particular;

Objectors will receive the material supplied on behalf of the applicant or representatives in support of an application;

Applicants will receive the material supplied on behalf of objectors in opposition to an application; and

All parties to an application shall be supplied with the report and all appendices thereto which is to be presented to Committee apart from any information which is restricted by virtue of the confidentiality provisions in the Council's publication policy.

Any relevant information which was not made available for inclusion in the report to Committee in advance of the meeting must be received by the Building Control Service (in writing or by email)

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no later than 12.00noon two working days prior to the meeting. Any such information may then be verified or investigated and must also be supplied to all the parties to an application in advance of the meeting. Failure to do so may result in either the documentation being disregarded or the hearing being deferred.

Any documentation which is provided directly to any members of the Council must also be copied to the Building Control Service so as to ensure that the issues raised can be fully investigated by officers prior to the Committee hearing. Failure to do so may result in either the documentation being disregarded or the hearing being deferred.

Role of Committee Chairman

It is the role of the Committee Chairman to chair the proceedings in such a way as to facilitate decisions which are consistent with the Committee's aims and to ensure that licensing decisions are properly debated.

The Chairman will ensure that those making representations to the Committee adhere, as far as is practicable, to any time limits fixed for such presentations. These time limits will have been communicated to those making representations in advance of the meeting.

The Chairman may at any time during the hearing of deputations, if s/he thinks it necessary to secure order, direct the removal of any individual from the meeting, or order that the meeting be cleared of all deputations.

When hearing deputations, the Chairman will only permit questions to be put to persons appearing before the Committee and will require members engaging in debate to desist, until such time as all relevant information has been received.

The Chairman may bring the questioning of any person appearing before the Committee to a close provided s/he is satisfied that all relevant issues have been addressed. The Chairman may also prevent duplication of questions being put.

In any circumstances in which relevant information has been omitted from the information presented to the Committee, or the information appears to be deficient or appears to require further clarification or investigation, the Committee should consider deferring consideration of the matter to the subsequent monthly meeting of the Committee to allow the relevant information to be brought before it.

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The Chairman may permit any member of Council who is not a member of the Committee to appear before the Committee and make representations but the member cannot vote or take any other part in the proceedings.

If a member of the Committee moves that the question be put to a vote and the Chairman is of the opinion that the application before the Committee has been sufficiently discussed, s/he shall put the motion to the vote.

The Chairman shall, if necessary, seek clarification on any proposal put by any member before a motion is put to a vote.

Role of Committee Members

The Committee's aim will be to make decisions which are sound, lawful, fair and transparent. In particular, members of the Committee should ensure that they take into account all relevant considerations and leave out of account irrelevant considerations.

Members must act fairly and be seen to act fairly. This means that they must have an open mind when considering an application and not pre-determine, or appear to pre-determine, an application before all of the evidence has been heard.

In considering any application only those members of Committee that have been present to consider representations from all deputations and any other information presented in relation to that application shall be permitted to vote on the matter.

Members of the Committee who have any pecuniary interest or other personal interest in a particular decision of the Committee should declare same and withdraw from the meeting.

Any member of the Committee who feels they cannot remain impartial and wishes to support an applicant or objector at a Committee meeting can do so in their capacity as a local Councillor. If they do so, they can appear before the Committee and make representations but the member cannot vote or take any other part in the proceedings.

Only those members sitting on the Committee will be permitted to engage in the questioning of those giving presentations or making representations to the Committee.

If legal advice is provided by Legal Services, the Committee must have regard to any such advice before reaching a decision.

Appendix 2

OPERATING PROTOCOL

BELFAST CITY COUNCIL PLANNING COMMITTEE

INTRODUCTION

1. The following protocol has been developed for use by the Planning Committee ('the Committee'). It should be read alongside relevant provisions of the Council's Standing Orders and the Code of Conduct for Councillors and is not intended to replace either document. The key aims of the protocol are to ensure that:

Those who apply for, or object to, applications before the Committee are able to make informed representations and know the case which they have to meet; and
The Committee makes decisions in a sound, lawful, and transparent way and in a timely and efficient manner.

REMIT OF THE COMMITTEE

2. The primary roles of the Committee will include:

Exercising the Council's powers and duties in relation to local planning policies, plan strategies, the statement of community involvement and any other development plan documents;

Exercising the Council's powers in relation to listed buildings;

Consideration of applications for planning permission and development management in accordance with the Council's Scheme of Delegation;

Responding to consultations issued by the Department of Environment, or any other Department, in relation to planning matters;

Responding to consultations in relation to regionally significant or major applications to be determined by the Department of Environment;

Scrutiny of the Council's delivery of planning functions, to include development management, enforcement, etc .

3. More detailed terms of reference can be found in XXXXXXXXXXXXXXXX.

FREQUENCY & TIME OF MEETINGS

4. It is recommended that the Committee should meet every month; though there should be flexibility for additional meetings if required.
5. Dates and times will be advertised at least 5 days in advance on the Council website.

SCHEME OF DELEGATION

6. As per the requirements of Section 31 of the Planning Act (NI) 2011 the Council will operate a scheme of delegation for planning outlining delegation both to the Committee and officers (this can be found at XXXXXXXXXXXX). The overall objective is to ensure that arrangements for decision-making on applications for local developments are efficient whilst ensuring that proposals that raise strong local views or sensitive issues for the local environment can be dealt with by elected members. Delegating determination of some planning applications to officers is also seen as a critical factor affecting the overall performance of the development management process as it helps ensure that decisions are taken at the most appropriate level, procedures are clear and transparent, costs are minimised and members have more time to concentrate on complex applications.
7. In respect of development management, authority is delegated to appointed officers for local, generally non-contentious, applications.
8. Enforcement activities are also delegated to appointed officers. However the Committee will receive periodical reports on enforcement activities.
9. Arrangements are also in place within the scheme that allow members to request that an application, which would normally fall within the scheme of delegation, be referred to the Committee for determination.
10. Major applications, applications made by the Council or an elected member of the Council, and applications relating to land in which the Council has an interest in, cannot be delegated.

FORMAT OF MEETINGS

11. Committee meetings (dates, times and papers) will be published on the Council's website at least 5 calendar days in advance.

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12. Papers will include the following:

Minutes of the previous meeting for approval as a complete record;

Details of delegated applications for noting only by the Committee;

Details of proposed pre-determination hearings;

Details of non-delegated applications (including those brought back following deferral) for consideration by the Committee;

Details of applications of regional significance with an impact upon the Council area in respect of which the Council is a statutory consultee or where it may wish to make representations;

Papers relating to the development of policy.

13. All members of the Council will receive a weekly list of all applications which are delegated to officers in accordance with the Council's Scheme of Delegation.

14. If a member wishes to request that a delegated application is brought before the Committee this must be done, in writing or by email, within 14 days of the application being publically advertised. Members should notify Democratic Services of this request stating clearly their reasons, which must be material considerations. Democratic Services will then liaise with the Town Solicitor's office and the authorised senior planning officer to determine whether the reasons which have been set out are material considerations and are of significant weight to allow the application to be referred to Committee. The Town Solicitor or authorised senior planning officer will advise the relevant member of their decision.

15. The Town Solicitor, in consultation with the authorised senior planning officer, may refer a decision back to Committee for the purposes of reconsideration.

16. A quorum, as outlined in the Council's standing orders, is required for the Committee to convene.

17. Councillors will be required to declare an interest in any item on the agenda at the beginning of the meeting and must then leave the meeting for that item. Members will then be invited to return to the meeting room and notified of the Committee's decision before the meeting recommences.

18. The Committee will discuss those applications that have not been delegated before taking a vote on one of the following options:

Approve the application with conditions as recommended;

Approve the application with amendments to the recommended conditions;

Refuse the application for the reasons recommended;

Refuse the application with additional or different reasons;

Refuse the application contrary to officers recommendations;

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Return the application to officers with a direction for additional information or clarification.

19. The Committee can defer consideration of an application to a subsequent meeting for further information, further negotiations or a site visit. As deferrals have an adverse effect on processing times, and the applicant can lodge an appeal when the Council has not made a decision, the Committee will generally only defer an application once. The member proposing deferral must provide clear reasons as to why a deferral is necessary.

20. The Chair has a casting vote.

21. Members must be present for the entire item, including the officer's introduction and update; otherwise they cannot take part in the debate or vote on that item.

PUBLIC REPRESENTATIONS

22. Meetings of the Committee will be open to the public; however, numbers will be limited according to the meeting venue capacity and associated fire and safety regulations.

23. Seating for the applicant, objectors and statutory consultees will be reserved but only for the time in which their application is being considered.

24. Only those who have made written submissions in respect of the application shall be permitted to make oral representations before the Committee.

25. Each deputation who wishes to appear before the Committee shall submit a prepared statement in advance of the meeting in a format as required by the Council.

26. The statement, along with any other supporting information, must be provided in sufficient time which, unless circumstances dictate otherwise, shall be 2 weeks prior to the date of the Committee at which the matter is to be considered and the statement shall be included in the report to Committee. Speakers will not be permitted to circulate papers to members at the Committee meeting.

27. The Committee may agree to accept representations outside these procedures but will only do so in exceptional circumstances.

28. All Committee papers will be available online. However, access to some documentation may be restricted by virtue of the Council's publication policy. Information which is determined to be exempt by

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virtue of Schedule 6 of the Local Government (Northern Ireland) Act 2014 may be published where the Council considers that the public interest in disclosing same outweighs the public interest in maintaining the exemption.

29. Any documentation which is provided directly to any members of the Council in relation to a particular application must also be copied to the Committee clerk/planning section so as to ensure that the issues raised can be fully investigated by officers prior to the Committee hearing. Failure to do so may result in either the documentation being disregarded or the hearing being deferred.

30. Deputations shall be heard in the following order:
Statutory consultees¹;
Objectors and/or their representatives;
Applicant and/or their representatives and/or those supporting the application.

31. Statutory consultees shall only be invited to attend Committee where they have objected to an application. If a member requires the attendance of a statutory consultee in other circumstances, this must be done at least one week in advance of the Committee meeting.

32. Deputations, unless otherwise agreed in advance by the Committee, shall consist of no more than 3 persons. Where there are more than 3 objectors or groups of objectors they will be required to arrange a single deputation to express their representations.

33. Deputation shall be confined to the presentation of a statement and the making of a short address either by each member of the deputation or, should they so wish, by their nominated spokesperson or legal adviser.

34. Each deputation shall be permitted a maximum of 5 minutes to address the Committee. Where more than one person wishes to make representation the 5 minutes should be shared between the members of the deputation.

35. All members of a deputation must continue to be seated and remain silent whilst other deputations are being made to the Committee.

36. Cross-examination, discussion or any type of debate between persons making representations to Committee shall not be permitted.

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37. Once all deputations have been made, the parties shall be permitted an opportunity to rebut any factual inaccuracies which may have arisen from the oral representations of another deputation and in respect of which they have not had an opportunity to comment. This will be strictly limited to responding to any such issue and the party will not be permitted to rehearse any representations which have already been made.

38. The Committee may, upon advice from officers, exclude any deputation from being present during the whole or part of the time when any other deputations are being made due to the confidential nature of information relevant to the application to be discussed; or for such other reasons as may be deemed appropriate.

39. The Committee may seek clarification from those who have spoken on any issues raised by them but should not enter into a debate.

40. Officers can address any issues raised during the course of representations from any deputation and the Committee may seek clarification from officers.

41. The Chair will ensure that those making representations to the Committee adhere to the time limits set out in this Protocol. These time limits will have been communicated to those making representations in advance of the meeting.

42. The Chair may at any time during the hearing of deputations, if they think it necessary to secure order, suspend the meeting and direct the removal of any individual from the meeting, or order that the meeting be cleared of all deputations.

43. When hearing deputations, the Chair will require members engaging in debate to desist, until such time as all relevant information has been received.

44. The Chair may bring the questioning of any person appearing before the Committee to a close provided s/he is satisfied that all relevant issues have been addressed. The Chairman may also prevent duplication of questions being put.

45. If a member of the Committee moves that the question be put to a vote and the Chair is of the opinion that the application before the Committee has been sufficiently discussed, he shall put the motion to the vote.

DECISIONS CONTRARY TO OFFICER RECOMMENDATION

46. The decision as to whether to grant an application lies with the Committee and it is entitled to come to a decision contrary to officer recommendations.

47. Any such decision may be subject to legal challenge and members must therefore ensure that the rationale for the decision are fully explained and based on proper planning considerations.

48. The senior authorised planning officer and/or the Council's solicitor should always be given the opportunity to explain the implications of the Committee's decision prior to a vote being taken on any such proposal.

49. The reasons for the decision contrary to the officer's recommendation must be formally recorded in the minutes and a copy placed on the planning application file / electronic record.

DECISIONS CONTRARY TO PLANNING POLICY

50. In general, planning decisions should be taken in accordance with the local development plan and any other associated planning policy documents. If a Committee member proposes, seconds or supports a decision contrary to the local development plan they will need to clearly identify and understand the planning reasons for doing so, and clearly demonstrate how these reasons justify departure from the local development plan. The reasons for any decisions which are made contrary to the development plan must be formally recorded in the minutes and a copy placed on the planning application file / electronic record.

MANDATORY PRE-DETERMINATION HEARINGS

51. The Committee must hold pre-determination hearings for those major developments which have been subject to notification (i.e. referred to the Department but returned to the Council for determination)² prior to the application being determined.

52. Paragraph 22-43 of this Protocol shall also apply to pre-determination hearings.

53. In deciding whether to hold a pre-determination hearing, members should take into account the following factors (please note this list is not exclusive):
the relevance of the objections in planning terms;

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the extent to which relevant objections are considered to be representative of the community, particularly in the context of pre-application community consultation;
the potential of causing undue delay in the decision making process; and
the numbers of representations against the proposal in relation to where the proposal is and the number of people likely to be affected by the proposal.

54. The Committee may also hold a pre-determination hearing, at their own discretion, where they consider it necessary, to take on board local community views as well as those in support of the development.

55. The applicant and any other person who makes representations to the Council in respect of the application will be afforded an opportunity to appear before the Committee.

56. Any hearing will take place after the expiry of the period for making representations on the application but before the Committee hears the application. The Council will endeavour to hold pre-determination hearings on a separate date from the Committee meeting at which it will be considered; however this may not always be possible.

57. For these hearings the case officer will produce a report detailing the processing of the application to date and the planning issues to be considered. If the Committee decides to hold the hearing on the same day as it wishes to determine the application the report to councillors will also contain a recommendation.

PREPARATION OF PLANNING POLICY DOCUMENTS

58. Planning policy documents include the local development plan, local planning policies, plan strategies, the statement of community involvement and any other development plan documents or guidance.

59. The Committee should have a high level of involvement in the preparation and approval of planning policy documents.

60. Once approved by the Committee, planning policy documents will be referred to the Council's Strategic Policy and Resource Committee who will assess the document to determine whether it consistent with the broader strategic objectives of the Council.

61. If Strategic Policy and Resource Committee considers any of the said planning policy documents to be inconsistent with those objectives, the Committee will reconsider the relevant document in

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light of the issues raised by the Strategic Policy and Resource Committee.

62. Once the Committee has reconsidered the relevant document it shall be reported to the Strategic Policy and Resource Committee and will be subject to ratification by full Council.

SITE VISITS

63. Site visits may be arranged subject to Committee agreement. They should normally only be requested where the impact of the proposed development is difficult to visualise from the plans and other available material and the expected benefit outweighs the delay and additional costs that will be incurred.

64. Only members of the Committee and officers should attend organised site visits.

65. Members will not carry out their own unaccompanied site visits as there may be issues around permission to access the land, they will not have all of the relevant information from the relevant planning officer and, if a councillor is seen with an applicant or objector, it might lead to allegations of bias.

66. A nominated officer will record the date of the visit, attendees and any other relevant information.

67. The Chair, or Vice Chair in the Chair's absence, will ensure that the site visit is conducted in accordance with this protocol and the Code of Conduct for Councillors.

68. A statement will be read out by the Chair before the commencement of the site visit to remind members of the purpose of the visit and the terms of this protocol. The planning officer will then remind members of the proposal and the main issues.

A nominated officer will prepare a written report of the members' site visit which should then be presented to the Committee meeting at which the application is to be determined.

Guide to Council Standing Orders

The following notes are aimed at explaining the more commonly used Standing Orders in a user friendly way. The notes do not amend or replace any of the Standing Orders themselves.

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At Meetings of the Monthly Council

Order of Business – Standing Order 11

At the Council meeting the order of business will be as follows:

The Lord Mayor may read a passage from the scriptures – at the discretion of the Lord Mayor.

The Chief Executive will read out the summons for the meeting.

The Lord Mayor will propose that the minutes of the last meeting(s) of the Council are approved as a correct record.

The Lord Mayor and/or the Chief Executive will make the Council meeting aware of any official announcements – such as news of any marriages, births or deaths affecting Members of Council or other persons associated with the Council or the City.

If requests have been received in accordance with Standing Order 8 for any deputations to be heard then the Council will be requested to agree to receive them.

The minutes of the meetings of the Standing Committees will be approved and adopted.

Any matters previously called-in under the provisions of Standing Order 47 or 13(k) will be dealt with. A separate section within the Minute Book will be set aside for such matters.

Notices of Motion submitted in accordance with Standing Order 13 will then be considered.

Council Minutes to be Confirmed – Standing Order 12

The minutes of the previous meeting of the full Council need to be approved as a correct record. The minutes do not need to be adopted so no amendments can be made to them.

Committee Minutes to be Submitted and Discussed – Standing Orders 14 & 15

The minutes of the Committee meetings which have taken place since the last Council meeting will have been circulated to Members in advance of the meeting as part of the minute book.

The Chairperson of each Committee will propose that “the minutes of the proceedings of theCommittee are approved and adopted. What they are really doing is asking that all of the decisions recorded in the minutes of that Committee meeting are rubber-stamped and that officers are authorised to act on those decisions. Any Member who wishes to change or reject any one of the decisions recorded in those minutes can move an amendment and they must state what decision they are trying to change and what the effect of the change is.

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This must be relevant to the original decision but must not try to lay a greater financial burden than the original decision contained in the minute of the Committee.

Only one amendment on that Committee decision can be considered at a time in order to avoid confusion.

After the amendment has been seconded and discussed, the Council will vote on the amendment.

If the majority of Members vote for the amendment then this has the effect of changing the Committee's decision on the matter.

When all of the discussion on a set of minutes has been completed and any amendments have been voted on, then the minutes (together with and amendments made to them at the Council meeting) are approved and adopted.

This process is applied for each of the Committees of the Council in turn as listed on the agenda. Please note that any decisions of the Planning and Licensing Committees which are taken under authority delegated to them by the Council (basically any decision in relation to a Planning Application or a Licence Application) cannot be amended at the full Council.

Notices of Motion – Standing Order 13

All Notices of Motion will be recorded in full on the Summons for the Council meeting in the order in which they were received. To be valid a Motion must state the name of the proposer and the seconder.

The Motion must be about something that the Council has power to do or be about something which directly affects the City and its citizens.

If the Motion is about a matter which falls under the remit of one of the Council Committees (see Standing Order 37) then the Lord Mayor will have been advised of this and it will be referred to that Committee for discussion after it has been formally proposed and seconded at the Council meeting and no-one else will be able to speak about that Motion.

It will not be acceptable for a Notice of Motion to be submitted which asks the Council to spend money if that has not been previously agreed by a Committee of the Council (Standing Order 13(l)). The reason for this is to prevent the Council being committed to spend money without full consideration having been given at the appropriate Committee. The Lord mayor can overrule this restriction having consulted with the Chief Executive if the matter is one of such urgency that there would not be time for the issue to first be discussed at Committee.

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Amendments – Standing Order 16 & 17

The types of amendments that can be proposed during a debate on a Committee minute or on a Notice of Motion are set out in Standing Order 16.

The general rule is that an amendment must relate directly to the decision which it is seeking to change. An amendment which tries to add a greater financial burden on the Council than that contained in the minutes of a Committee meeting will not be acceptable.

Normally all amendments should be written down and handed to the Lord Mayor. This is to ensure that the Lord Mayor is clear about the exact wording of the amendment and so that the Chief Executive can read the amendment to the meeting before a vote is taken. This is not always necessary if an amendment is straightforward, for example to do something that was defeated at a vote at a Committee meeting and where the wording is contained in the Committee minute. However, it is usually better to write out amendments that you wish to propose before the meeting starts so that you have them to hand if required.

Points of Order – Standing Order 20

Points of Order may be raised by any Member at any stage during a Council meeting if a Member feels that the rules of debate have been breached. Points of Order should not be used to merely interrupt another Member's speech or to seek to make an observation about the general debate or what a specific Member has said during their speech. The Lord Mayor will ask a Member raising a point of order to explain how they feel the rules of debate have been breached. When the Lord Mayor rules on a point of order, the ruling is final and the Member must take their seat.

Explanations – Standing Order 21

If a Member is referred to during another Member's speech and they feel that their position has been misrepresented by that Member, then at the conclusion of that Member's speech they may seek permission to give a short explanation of their position and how they feel it has been misrepresented. This should not be a new speech on the matter but merely deal with the perceived misrepresentation.

Members to speak once only- Standing Order 22

This standing order applies in respect of any single item on the agenda or contained in the minutes. There is no requirement to reserve the right to speak on other matters if they are contained in

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the same set of minutes. Members often reserve the right to speak on other matters contained within the same set of minutes in the belief that they are required to do so when this is not in fact the case.

Voting – Standing Order 24

Most votes at a Council meeting are taken by a show of hands. When the Lord Mayor calls for a show of hands Members must be in their seats and should clearly raise their hands until the staff counting the votes have concluded the count.

If a Member asks for a vote to be recorded, then the division bell will be rung for 1 minute. The doors to the Council Chamber will then be locked and a Member will not be able to gain access to the Chamber until the vote is concluded. The Staff will call each Member's name and they should respond "For", "Against" or "No Vote". The manner in which each Member voted will be recorded in the minutes of the meeting. Members are reminded to speak clearly when voting so that staff can accurately record the vote.

Any vote that is required to be taken by Qualified Majority, where 80% of the Members present and voting will be required in favour of a decision, will be taken by way of a recorded vote.

Rulings of the Lord Mayor – Standing Order 32

The Lord Mayor is responsible for the conduct of business at a Council meeting. The rulings of the Lord Mayor on any points of order or any other matter are final and are not open to question at the Council meeting.

Frequently asked Questions

Here are a few frequently asked questions about the conduct of business at monthly Council meetings.

When will the papers for the Council meeting be available?

The summons and the Council minute book will be published electronically 5 days before the date of the Council meeting.

How do I submit a Notice of Motion?

An individual Member of Council can submit a notice of motion – so long as it bears the name of the proposer and the seconder and is received by the Chief Executive or the Democratic Services Manager at least 7 days before the date of the meeting. That means that if the Council meeting is at 6.00pm on a Monday evening, then

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any notices of motion must be received by 6.00pm the previous Monday.

Members of political parties on the Council may wish to discuss the subject of any notice of motion with their party colleagues before submitting it to officers. The Democratic Services Manager will be happy to assist any Member in the submission of a notice of motion to ensure that it is competent and that it is in proper order.

How do I get a Committee Decision amended at the Council meeting?

Again, a Member will probably wish to discuss any amendment that they wish to propose with their party colleagues in advance of the Council meeting.

If you wish to propose an amendment, then you should try to set it out in writing so that the wording is clear and so that it can be handed to the officials at the meeting. The Democratic Services Manager is available to assist any Member in preparing amendments.

The amendment must be about a matter which appears in the minutes of a Committee before the Council for consideration. It must not seek to commit the Council to additional expenditure over and above that agreed in the original Committee decision.

Are there any things I need to remember when speaking at a Council meeting?

Members should address their comments through the Lord Mayor and should refrain from addressing any other Member directly.

The correct form of address when speaking to the Lord Mayor is "Lord Mayor" and when referring to another Member they should be referred to as "Alderman" or "Councillor".

A Member will usually have a time limit of 5 minutes when addressing the meeting (the only exception is when proposing a Notice of Motion when the limit is 10 minutes). The green light on the Lord Mayor's desk and on the walls of the Council Chamber will illuminate when the Member has 1 minute of their allotted time remaining. The lights will switch to red when the time is up and the Member should immediately resume their seat.

Members should at all times abide by the Code of Conduct and should refrain from using offensive expressions in reference to any Member of the Council.

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If the Lord Mayor should stand during a Member's speech, the Member should immediately be seated until the Lord Mayor resumes his/her seat. The rulings of the Lord Mayor on any matters of order at a meeting are final and should not be questioned by any other Member."

Filling of Positions of Responsibility

The Chief Executive reported that, under Section 6 of the Local Government Act (Northern Ireland) 2014, the Council was required to appoint Members to Positions of Responsibility for a four-year term commencing 1st April, 2015. She indicated that, in accordance with the strengths of the Parties as recorded at the Belfast Council elections in May, 2014, the principles of d'Hondt had been applied to fill those positions.

Amendment

Moved by Councillor Corr Johnston,
Seconded by Councillor Brown,

"That the Council agrees, under the provisions of Section 3 (2) of Schedule 1 of the Local Government Act (Northern Ireland) 2014, to use the Sainte-Laguë method for appointing Positions of Responsibility for the Council term commencing on 1st April, 2015."

A poll having been taken, twenty-two (41.5%) of those Members present who partook in the vote were in favour of the amendment; and thirty-one (58.5%) of those Members present who partook in the vote were against the amendment.

<u>For 22</u>	<u>Against 31</u>
R. Brown, Bunting, Corr Johnston, Graham, Haire, Howard, Hussey, Hutchinson, Jones, Kingston, Kyle, Long, McAllister, McCoubrey, McDonough-Brown, McKee, McNamee, Newton, L. Patterson, Sandford, Spence and Stalford.	Presiding Councillor (Hargey) and Councillors Attwood, Austin, Beattie, Bell, Boyle, Bradshaw, D. Browne, Campbell, Carson, Clarke, Convery, Copeland, Corr, Craig, Dudgeon, Garrett, B. Groves, E. Groves, Johnston, Magee, Magennis, McAteer, McCabe, McConville, McGimpsey, McVeigh, Mullan, Ó Donnghaile, O' Hara and Rodgers.

Since the amendment did not receive the support of 80% of those Members in attendance and voting, as necessary under the Qualified Majority Voting requirements, it was declared lost.

Accordingly, the Council agreed, in accordance with the principles of d'Hondt, to appoint the following Positions of Responsibility, as outlined in Appendix 1, for the 4-year term commencing on 1st April, 2015, and the Members to the Positions of Responsibility in 2015/2016, as outlined in Appendix 2.

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APPENDIX 1

Positions of Responsibility 2015 - 2019

Position	Year 1	Year 2	Year3	Year 4
Lord Mayor	SF ¹	DUP ²	ALL ⁴	SF ³
Deputy Lord Mayor	DUP ¹⁰	SF ⁹	UUP ¹⁴	ALL ¹¹
Chair SP&R	SDLP ⁵	DUP ⁷	SF ¹²	UUP ⁶
Deputy Chair SP&R	DUP ³²	SDLP ²⁹	DUP ⁴²	SF ³⁴
Chair City Growth and Regeneration	SF ⁸	DUP ¹⁵	SF ²¹	SDLP ²²
Deputy Chair City Growth and Regeneration	ALL ³³	UUP ³⁹	UUP ³⁰	DUP ³⁷
Chair People & Communities	PUP ¹⁷	SF ¹⁸	DUP ²⁰	ALL ¹⁹
Deputy Chair People & Communities	SF ³¹	ALL ⁴¹	SF ³⁶	SDLP ³⁸
Chair Planning	SF ¹⁶	UUP ²³	SDLP ¹³	SF ²⁷
Deputy Chair Planning	PUP ³⁵	SF ⁴⁴	ALL ⁴⁸	DUP ⁴⁵
Chair Licensing	DUP ²⁴	ALL ²⁶	DUP ²⁸	SF ²⁵
Deputy Chair Licensing	SF ⁴⁰	SDLP ⁴⁶	SF ⁴³	UUP ⁴⁷

DPCSPs	24 places			
	SF ⁵⁵	SF ⁵⁶	SF ⁶¹	SF ⁶³
	DUP ⁵⁷	DUP ⁶²	DUP ⁶⁷	DUP ⁷⁰
	SF ⁶⁸	SF ⁶⁹	SF ⁷²	SF ⁷⁶
	ALL ⁵⁸	UUP ⁶⁰	DUP ⁷⁵	SDLP ⁵⁹
	SDLP ⁶⁵	ALL ⁶⁴	ALL ⁷¹	UUP ⁶⁶
	PUP ⁷⁷	SDLP ⁷³	UUP ⁷⁴	DUP ⁸⁰

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PCSP – 9 places	SF ⁷⁸	SF ⁸¹	SF ⁸⁵	SF
	UUP ⁸³	DUP ⁸⁴	DUP	ALL ⁷⁹
	SDLP ⁸²			

Outside Organisations			
arc21 (3 Positions)	TUV ⁵¹	GREEN ⁵²	PBPA ⁵⁴
Partnership Panel	PUP ⁵³		
NI Housing Council	SF ⁴⁹		
Reserve Forces & Cadets Association	DUP ⁵⁰		

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Year 1 Positions of Responsibility

Appendix 2

Civic Dignitaries	Councillor Name
Lord Mayor	Councillor Carson
Deputy Lord Mayor	Alderman Spence

Committee Chairs and Deputy Chairs	Councillor Name
Chair Strategic Policy and Resources	Councillor Boyle
Deputy Chair Strategic Policy and Resources	Alderman Stalford
Chair City Growth and Regeneration	Councillor Hargey
Deputy Chair City Growth and Regeneration	Councillor Howard
Chair People and Communities	Councillor Corr Johnston
Deputy Chair People and Communities	Councillor B. Groves
Chair Planning	Councillor Garrett
Deputy Chair Planning	Councillor Hutchinson
Chair Licensing	Councillor J. Hussey
Deputy Chair Licensing	Councillor Clarke

Outside Organisations	Councillor Name
arc21 Position 1	Councillor Bunting
arc21 Position 2	Councillor R. Brown
arc21 Position 3	Councillor Carroll
Partnership Panel	Councillor Kyle
NI Housing Council	Councillor McAteer
Reserve Forces and Cadets Association	Councillor A. Graham

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Appointment of Councillors to Committees

The Council was reminded that, at its meeting on 8th December, 2014, it had agreed to adopt a traditional committee system of governance and to appoint five Standing Committees, with the Quota Greatest Remainder method being used to appoint Members to the Committees to reflect the Party strengths on the Council.

Accordingly, the Council approved the membership of the following Committees for the four-year term commencing 1st April, 2015:

Strategic Policy and Resources Committee

Party	Councillor Name
SF	Councillor McVeigh
SF	Councillor Hargey
SF	Councillor B. Groves
SF	Councillor Corr
SF	Councillor Clarke
SF	Councillor O Donngaile
SF	Councillor McCabe
DUP	Councillor Robinson
DUP	Councillor Stalford
DUP	Councillor Kingston
DUP	Councillor Haire
DUP	Councillor R. Patterson
ALL	Councillor Long
ALL	Councillor McNamee
ALL	Councillor Jones
SDLP	Councillor Attwood
SDLP	Councillor Boyle
UUP	Councillor Browne
UUP	Councillor Rodgers
PUP	Councillor Hutchinson

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City Growth and Regeneration Committee

Party	Councillor Name
SF	Councillor Hargey
SF	Councillor Beattie
SF	Councillor McAteer
SF	Councillor O Donnghaile
SF	Councillor O'Hara
SF	Councillor Magennis
SF	Councillor Magee
DUP	Councillor Newton
DUP	Councillor Graham
DUP	Councillor Stalford
DUP	Councillor Kingston
DUP	Councillor Spence
ALL	Councillor Howard
ALL	Councillor McDonagh-Brown
SDLP	Councillor Convery
SDLP	Councillor Hanna
UUP	Councillor Craig
UUP	Councillor Dudgeon
UUP	Councillor McGimpsey
PUP	Councillor Kyle

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People and Communities Committee

Party	Councillor Name
SF	Councillor B. Groves
SF	Councillor Garrett
SF	Councillor McCabe
SF	Councillor Corr
SF	Councillor Beattie
SF	Councillor Austin
DUP	Councillor McKee
DUP	Councillor McCoubrey
DUP	Councillor Sandford
DUP	Councillor Newton
ALL	Councillor Jones
ALL	Councillor McAllister
ALL	Councillor Bradshaw
SDLP	Councillor Heading
SDLP	Councillor Mallon
SDLP	Councillor Mullan
UUP	Councillor Copeland
UUP	Councillor Rodgers
PUP	Councillor Corr Johnston
GREEN	Councillor R. Brown

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Licensing Committee

Party	Councillor Name
SF	Councillor Clarke
SF	Councillor Campbell
SF	Councillor E. Groves
SF	Councillor Bell
SF	Councillor McConville
SF	Councillor Magennis
DUP	Councillor Hussey
DUP	Councillor L. Patterson
DUP	Councillor Spence
DUP	Councillor Sandford
ALL	Councillor Armitage
ALL	Councillor Jones
SDLP	Councillor Attwood
SDLP	Councillor Hanna
UUP	Councillor Craig
UUP	Councillor Dudgeon
PUP	Councillor Hutchinson
TUV	Councillor Bunting
GREEN	Councillor R. Brown
PBPA	Councillor Carroll

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Planning Committee

Party	Councillor Name
SF	Councillor Garrett
SF	Councillor Magee
SF	Councillor Campbell
SF	Councillor McAteer
DUP	Councillor L. Patterson
DUP	Councillor R. Patterson
ALL	Councillor Armitage
ALL	Councillor McDonagh-Brown
SDLP	Councillor Heading
SDLP	Councillor Mullan
UUP	Councillor Johnston
UUP	Councillor McGimpsey
PUP	Councillor Hutchinson
TUV	Councillor Bunting

Appointment of Aldermen

The Chief Executive reminded the Council that, under the provisions of the Local Government (Transitional, Incidental, Consequential and Supplemental Provisions) Regulations (Northern Ireland) 2015, it could designate up to fifteen Councillors as Aldermen for the duration of the Council term.

The Council indicated that it wished to appoint a number of Councillors as Aldermen and, accordingly, it was agreed that the following twelve Councillors be designated as Aldermen for the duration of the new Council term:

- **Democratic Unionist Party:**

Councillors Kingston, McCoubrey, McKee, R. Patterson, L. Patterson, Stalford, Robinson and Spence;

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- **Ulster Unionist Party:**

Councillors D. Browne, McGimpsey and Rodgers; and

- **Social Democratic and Labour Party:**

Councillor Convery.

**Agency Agreement Between the Council and the
Department for Regional Development re: Off-Street Car Parking**

The Council was advised that the Shadow Strategic Policy and Resources Committee, at its meeting on 20th March, had agreed to recommend to the Council that it would endorse an agency agreement with the Department for Regional Development, to enable the delivery of the Off-street Parking function. The Chief Executive pointed out that it was necessary that that agreement be implemented prior 1st April, 2015, to allow for the contract to be signed and for the official Council seal to be affixed to the legal documents.

The Council endorsed the agreement.

Presiding Councillor

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Shadow Strategic Policy and Resources Committee

Friday, 20th March, 2015

MEETING OF SHADOW STRATEGIC POLICY AND RESOURCES COMMITTEE

Members present: Councillor Stalford (Chairman);
Councillors Attwood, Beattie, Boyle, D. Browne,
Carson, B. Groves, Haire, Hargey, Hutchinson,
Jones, Kingston, Long, McAteer, McCabe,
McNamee, McVeigh, Robinson and Rodgers.

In attendance: Mrs. S. Wylie, Chief Executive;
Mr. G. Millar, Director of Property and Projects;
Mrs. J. Minne, Director of Organisational Development;
Mr. J. McGrillen, Director of Development;
Mr. M. McBride, Head of Finance and Resources;
Mr. J. Walsh, Town Solicitor;
Ms C. Taggart, Community Development Manager;
Mrs. S. Toland, Head of Environmental Health;
Mr. S. McCrory, Democratic Services Manager; and
Mr. J. Hanna, Senior Democratic Services Officer.

Minutes

The minutes of the meetings of 13th and 20th February were taken as read and signed as correct. It was reported that those minutes had been adopted by the District Council at its meeting on 3rd March.

Apology

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

Declarations of Interest

Councillor Carson declared an interest in respect of item 4b "Request for Financial Assistance" in so far as he was employed by one of the organisations which had submitted an application.

Order of Business

The Committee agreed that those items which contained confidential information be considered at the end of the meeting.

**Shadow Strategic Policy and Resources Committee,
Friday, 20th March, 2015**

Notice of Motion – Role of Women in the City

The Committee was reminded that the Shadow Council, at its meeting on 3rd March, had referred the following Notice of Motion, which had been moved by Councillor O'Hara and seconded by Councillor Graham, to the Committee for consideration:

“As we approach and celebrate International Women's Day on 7th March, this Council recognises and pays tribute to the significant contribution which women have made to all aspects of life in our City. In acknowledging this further, the Council will, under the auspices of the Women's Steering Group, commission a new stained glass window in the City Hall which will recognise, reflect and celebrate the positive role which women have played in our City.”

It was pointed out that the installation of a further stained glass window would need to be considered within the overall context of City Hall Memorabilia. One of the Council's primary aims was to make the environment within the City Hall balanced, inclusive and reflective of the backgrounds of all the citizens of the City. As a first step, it was suggested that the matter should be referred to the Women's Steering Group for comment. That Group could consider also the scope and themes to be depicted within the window and examine the potential costs in its production. Thereafter, it would be a matter for the Diversity Working Group to consider and make a recommendation to the Committee.

The Democratic Services Manager explained that such a course of action in referring the matter to an appropriate group for detailed consideration would be in keeping with a previous decision to refer consideration of the “Celtic Myths and Legends” window to the former Memorabilia Working Group for initial comment. In addition, the Committee would be aware that a Spanish Civil War Commemorative Window Working Group was currently examining the scope and content of that particular window.

The Committee agreed that the matter be referred to the Women's Steering Group for consideration in the first instance.

Notice of Motion re: Family Friendly City Centre

The Committee was advised that the Shadow Council, at its meeting on 3rd March, had referred the undernoted Notice of Motion, which had been moved by Councillor Hanna and seconded by Councillor Attwood, to the Committee for consideration:

“This Council notes that City Centres which are child and family friendly bring a wide range of benefits including,

**Shadow Strategic Policy and Resources Committee,
Friday, 20th March, 2015**

- Contributing to healthy childhood development
- Driving economic regeneration as families spend more time in the City; and
- Making City Centre living a more viable option for families, and thereby contributing to longer-term social regeneration.

The Council commends the work of the Belfast Healthy Cities organisation which has been researching child friendly places since 2011, including the provision of temporary 'Kids Spaces' in the City Centre. The Council agrees to harness its new planning, community planning and economic regeneration powers to develop a world class family friendly strategy for Belfast, including the development of 'Kids Spaces' in the City Centre"

It was pointed out that the Notice of Motion referred specifically to the Council's powers in respect of planning, community planning and economic regeneration. Therefore, the Committee might consider that the Motion fell within the role of the City Growth and Regeneration Committee. If so, it would be prudent for the issue to be referred onwards for consideration and comment. It would be a matter ultimately for the new Strategic Policy and Resources Committee to determine any costs, if any, which would be incurred in a family friendly strategy for the City.

The Committee agreed that the Notice of Motion be referred to the City Growth and Regeneration Committee.

Performance Management and Corporate Plan

**Belfast City Council Response to the
Department of the Environment Draft Response
to the Draft Guidance for Local Government
Performance Improvement 2015**

The Committee considered the undernoted report:

"1.0 Purpose of Paper – Consultation Response

- 1.1 This paper provides an overview of the Council's response (attached at Appendix A) to the DoE's the draft Guidance for Local Government Performance Improvement 2015 – a consultation paper. In order to meet the response deadline today, March 20th and subject to the outcome of this meeting, the attached response will be forwarded to the DoE this afternoon, with an understanding that it has yet to be ratified by full Council.

2.0 Background

- 2.1** Part 12 of the Local Government Act 2014, to take effect from the 1st April, imposes a new duty on the Council to make arrangements to secure continuous improvement in the exercise of its functions and to set improvement objectives for each financial year. The Act sets out the framework for the operation of performance improvements.
- 2.2** As a Council we will be required to identify improvement objectives in our community plan (or the corporate plan in 2015-16), gather information to assess how we are performing and produce an annual report on performance against indicators that we set ourselves or those that have been set by government Departments. Evidence of improvement may also be taken from other non-quantifiable sources. This is not a new concept for Belfast as we have had a performance management framework in operation for a number of years. It is our intention to continue with this process and to incorporate the new duty within our framework.
- 2.3** The Department has now issued draft guidance to assist Councils to comply with the requirements of the act during this first year of operation. This guidance has been circulated to Councils for comment and is included at Appendix 2 for reference. The restriction to one year is designed to enable the performance function to be undertaken in the context of Councils' corporate plans in year 1. In future years improvement activity will relate to the Community Plan. Performance improvement plans and the arrangements by which performance is delivered will be audited by the Local Government Auditor.

3.0 Summary of key issues raised in BCC Response

- 3.1** The Council welcomes this draft guidance and in particular the efforts to make specific arrangements for the 2015-16 period, before community plans have been developed, when Councils will be expected to measure performance in the context of their corporate plans. It is our understanding that further guidance on the duty will be developed in 2016 and will inform our performance duty in future years.
- 3.2** We agree that alignment of the performance duty to the Community Plan is crucial if we are to demonstrate achievement of the objectives within it. However we reiterate that according to the legislation neither the Council nor the Department will have the authority or remit to insist upon or

measure the performance of other partner organisations. We also seek assurance that the performance guidance will continue to reflect any emergent changes in relation to the community planning duty, to which it is linked.

- 3.3** We are supportive of the recommendations made in respect of informing and agreeing improvement objectives and believe that we will be in a position to comply with these requirements during the 2015-16 period. We are also encouraged by the broad interpretation of 'improvement' and welcome the focus on ensuring that councils have in place 'arrangements to improve'. It is our view that an absolute 'duty to improve' would not only be difficult to measure or guarantee but might also stifle more innovative ways of working which may, in the short term, resulting, potentially, in setbacks to performance.
- 3.4** We are pleased to note the broad principles that the LGA's Code of Practice hopes to reflect - a consistent approach across all Councils, no unreasonable burden on Councils and a commitment to assisting Councils to comply with the Act. We are also reassured that we can expect that the LGA will work to ensure that its performance improvement responsibilities will be undertaken in a coordinated way with its other powers and functions. We understand that its 'voluntary statement of practice' (due in 2016) will provide more detail of what is required from Councils and we look forward to working with them to develop a timetable that aligns with our existing planning and performance frameworks.
- 3.5** There is still, however, some confusion around timelines and the specific requirements of the Council in respect of the LGA in the year ahead and we have reflected these in our response. We note the timetable for April to July 2015 and 2015 and understand that, in this period, the Council will be expected to produce an Improvement Plan (which may form all or part of its corporate plan) by 31st May 2015 and that the LGA will subsequently make an assessment on our' ability to progress the plan no later than 31st July 2015. Councils will not be required to produce a performance report in 2015-16 nor will the LGA carry out an Annual Improvement report in this first year. We seek clarification that November 30th 2016 will be the first occasion by which the LGA will produce a retrospective report on Councils' performance.

4.0 **Recommendations:**

- 4.1** It is recommended that the Committee:
- Considers and approves that the response, attached at Appendix A, be forwarded to the DoE today with an

**understanding that it remains subject to ratification by
full Council.”**

Appendix A

**Belfast City Council Response to the draft Guidance for Local Government
Performance Improvement 2015 – a consultation paper**

1. Belfast City Council welcomes this opportunity to respond to the DoE’s consultation document on the draft Guidance for Local Government Performance Improvement 2015. In addition to the specific questions posed in the document we would like to take this opportunity to raise a number of general and specific points made in the draft for which we would welcome clarification in the final version.
2. The Council agrees that alignment of the performance duty to the Community Plan is crucial if we are to provide a vehicle by which the progress and impact of the Plan can be demonstrated.
3. However there is an inherent assumption in the guidance that the improvements measured and monitored via the performance duty will be a measure of the success of the *entire* Plan. This is unlikely to be the case since there is no statutory obligation on other contributing organisations to measure anything or to make similar arrangements to improve (it is merely an aspiration that they will do so – as recommended in paragraph 5 of the draft guidance). For this reason the assessment of the impact of the Community Plan as a whole can only ever relate to the specific contribution of the Council itself. It would be helpful if this could be more explicitly acknowledged.

Q1: Do you think that the proposed guidance will enable Councils to comply with the duty to make arrangements to secure continuous improvement in the exercise of their functions?

6. Belfast City Council has reviewed the draft guidance and is largely satisfied that it can be used, during 2015-16, to support its work in complying with the performance improvement duty as set out in Sections 84 and 85 of Part 12 of the Local Government Act (Northern Ireland) 2014. It may be helpful, however, if the guidance could be laid out to reflect the layout of the legislation itself rather than move to and fro between different parts of the Act.
7. Paragraph 1 of the cover letter states that the guidance is designed to assist councils during the first year of their operation 2015-16. However, there are multiple references to requirements of councils extending beyond this time period. The Council would recommend that the guidance is clear as to what will specifically be required of councils in year 1 and that revised guidance will therefore be issued in 2016.
8. With regards to paragraphs 14 and 27 of the guidance, the Council agrees that in the first year of its operation we should select strategic objectives from our corporate or business plan as performance objectives (paragraph 14). Given that

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Community Plans are unlikely to be fully developed until 2016 or 2017 it may be worth extending this interpretation into 2017.

9. It is our understanding that after this initial year of implementation the 'objectives' identified in the corporate plan will by default, become our 'improvement objectives' as they will have emerged as a result of our Annual Performance Report. This is important in terms of how the obligation to consult upon (paragraphs 28-30) and formally agree (paragraph 24) them is interpreted. It is our view that the plans and ambitions of Councils are determined through an ongoing process of formal and informal consultation and engagement with a wide range of stakeholders and that paragraph 28 is, therefore, general enough to allow for this.
10. It is unclear what is meant in paragraph 28 by the specific requirement in relation to alignment with the Council's Constitution/Standing Orders in this paragraph as the articulation of a process for consultation does not appear to be a requirement of either document.
11. Although we welcome the attempt made on page 18 to set out a timetable for performance activity in the 2015-16 period we would recommend that given the range of plans, reports and interventions that may or may not be required - it would be helpful for the timetable to include specific reference both to the *documentation* Councils are expected to deliver and those they might expect to receive. Where the documentation is not required (or not likely to be available) in this first year it would be helpful to see that explicitly stated in the timetable.
12. We would recommend that paragraph 42 is reworded to make it clear that a council will not have to produce either an Annual Performance Report in respect of 2015-16, nor to publish a summary of any report relating to a special inspection by the LGA as none will have taken place.
13. The Council agrees with paragraphs 8 and 10 which indicate that 'continuous improvement' may take a number of forms and will not be confined to quantifiable measures.
- 14. Q2: Do you agree with the proposed arrangements for assessment and auditing by the Local Government Auditor?**
15. The Council seeks clarification on the proposed audit arrangements from the LGA. It is our understanding that paragraphs 55-57 of the guidance and Items 5 and 6 in the timetable cover the LGA's duty under Section 94 of the Act. However paragraphs 55-57 state that the improvement assessment carried out by LGA will include both a forward looking and a retrospective assessment. While we have no difficulty understanding how the forward looking assessment (as described in paragraph 58) will operate, as it is simply an assessment of how likely, based on the Council's Improvement 'Plan' (Corporate Plan in year 1), the Council is likely to comply with the legislation, we are less clear about how the retrospective improvement assessment might work in this first year given that the Council will *not*, according to paragraph 42 of the guidance, be required to produce an annual performance report (as required by Section 92(2) of the Act).

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16. It is difficult to understand how the LGA might be expected to carry out an assessment of whether performance improvements have been met in 2015-16 when there is no requirement on Councils themselves to produce a retrospective improvement report in this year. There would appear to be a conflict between what is stated in paragraph 42 and what is intended by paragraph 56. If not then we would welcome clarification on what documentation the LGA would be basing its 'retrospective assessment of performance' on.
17. There appears to be an error in paragraph 61 which refers to the LGA issuing an *Audit and Assessment report* according to Section 94 of the Act. Section 94 in fact refers to an *Improvement Assessment* which was addressed in paragraph 55 of the guidance. It is therefore assumed that paragraph 61 should in fact relate to Section 95 of the Act, which contains the November 30th deadline. However the content of the paragraph replicates Section 94. Clarification on what is actually required under Section 95 is essential if Councils are to have a proper understanding of the audit and assessment duty.
18. We would also welcome clarification on whether paragraph 63 of the guidance detailing the LGA's audit of the Council's assessment of performance is that which will inform the LGA's performance assessment. The confusion lies in the conflict between this statement and paragraph 42 which expressly states that "*this will not be a requirement in 2015/16 as there will be no previous year on which to report*". Although it is clear that paragraph 62 applies to 2017-18, this is not expressly stated for paragraph 63.
19. We understand that the LGA's 'voluntary statement of practice' (paragraph 52) due to be prepared and published by NIAO in 2016 is likely to provide a more specific articulation of their expectations. We also look forward to working with the LGA to produce a more detailed timetable for Belfast (paragraph 69) in order that it aligns as seamlessly as possible with our existing planning and performance frameworks.

Q3: Do you agree that the proposed dates specified for implementing performance improvement in 2015-16 are appropriate?

20. According to the timetable as laid out in the guidance they key date for Councils is to produce at least one performance improvement objective by 31st May (Item 3) together with a timetable and plan for its achievement. This can take the form of an extract from (or all of) its corporate plan in 2015-16. We are content that this is achievable as are the steps to achieve it (Items 1 and 2). We would be grateful for more detail on the content of each of the reports that the LGA will require as early as possible so that we are adequately prepared in advance.
21. We understand that the legislative requirement for Councils to produce an Annual Performance Report will not apply in 2015-16.
22. We seek clarification that Item 7 on the timetable involving the LGA Audit does indeed relate to November 2016 as stated and would appreciate details of the requirements of Councils and on the LGA between July 2015 and November 2016 which would, presumably involve the same milestones as the 2015-16 period with

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an additional September 30th deadline for Councils to produce a Performance Improvement Plan.

23. It seems unlikely that the proposed dates could be challenged in any case given that at least two of them, September 30th and November 30th are set out in the original legislation. The challenge, were it to occur, would relate only in understanding and collating the content of what may be required in a timely way in Year 1. However we welcome the adoption of a minimalist approach for the first year as it will provide an opportunity to set out a template for how the process will run 'for real' in future years.

The Committee approved the draft response.

Democratic Services and Governance

Invitation to attend the 2015 Somme and Gallipoli Pilgrimages

The Committee was advised that correspondence had been received from the Somme Association enquiring if the Council would wish to be represented on the 2015 Pilgrimages to the Somme, France from 28th June until 2nd July, 2015 and to Gallipoli, Turkey from 4th until 10th October, 2015.

The Somme Pilgrimage, to mark the 99th Anniversary of the battle would follow the route taken by the 36th (Ulster) and 16th (Irish) Divisions during their service in the First World War. Services of Commemoration would be held in both Thiepval and Guillemont, in addition to attendance at the Last Post Ceremony at the Menin Gate, Ypres.

It was pointed out that this year marked the 100th Anniversary of the Gallipoli Campaign and the Somme Association, as part of their Centenary Commemoration Programme, planned on making a return pilgrimage to the peninsula. It was proposed that a special commemoration service would take place on the visit and would be attended by VIP guests. In March, 2010, the Association, in partnership with the Irish Government, had unveiled a new memorial to the 10th (Irish) Division and a number of Belfast City Councillors were in attendance at the commemoration service.

In previous years, the Committee had authorised the attendance on the Somme tour of a representative of each of the Party Groupings on the Council. The Council, in 1997, 1999 and 2000, had decided that it should not be represented on the Gallipoli Pilgrimage as those visits had not marked any particular anniversary. However, in 2002 and in 2010, the Council had approved the attendance of an All-Party deputation. The approximate cost of attending the events was £580 per person for the Somme Pilgrimage and £1,350 for the Gallipoli Pilgrimage plus the appropriate subsistence allowances.

Accordingly, it was recommended that:

- (i) given the fact that the Council, by holding its own Somme Remembrance Service, recognised the importance of the Battle of

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the Somme to the people of Belfast and that Members normally attended the Somme Pilgrimage to recognise the sacrifice of the 36th (Ulster) and 16th (Irish) Divisions, the Committee approve the attendance on the Somme tour of a representative of each of the Party Groupings on the Council and the Chief Executive (or her nominee); and

- (ii) since this year marked the 100th Anniversary of the Gallipoli Campaign, the Committee accept the invitation to send a representative of each of the Party Groupings on the Council and the Chief Executive (or her nominee) on the Gallipoli Tour.

The Committee adopted the recommendations.

Development of a New Constitution for Belfast City Council

The Committee considered the undernoted report:

“1.0 Background

1.1 Section 2(1) of the Local Government Act (NI) 2014 places a duty on Councils to prepare and keep up to date a Constitution. The Act places a statutory duty on councils to include within the constitution:

- a) a copy of the Council’s Standing Orders
- b) a copy of the NI Local Government Code of Conduct for Councillors
- c) such information as the Department may direct
- d) such other information (if any) as the Council considers appropriate

With regards to paragraph (c) above, the Department (DoE) has now also issued a Direction with a list of additional content that Councils will be required to include within their Constitutions. A final copy of the Constitution must be available on the Council’s website by 30th April 2015.

In order to help inform the overall content of the Constitution Members are today asked to consider each of the key documents that will underpin it namely:

- Standing Orders;
- Committee Roles and Responsibilities and;
- Scheme of Delegation to Officers;
- Financial Regulations.

2.0 Content of the Constitution – Key Documents

Standing Orders

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- 2.1 A draft set of standing orders was presented to the Shadow Strategic Policy and Resources Committee at its meeting on 20th February where it was agreed to defer the report until the 20th March meeting to allow them to be considered by party groups. Feedback has now been received and incorporated into the amended version which has been circulated to the Committee.**
- 2.2 The draft Standing Orders have been split into Sections. Section 1 deals with the transaction of business at a full Council meeting, Section 2 provides for the transaction of business at Standing Committees and Section 3 includes some miscellaneous Standing Orders. We have also appended the current operating protocols for the Licensing and Planning Committees, although these may also be amended by the controlling Committees over the next couple of months.**
- 2.3 Members will be aware that the Assembly did not pass the Standing Order Regulations earlier this month. The main point of dispute was the Standing Order regarding the call in process. Accordingly, the copy attached is based on the Model Standing Orders which were approved by the Shadow Council in June 2014. When the Assembly revisits the Standing Order Regulations any amendments to this draft will be made and brought back to committee for final approval.**

Terms of Reference and Roles of Committees

- 2.4 The Council has already agreed its political management arrangements including the number, size, name and terms of reference for each committee.**
- 2.5 The Planning and Licensing Committees will be exercising regulatory functions and will be quasi-judicial in nature and will therefore have delegated authority from the Council to exercise a number of their functions. This will mean that the decisions of both Committees will not be subject to Council approval or call-in.**
- 2.6 The three remaining Standing Committees: Strategic Policy and Resources; City Growth and Regeneration and; People and Communities will be responsible for the development and implementation of key outcomes for the city and its neighbourhoods as well as exercising the council's functions in relation to the delivery of key services. This will include setting budgets, developing strategy and policy and reviewing regular finance and performance reports.**

- 2.7 This document, a copy of which has been circulated, reflects these roles and sets out the main functions, activities and decisions for which the new Committees will be responsible.**

Scheme of Delegation to Officers

- 2.8 In order to run an efficient organisation it is important that routine and operational decisions are delegated to Chief Officers. The recent LGA Peer Review re-enforced the need for this, in light of both members' ambition for the city and the council's increased responsibilities due to the transfer of functions under local government reform. The Scheme, a copy of which has been circulated, outlines the decisions and authorisations which Members agree Chief Officers can make or grant without any further reference to Council or Committees, with an understanding that this authorisation will be conditional upon Committees receiving regular assurance on the application of the Scheme. The document should be considered alongside the Roles of Members and the Terms of Reference for Committees. Members should be aware that they shall retain authority to request a report on any delegated issue at any stage where they have interest in, or concerns about a particular decision or matter. In addition any decision which would otherwise be delegated under the scheme should be reported to the relevant committee if it is politically contentious, significant or if it is otherwise in the public interest to do so.**
- 2.9 Members should note that delegated matters are governed by robust policies covering financial regulations, procurement, human resources, IT etc. The Council's assurance framework covers these areas and policy owners are responsible for ensuring that there is a framework in place for compliance monitoring, with any instances of non compliance being reported to the both the Director of Finance and Resources and to Members. Key policy areas are subject to periodic internal audit and external audit review. In addition the governance framework is reviewed and reported annually in the Annual Governance Statement which forms part of the published financial statements.**
- 2.10 In line with the new scheme Chief Officers will be required to provide assurance on its implementation within their departments . A more detailed assurance process will be developed requiring Chief Officers to sign quarterly assurance statements with a review against compliance recommended after year 1**

- 2.11** Once the new committees are established officers will work with the members to establish committee plans which will include the specific areas of delegation to chief officers relating to each committee.

Financial Regulations

- 2.12** In order to operate effectively it is considered essential that the Constitution should also contain, as a minimum, an agreed set of Financial Regulations, a copy of which has been circulated. The Financial Regulations set out the overarching financial responsibilities of the council and its staff and provide the framework within which the Council's financial affairs are to be managed. They reflect best practice and provide a practical source of advice to assist all officers in the discharge of their duties. They provide clarity about the accountability of key individuals and groups including the Chief Executive, the Director of Finance & Resources, Chief Officers and Committees. Our Financial Regulations must comply with the Local Government Finance Act (Northern Ireland) 2011.

3.0 Next Steps

- 3.1** Officers will continue to collate the necessary information to inform the remaining components of the council's Constitution and this will be presented to committee before its publication on the website. Processes and procedures will also be developed to ensure all elements of the Constitution are continually reviewed and updated to take account of any changes in legislation or policies of the Council.

4.0 Resource Implications

- 4.1** Additional resource requirements are associated with the new legislative requirement to monitor and keep under continued review the component parts of the Council's constitution. There is a significant range of documentation required within the Constitution and many of them, particularly in the first year, are likely to evolve continuing and impact upon one another.

5.0 Equality and Good Relations Implications

- 5.1** There are no equality or good relations implications associated with the response to this consultation.

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6.0 Call in

6.1 This report is subject to call in.

7.0 Recommendations

7.1 It is recommended that Committee approves the component parts of the Constitution as follows:

- the Standing Orders, the Financial Regulations, the Committee Roles and Responsibilities, and; the Scheme of Delegation to Officers.**

After discussion, during which the Members made suggestions as to a number of amendments to the Standing Orders, the Committee adopted the recommendations and noted that copies of the documents referred to within the report would be available on the Council's internet.

Meeting Dates in April, 2015

The Committee was reminded that it was a matter for each of the Council's new Standing Committees to set the dates and times of their monthly meetings and that issue would be placed on the agenda for each Committee at their first meetings in April. However, it was necessary for a date to be agreed in advance for the first meetings of each Committee and the Shadow Strategic Policy and Resources Committee was being requested to agree those dates.

The Democratic Services Manager submitted for the Committee's consideration suggested dates for the meetings of the five Standing Committees in April, together with suggested dates for the Budget and Transformation Panel and the Good Relations Partnership. He pointed out that the meetings were scheduled to take place largely in the weeks commencing 13th and 20th April and that was to take account of the Easter holiday earlier in the month and to allow time for the reports for the first meetings of the new committees to be prepared.

He explained that in February it had been agreed to establish four Area-based Working Groups and regular dates and times would need to be established for those in due course. The work previously undertaken by the former five Area-based Working Groups would need to be reconfigured to take account of the changes in moving to a four Group model, which incorporated the new areas transferring into the new Belfast City Council from 1st April.

Similarly, Members would be aware that for a few years monthly briefings had been held for the political parties on the Council where issues of importance could be discussed with individual parties before formal reports were submitted to the decision-making process. It was suggested that, in moving forward into the new Council and in order to take account of the call on Members' time and the stated desire to focus on strategic outcomes for the City, a review should be undertaken into the operation of the Party Briefing arrangements to make sure that they maximised their effectiveness.

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The Democratic Services Manager reported that, in order for that to take place and, again, to allow the new Council to establish itself in the first month of its existence, it was suggested that no Area-based Working Group meetings or Party Briefings be held during the month of April unless specific issues arose that necessitated those meetings being held.

The Committee agreed to this course of action and approved the undernoted schedule of meetings for April, 2015:

<u>Date</u>	<u>Time</u>	<u>Meeting</u>
1st	6.00 p.m.	Council
13th	1.00 p.m.	Good Relations Partnership
15th	4.30 p.m.	Licensing
18th	12.00 p.m.	Planning Committee Drop-in Session
17th	10.00 a.m.	Budget and Transformation Panel
20th	4.30 p.m.	Planning
21st	4.30 p.m.	People and Communities
22nd	4.30 p.m.	City Growth and Regeneration
23rd	4.30 p.m.	Planning
24th	10.00 a.m.	Strategic Policy and Resources

Request for the Use of the Council Chamber

The Committee was advised that a request had been received from Concern Worldwide seeking the use of the Council Chamber on Wednesday, 15th April to hold a schools debating event. A series of debates have been taking place between schools around hunger, provision of aid, climate change and other issues relating to international development. Concern Worldwide had requested the use of the Chamber between the hours of 7.00 p.m. and 9.00 p.m. on that date to hold the final of the competition.

The Democratic Services Manager reported that the use of the Council Chamber for events other than the monthly Council meeting taking place from 1st April onwards required the approval of the Shadow Strategic Policy and Resources Committee. He pointed out that the applicant was of the view that the use of the Chamber would add prestige to the event and create a sense of excitement amongst participants and the small audience of parents and teachers who would be in attendance. As such, it was considered that the request should be supported.

The Committee approved the use of the Council Chamber on Wednesday, 15th April for the final of the schools debating competition, together with appropriate hospitality in the form of tea, coffee and biscuits.

Finance/Value-for-Money

Minutes of meetings of Budget and Transformation Panel

The Committee noted the minutes of the meetings of the Budget and Transformation Panel of 11th and 13th March.

During discussion, Councillor Long pointed out that he had been advised not to attend the second meeting of the Panel on 13th March as there was a possible conflict of interest.

Noted.

Requests for Financial Assistance

(Councillor Carson left the meeting while this item was under discussion.)

The Committee considered the undernoted report:

“1.0 Background

- 1.1 At the Shadow Strategic Policy and Resources Committee on 30 January, it was reported that as part of the non-recurrent expenditure requirements report that around £800k was available to be allocated on a non recurrent basis. At the same meeting it was agreed that £175k from the £800k would be allocated to the Tribunal Advisory Service leaving a total of £625k.**
- 1.2 Two further requests for funding were presented to Members at their meeting on 20th February totalling £406,363. These were:**
 - a joint request for £316,327 shared across five organisations based in Belfast for Peace and reconciliation related projects delivered by members of republican and loyalist communities who were imprisoned as a result of the conflict.**
 - A request for £90,036 for funding from WAVE ‘to assist in maintaining programmes for victims and survivors of the conflict for the delay in Peace IV EU funding coming to fruition’**
- 1.3 At the meeting, the Committee agreed to defer consideration of these requests pending further information on what the Office of the First Minister and Deputy First Minister were doing to support the specific organisations in question. Council Officers have been advised that while the five ex-prisoner groups have outlined to Ministers their resource requirements**

for the interim period from April to the likely commencement of the Peace IV Programme, the matter is still under consideration by the Ministers.

- 1.4 Members were also presented with a report at the meeting on 20th February on the Community Development Grant Programme 2015/16 outlining options to in relation to the reduced budget allocation from DSD. At this meeting Committee agreed to defer consideration of the provision of the funding bands in relation to the Capacity Building and Community Buildings Revenue Grant Programme to enable further information to be obtained.
- 1.5 This report sets out the most up to date position on the requests for funding outlined above and also outlines how the allocation of some of the non recurrent finance could reduce the shortfall in the Community Development Grant Programme in relation to Capacity Building and Community Buildings Revenue Grant Programme.
- 2.0 **Requests for Funding**
- 2.1 An OFMDFM official has confirmed the Ministers have also received a request from the 'From Prison to Peace' Network, convened by the Community Foundation for Northern Ireland and that this is currently being considered by the Ministers. No further information is available at this stage. Also the group have reduced the funding request to the Council from £316,327 to £272,075 to cover costs for a period of one year.
- 2.2 Subsequent to media coverage on the previous Committee decision, the Chief Executive has received correspondence from Teach na Failte. Teach na Failte is also a support group for ex-prisoners. In the letter, they express concern that it and another group have been excluded from the proposal submitted to the Council and challenge the transparency of the process. They are seeking clarification from the Council on its decision-making process in relation to this matter.
- 2.3 It should be noted that Teach na Failte is included in the proposal currently with OFMDFM, but that the group has not requested funding from the Council.
- 2.4 Officers have spoken to OFMDFM officials in relation to the request from WAVE Trauma Centre. As described by WAVE in their correspondence to the Council, it is not anticipated that there is any overlap in funding between OFMDFM and this request. The details and request for funding remain the same at £90,036 to cover costs for a period of 9 months April to December 2015.

3.0 Community Development Grant Programme 2015/16:

3.1 At the SSP&R committee meeting on the 13th February members considered a progress report with regard to the Community Development Grant Aid Programme for 15/16. The purpose of this report was to:

- To update members on the progress of the Community Development Grant Programme 2015/16 and outline challenges due to the delay in the Executive budget decision and a reduced budget allocation from DSD.
- To seek approval to update the area allocation model for our Advice grants to reflect the latest demographic and deprivation data (as instructed by the Development Committee Feb 2012)
- To consider any revision to the funding bands for the Capacity Building and Revenue funds.

3.2 Members agreed the proposed area allocation model for Advice Grants, but requested that officers revisit the proposed quality threshold and band qualifiers presented for Capacity and Revenue grant categories. Any amendments would allow council to fund a larger number of organisations, and thus more local community based services, while continuing to offer a significant individual grant contribution. Additionally, by reviewing and reducing the threshold and band qualifiers, additional funds would ensure groups with lower capacity, or those who are first time applicants to Council, will not be disadvantaged when compared to groups which have a higher capacity or a longer-term working relationship with Council.

3.3 Officers now propose that the quality threshold score for both grant categories is reduced to 50%. They further suggest that committee agree a fourth funding band which will give a smaller grant offer to those eligible applicants who have not achieved the proposed quality threshold score of 50%. This reflects committee discussion to support organisations during this transitional period to allow them to address any identified weaknesses in their applications in relation to both organisational governance and programme content. We would suggest that if this is acceptable, any agreed funding would be conditional on the applicant group agreeing to accept capacity development support from Community Services staff.

3.4 i Capacity Grant

Reduce the quality threshold score to 50% and apply individual grants across the following 4 funding bands:

Note:

Band A - > 70% offer max grant of £42,200

Band B - > 60%<70% offer max grant of £28,150

Band C - > 50%<60% offer max grant of £23,500

Band D - < 50% offer max grant of £15,000

If agreed this would allow council to offer financial support to 29 organisations. The total additional budget made available from non recurrent finance will inform the value of the individual grant allocation to groups in the new Band D but it is proposed that this should not exceed £15,000.

3.5 ii Community Buildings Revenue Grant

Apply a quality threshold score of 50% but fund all eligible applications which fail to attain this score through the introduction of a fourth category which is capped at £5,000 no matter what the size of the building or the programme.

Note:

CALCULATION OF AWARD based on size of building and community programme.

30-50 points at F= Grade One

51-90 points at F= Grade Two

91 points or more at F= Grade Three

Grade 1 facilities - receive up to £6,500

Grade 2 facilities - receive up to £13,000

Grade 3 facilities - receive up to £18,000

Grade 4 facilities - receive up to £5,000

3.6 If agreed this would allow council to offer financial support to 82 organisations. As with the Capacity Grant above, the total additional budget made available from non recurrent finance will inform the value of the individual grant allocation to groups in the new Grade 4, i.e. those groups who have not achieved the 50% threshold score. It is proposed, however, this would not exceed £5,000.

3.7 In summary. If acceptable, this will support a consistent approach across both programmes i.e. quality threshold of 50% and the introduction of a fourth funding band value which will be fully dependent on the level of additional non recurrent finance available. The current values are therefore for illustration only and these will be recalculated depending on the additional resources allocated by Committee.

4.0 Transitional Funding

- 4.1 At the meeting of the Shadow Strategic Policy and Resources Committee on the 30 January 2015, Members considered the use of non recurrent finance available to cover the one-off costs for 2015/16.

The report to members included the following table summarising the sources of the non recurrent finance available indicating that approximately £800k of non recurrent finance was available.

Sources of Funding 2015/16 (as per Shadow SP&R Report 30.01.15)

2014/15 Year End Balance	1,344,759	
Local Government Reform Fund	331,511	
Leisure Transformation Programme Fund	420,000	
Capital Under spend	<u>2,219,843</u>	
Total Funding Available		4,316,113
Funding Required		<u>3,510,811</u>
Balance Remaining		805,302

As referred to in paragraph 1.1 above, the Committee agreed to allocate £175k of the balance remaining to the Tribunal Advisory Service and it was agreed that a further report on the use of the remaining balance should be presented to the meeting of the Committee in February 2015.

5.0 Resource Implications

- 5.1 The report considers potential options for the allocation of the remaining £625,000 of non recurrent spend as detailed in paragraph 1.1

6.0 Equality and Good Relations Implications

- 6.1 None

7.0 Call In

- 7.1 This report is subject to call in

8.0 Recommendations

- 8.1 Given that the position of OFMDFM with regard to funding applications has not been finalised and the subsequent correspondence received from Teach na Failte, it is recommended that the consideration of external funding

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requests should be deferred until the April meeting of the Committee when a further report on the applications received together with the current position of OFMDFM and any other external funding implications will be available.

To enable the implementation of the proposed approach to capacity and community buildings (revenue) grants in 2015/16, as outlined in the separate report being considered at this meeting, it recommended that £230,000 of the non recurring finance be allocated to Community Services from the non recurrent finance available.”

After discussion, it was

Moved by Councillor Robinson,
Seconded by Councillor Kingston,

That the Committee agrees, as an interim arrangement, that the Wave organisation and the Belfast for Peace consortium be funded proportionally for a period of three months to enable the Office of the First Minister and Deputy First Minister a period of time to provide the information which had been requested by the Committee.

Amendment

Moved by Councillor Long,
Seconded by Councillor Attwood,

That the Committee agrees to defer consideration of the two applications for funding until such times as the information had been provided by the Office of the First Minister and Deputy First Minister; and that £230,000 of the non recurring finance be allocated to Community Services from the non recurring finance available.

On a vote by show of hands six Members voted for the amendment and eleven against and it was accordingly declared lost.

The original proposal standing in the name of Councillor Robinson was put to the meeting when eleven Members voted for and five against and it was declared carried.

The Committee agreed that £230,000 of the non recurring finance be allocated to Community Services from the non recurring finance available.

CIPFA Prudential Code and Treasury Management Indicators

The Committee considered the undernoted report:

“1 Relevant Background Information

- 1.1 The Local Government Finance Act (NI) 2011 and the supporting Prudential and Treasury Codes produced by the Chartered Institute of Public Finance and Accountancy (CIPFA), require the council to consider the affordability and sustainability of capital expenditure decisions through the reporting of prudential and treasury management indicators.
- 1.2 This report provides information for Members on the prudential indicators for Belfast City Council for the period 2015/16 to 2017/18 and the Council’s Treasury Management Strategy for 2015/16.

2 Key Issues

- 2.1 The Local Government Finance Act (NI) 2011 requires the Council to adopt the CIPFA Prudential Code for Capital Finance in Local Authorities. In doing so, the Council is required to agree a minimum revenue provision policy annually and set and monitor a series of Prudential Indicators, the key objectives of which are to ensure that, within a clear framework, the capital investment plans of the council are affordable, prudent and sustainable.
- 2.2 At the Strategic Policy and Resources Committee on the 9 December 2011, Members approved the Council’s Treasury Management Policy which is based on the CIPFA Treasury Management Code of Practice. The Treasury Management Policy requires that a Treasury Management Strategy be presented to the Strategic Policy and Resources Committee on an annual basis and that it is supported by a mid-year and year end treasury management reports.
- 2.3 The prudential indicators are included as Appendix A, while the treasury management strategy and treasury management indicators have been included as Appendix B.
- 2.4 The comparison of ‘Gross Borrowing’ to ‘Capital Financing Requirement (CFR)’ is the main indicator of prudence when considering the proposed capital investment plans of the Council. Estimated gross borrowing should not exceed the CFR for the current year plus two years. The Council’s estimated gross borrowing position, illustrated in Table 3, Appendix A, is comfortably within the CFR in the medium term.

The Director of Finance and Resources therefore considers the estimated levels of gross borrowing as being prudent.

- 2.5 Table 4 and 5 (Appendix A) shows the estimated financing costs for capital expenditure as a percentage of the estimated net revenue stream for the Council, based on the medium financial plan, and the incremental impact on the rates of the Investment Programme. These illustrate that in the medium term, capital financing costs will represent 9.19% of the Council's net running costs. On this basis the Director of Finance and Resources is satisfied that the level of capital expenditure is affordable.
- 2.6 The Finance Act requires the Council to set an affordable borrowing limit, relating to gross debt. The Prudential Code defines the affordable limit as the 'Authorised Borrowing Limit' and gross borrowing must not exceed this limit. Table 6 (Appendix A) sets out the recommended 'Authorised Borrowing Limit' for the Council as being £142m.

3 Recommendations

- 3.1 Members are asked to note the contents of this report and the prudential and treasury management indicators included within the appendices to the report.

Members are also asked to agree:

- The Authorised Borrowing Limit for the Council of £142m.
- The Treasury Management Strategy for 2015/16, which has been included as Appendix B to this report"

The Committee adopted the recommendations.

Kerbside Glass Collection Scheme

The Committee considered the undernoted report:

"1 Purpose of Report

- 1.1 To provide a summary on the recent procurement exercise for the provision of a glass, kerbside collection scheme and recommendations for next steps.

2 Background

- 2.1** One of the initiatives contained within the '*Towards Zero Waste*' Action Plan 2012-15 (ZAP plan) is the collection of glass from households in the blue bin area. At the time of drafting this Plan it was anticipated that, once fully introduced, this initiative would contribute an additional 2.5% to the Council's recycling rate.
- 2.2** Given the delays in the original plans for a glass collection service procured by arc21 in 2012/13 arising from the threat of legal action, Members agreed to an interim, contingency arrangement whereby a 44 litre kerbside box for glass was rolled-out to 22,000 households. When the arc21 tender process was terminated due to affordability issues, Members agreed at the January 2014 Committee meeting that the Council should commence a procurement exercise using the existing arrangements as a template to deliver this service specifically for Belfast.
- 2.3** In October 2014 a tender was issued for a suitable contractor to provide a mixed glass, kerbside collection and recycling service for approximately 88,000 households in the outer city area (blue bin scheme), including an estimated 13,500 apartments.
- 2.4** A two stage Open Procedure was used with the first being a qualifying stage, requiring bidders to demonstrate the necessary ability, capacity and experience to meet our contract requirements. Two companies progressed to stage two. Both submissions provided valid proposals for ensuring the service requirements would be met. However, the costs in the most economically advantageous bid were higher than expected, from benchmarking and other assessments undertaken, and raised issues in terms of a value for money and the apportionment of risk. A number of caveats raised about issues over the course of the proposed seven year term of the contract presented additional risks and costs for the Council.

3 Key Issues

- 3.1** The procurement exercise for the provision of a kerbside collection of glass has concluded. On a cost and risk basis, and having reviewed similar contracts in the UK, the Service's conclusion is that the proposed scheme is substantially more expensive than was expected and it would not represent value

for money. The conclusion is that no tender award should be made.

- 3.2 In light of this result, the Council will need to consider the future of the existing, interim, contingency arrangement to the 22,000 households already on the kerbside box scheme for glass which is split into north, south, east and west and is delivered by the Council. Working with Cleansing Services to review how the pilot scheme could continue to be delivered, the Service believes that standardising the arrangements using appropriate fixed-term contract staff and hiring the necessary vehicles could be accommodated from within the budget allocated for the contract.
- 3.3 The Council has been projecting a year end 2014/15 recycling rate of around 44%. Incorporating the new Belfast areas and rolling out this kerbside box scheme, the Service projected that the recycling rate should have remained mainly stable for 2015/16, as reported verbally to the Transition Committee in December. The non-award of the city-wide glass collection tender combined with indications of a recent significant growth in residual waste arisings have led to a tentative downward revision of the projected recycling rate for 2015/16.
- 3.4 As an alternative to providing the proposed kerbside collection scheme for glass in the outer city, the Service recommends that in addition to maintaining the pilot collection service, the separate collection of glass at the Council's household recycling centres (HRCs), CA sites and bring banks should be extended, especially in the new Belfast areas. The Service will therefore explore opportunities to expand the bring bank network into the LGR areas and the facilities could be highlighted to residents through a more targeted and concerted campaign over the next year. This should help make some redress to the recycling rate.
- 3.5 Adopting the recommendations within this report provides the Council an opportunity to continue to provide a glass collection service for those households already receiving a service while also considering the outcome of the route optimisation exercise for waste collection when completed in the autumn.
- 3.6 In the next few months, Waste Management will be drafting the next version (2015-2020) of the Waste Plan which will outline actions for the Council to take towards delivering the 2020 waste diversion and recycling target. This draft will be brought back to the Committee for consideration later this year. Given the inherent weight in glass, the collection of this

material will remain key but in view of various forthcoming or indicated EU, UK and NI changes in legislation or criteria there may be opportunities to reconsider the collection methodology used as part of a more holistic review.

4 Resource Implications

4.1 Financial, human resources and other implications

The tenders received exceeded the budget for the provision of a separate glass collection service for 2015/16 and did not represent value for money.

- 4.2 By not awarding this contract it will be possible to retain the current pilot glass collection service within the budget set for 2015/16. In order to continue to deliver the pilot glass collection service it will be necessary to recruit fixed-term contract squads and in addition hire the necessary vehicles. Both these costs and the costs of additional bring sites provision for glass can be accommodated from within the 2015/16 budget provisions.

5 Equality and Good Relations Implications

- 5.1 There are no relevant equality and good relations implication associated with this report.

6 Call In

- 6.1 This decision is subject to call in.

7 Recommendation

The Committee is asked to agree the following recommendations:

- 7.1 That the procurement exercise for the provision of a kerbside glass collection scheme be concluded without award.
- 7.2 The interim Kerbside Glass Collection Scheme involving 22,000 households is maintained to allow for consideration of the impact of the various emerging changes in government guidance in terms of alternative options for the collection of glass.
- 7.3 In addition to maintaining the pilot, the Council promotes the collection of glass through the HRCs, CA sites and glass bring bank facilities and explores opportunities to expand the bring banks, particularly focused towards the transferring areas.

- 7.4 It notes that the issues raised by the report will be factored into the review during 2015/16 of the Council's next five year Waste Action Plan."

The Committee adopted the recommendations.

**Department of the Environment Expenditure
Controls and Tender Approval**

The Committee considered the undernoted report:

1.0 Relevant Background Information

- 1.1 In May 2014 the Department of the Environment issued to all Councils, a Departmental Direction and Guidance in relation to the introduction of expenditure controls for the period during which the 11 new councils will operate in shadow form.

2.0 Key Issues

- 2.1 The Departmental Direction is made under Section 10 of the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010 and states that existing councils may not, without the written consent of the new council:-

- (a) make any disposal of land, if the consideration for disposal exceeds £100,000;
- (b) enter into any capital contract where
 - ii under which the consideration payable exceeds £250,000
 - iii which includes a term allowing the consideration payable to be varied
- (c) enter into any non-capital contracts where consideration exceeds £100,000. Such contracts may include
 - ii employment contracts (e.g. individual employment contracts over £100,000 over annum and fixed-term contracts of employment exceeding £100,000 in total over the fixed-term period)
 - iii service contracts (e.g. asset maintenance contracts)
 - iiii revenue contracts (e.g. accountancy or legal services)

Members will note that a similar expenditure controls process was introduced by the DoE during the operation of the Statutory Transition Committee period.

- 2.2** It is important to note that the release of this guidance does not preclude the necessity to follow Belfast City Council Standing Orders and the associated processes for entering into contracts and land disposals, requiring approval through the Strategic Policy and Resources Committee and Full Council.
- 2.3** The guidance states that ‘Councils should have their three year capital plans and revenue expenditure forecasts examined and approved by the new council (in shadow form) at the beginning’ which would mean that only those transactions above and beyond that are in the three year capital plans and relevant expenditure forecasts would subsequently have to be referred to the new council (in shadow form).
- 2.4** The guidance further states that all other disposals, capital contracts and non-capital contracts and borrowings outside of the three-year capital plans and revenue expenditure forecasts should comply with the DoE direction as set out above.
- 2.5** **Capital Contracts**
- In July 2014 as part of the expenditure control process the Shadow Council endorsed the Council’s rolling Capital Programme as formally agreed by the Statutory Transition Committee. Capital contract commitments are processed in accordance with the agreed stage approval process within the capital programme reports.
- 2.6** The Council’s rolling capital programme was endorsed by the Shadow Council in February. There have been no further investment decisions since this time.
- 2.7** **Non-Capital Contracts**
- Appendix 2 outlines the list of proposed non-capital contacts which have secured or are due to seek BCC approval. These are submitted for consideration and consent of the Committee and new council (operating in shadow form).
- 2.8** **Land disposals/acquisitions**

Shadow Council in March 2015 agreed to purchase lands at the junction of the Upper Ballygomartin Road and Springmartin Road to accommodate the Black Mountain Shared Space project

2.9 Local Investment Fund

Local Investment Fund is deemed to be a contract and Legal Services has also advised that Shadow Council is required to approve all Local Investment Funds (LIF) over £100K because they also constitute a contract and therefore fall within the DoE guidance. Please see table in Appendix 2 for funding allocations over £100k which have not already been endorsed by the STC.

2.10 Award of tender associated with Innovation Centre

In order to maximise the planned benefits that can be derived from the investment in the Innovation Centre the project board has agreed that a competitive dialogue procurement process be undertaken to appoint the operator for the centre. Given the timeframe commitments and the specialist skills associated with this process an outside resource will be required.

3 Resources

Finance

3.1 The financial resources for these contracts will be met within the current departmental budgets and the proposed estimates are taken forward through the rate setting process.

3.2 Human Resources

There are no additional human resource implications.

3.3 Assets and other implications

The asset and other implications associated with this report are covered within the capital programme update.

4 Equality and Good Relations Implications

4.1 There are no equality implications from this report.

5 Call in

5.1 This decision is subject to call in.

6 Recommendations

6.1 The Committee is recommended to:

- (i) Give consent to the contracts as set out at Appendix 2 which have already been presented to the relevant Belfast City Council committee;
- (ii) Give permission to go to public tender and delegate authority to the Director of Property and Projects to award the most economically advantageous tender for the delivery of a competitive dialogue process in order to appoint an operator for the innovation centre.”

APPENDIX 2

SUPPLIES & SERVICES TENDERS

Contract Name	Estimated value over period of new contract	Contract duration	Comment
Bring Sites Service for mixed glass, textiles, mixed paper and mixed cans	The value of the contract lots are variable but will exceed EU thresholds currently £172K	4 years	The contract is being let by Arc21 and BCC is a participant
Supply of fuel cards	£250K	4 years + 2	
Procurement support for Innovation Centre	£100K	1 year	*Note; Seek approval to go to tender and also delegated authority for approval by Director of Property & Projects

LIF

Springfield Star	£160K
Sarsfield GAC	£120K
Templemore Avenue School Trust	£100K
Short Strand Community Centre	£101K

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The Committee adopted the recommendations.

Tenders Advanced Using the Extremely Urgent Procurement Process

The Committee was reminded that the Council's Standing Orders 61, 62 and 63 determined how the Council managed the procurement of its contracts. The general rule was that all procurements above the £30,000 threshold follow the United Kingdom and European Union legislative requirements.

The Director of Property and Projects reported that Standing Order 62 set out how exceptions to the process should be managed whereby contracts could be entered into without following the legislation route. Those were:

- (a) by direction of the Council;
- (b) in cases of extreme urgency; and
- (c) purchases through an auction.

He pointed out that in cases of extreme urgency a Chief Officer must certify that that was the case, provided that they had first consulted with the Chairman of the appropriate Committee and the Director of Corporate Services (now the Director of Finance and Resources) and that the action was subsequently reported to the next meeting of that Committee.

The Director explained that there had been three such extreme urgent cases in the previous month. On each occasion a Chief Officer had certified that the procurement was of extreme urgency and, having consulted the Chairman of the Strategic Policy and Resources Committee and the Director of Finance and Resources, the procurements had been advanced. All of those procurement exercises had been below the European Union threshold limits and were set out below:

- the Council had approved the creation of a Director of Planning post to ensure that the necessary strategic direction and leadership was in place to deliver the new Planning function post 1st April, 2015 and a recruitment exercise had now been completed. Should the recruitment exercise have failed to identify a suitable candidate to be appointed to the post or if an appointment had been made but there was a delay in securing a timely start date for the successful candidate, it was deemed prudent to have a contingency arrangement in place to commission the services of a suitably qualified person on an interim basis to provide Members with the assurance they required regarding the transfer of the Planning function.
- the contract for environmental works at the North Foreshore had lapsed in anticipation of the proposed infrastructure work proceeding in conjunction with the development briefs being let for associated sites. Only when the Council had understood the market interest

and, therefore, the requirement to carry out further environmental work was it able to fully understand the extent of any new contractual requirements. However, it had been deemed an urgent requirement to carry out movement of clay stockpiles which were in the vicinity of the proposed infrastructure works prior to the commencement of the works on site which had an extremely tight programme to meet the European Regional Development Funding requirements.

- officers required specialist tax advice relating to the land tax and stamp duty implications of the contracts associated with the Council investment decision for new office accommodation.

The Committee noted the information which had been provided and that the contracts as set out had already been processed within the extreme urgent procedures.

Festivals and Event Funding

The Director of Development submitted for the Committee's consideration the undernoted report:

“1 Relevant Background Information

- 1.1 The City Centre Regeneration and Investment Strategy, which is currently out to public consultation, highlights the importance of world class events and the animation of the city centre as important elements of creating a vibrancy within the city centre, attracting overnight visitors and enhancing the international reputation of the city in the global market place.**
- 1.2 The Belfast Integrated Tourism Strategy, which is also out to consultation similarly identifies 'improving the quality and international appeal of the events and festivals on offer' as one of the main improvements required in terms of developing tourism in the city.**
- 1.3 The strategy highlights the need to develop a series of 6 'Signature Events' that have the potential to attract out of state bed-nights and positive international publicity for the city.**
- 1.4 This issue was picked up by the Development Committee when considering the issue of competing for international events and it was suggested that the Council develop a citywide Events and Festivals Strategy to inform the types of events and festivals that the Council should allocate resources to in the future. At its January meeting the Shadow SP&R Committee agreed to commission such a strategy.**
- 1.5 The events which the council will want to consider fall into four broad categories:**

- 1) Large Scale International Events such as Giro d'Italia, MTV EMAs, Tall Ships and World Police and Fire Games;
- 2) City Festivals which have the potential to attract tourists and have a positive economic benefit e.g. Belfast festival at Queens, Culture Night, Cathedral Quarter Arts Festival, Feile, Titanic Maritime Festival;
- 3) Community based festivals which engage local communities, enhance civic pride and engender good relations and community engagement;
- 4) Ad hoc requests for local business events such as Women in Business, Beltech, New York –New Belfast, Digital DNA etc.

1.6 With the exception of the annual events programme delivered by the Council's own City Events Unit which is almost solely financed by the Council, almost every other event is funded through a cocktail of funding from various sources including Tourism NI, The Arts Council, DCAL and DSD. The sustainability of many of these events is now under threat due to the cuts in the Executive's budget and the subsequent reductions in the budgets for events within various agencies moving forward. The announcement on 19th March by Queens University withdrawing its funding from the Belfast Festival at Queens this year is an example of this and announcements from the Arts Council are also imminent.

1.7 The Director of Development is currently in the process of appointing a consultant to support the development of a Citywide Events and Festivals Strategy. This strategy will take into account the resources which will be available from other sources to support events in the city once those budgets become known. It is likely that the strategy will not be complete until the Summer and therefore will be used to guide policy from the 2016/17 financial year onwards. This is therefore an interim report highlighting some decisions which need to be made at this point in time.

2 Key Issues

2.1 The Development Department's core budget is used to fund a number of recurrent and one off events annually and this will continue during the 2015/16 year. There are a number of events in the pipeline which require approval from this Committee rather than the Development Committee as they

relate to expenditure in 15/16, but will utilise the budget already agreed. There is a need for these decisions to be made at this point to enable effective planning to be put in place.

These include the following:

2.4 Business Related Events

A number of requests have been made for funding for a number for business related events which traditionally have been supported by the Development Committee. The requests received to date relate to the TechExplore Conference 2015 (£10K), Women in Business (£2.5K), New York-New Belfast Conference (£5k), Belfast Homecoming Conference 2015 (£5K).

As the Development Committee has previously funded these events provision has been made within existing departmental budgets.

2.5 NCAA Festival of Ice Hockey 2015

Members will be aware that in April 2014 the Council agreed that the City of Belfast should enter into a Sister Cities Agreement with Boston, USA. Since the signing of the agreement a range of city stakeholders have become engaged in developing relationships with counterparts in the city of Boston, including the Belfast Youth Orchestra, the Health Sector, PSNI and the Odyssey Trust.

The Odyssey Trust intends to host an ice hockey tournament involving four of Boston's and the USA's top college teams in partnership with the National Collegiate Athletic Association at the Odyssey Arena over thanksgiving weekend (27 -29 November 2015). It is planned that the tickets for the event will be distributed free of charge to 12,000 young people across the city.

Over \$200k has already been raised by the Boston Lord Mayor's Office to cover the cost of bring the teams to Belfast. The Odyssey Arena estimate the cost of staging the event in Belfast to be £227k over and above the cost of the rental of the Arena which the Trust will forgo as an in-kind contribution to the Festival.

The Odyssey Trust is seeking a contribution of £40K towards the cost of staging the event from Belfast City Council alongside contributions from Tourism NI, DCAL and Invest NI.

Should the Council agree to sponsor the event it is proposed that the Lord Mayor could travel to Boston from 10 -12 April to jointly launch the event with the Mayor of Boston at Boston Garden in front of 18,500 people at the Frozen Four event which gets national coverage on both US and Canadian television.

The cost of this event and the Lord Mayor's visit to Boston would be met from the International Relations Budget..

2.6 International Brian Friel Festival – August 2015

As noted in Paragraph 1.1 above the Belfast Integrated Tourism Strategy, which is currently out to consultation, sets out one of the main priorities for enhancing visitor numbers and visitor spend within the city is the development of a series of 'Signature Events' which have the potential to attract out of state tourists and positive international media coverage.

As part of the quick wins programme for the implementation of the strategy for the summer of 2015, the stakeholder group has been considering a proposal to create a Destination Festival for Belfast. The proposal has come from Sean Doran, a leading international artistic director who has worked extensively across Europe and Australia. In 2012 he set up the Happy Days Festival in Enniskillen. This 'Destination Festival' has proved particularly successful in creating a programme that is unique to the area presenting the highest quality international acts that appeal to out of state visitors as well as local audiences. Independently verified research has shown that this event now annually attracts £1.25m worth of international PR coverage and 31% out of state visitors.

Sean Doran proposes to create a distinct Belfast festival drawing on the reputation and work of leading playwright Brian Friel. The proposal is to create a unique cultural event within the city..

Friel is considered one of the greatest living English language dramatists. Examples of his internationally acclaimed work include plays such as 'Philadelphia Here I Come' and 'Dancing at Lughnasa'. The festival will be created around the themes of 'Dancing at Lughnasa' to deliver a programme that will have high visibility within the city and a strong international interest helping to position Belfast as a cultural capital and destination.

The proposed festival would be a multi-art form festival and would be delivered across the city. It would build on the

existing reputation of Belfast by creating an event that is destination driven.

The programme currently has 5 key elements:

- Theatre: including a major production of 'Dancing at Lughnasa' in partnership with the Lyric Theatre and a site specific piece performed in 4 key locations across the city.
- Dance: placing up to 6 large outdoor dance stages across Belfast at iconic sites with a co-ordinator working with local communities to create a large-scale dance event.
- Kiting – this element of the programme would take place in Titanic Quarter to complement existing visitor attractions.
- Music – celebrating traditional and contemporary music from Ireland Scotland, Scandinavia and Russia.
- Food– celebrating Belfast's culinary reputation in partnership with local restaurants and food producers.

The event is due to take place in Belfast from 26th to 31st August 2015. This proposal estimates that the programme will attract total audience of 24,200 including 30% out of state visitors made up primarily with overnight stays. An additional 3245 people across the city will participate in the programme through a series of free events. The PR value is estimated at £1.5m.

The total cost of the Festival is estimated at £600,000. An application has been made to Arts Council of Northern Ireland for up to £65,000 and to Northern Ireland Tourist Board for £70,000. The Lyric Theatre has confirmed its financial commitment to the festival with an overall budget contribution of £157,289. The remaining income will be secured from box office (£74,170), private investment (£40,000), sponsorship (£35,000), other statutory sources (£25,000) and in kind support. The required amount from Belfast City Council would be £100,000 via the Development Departments 15/16 Tourism, Culture and Arts Programme in the current financial year.

Such a festival could sit well within a longer term programme of literary events and festivals such as the CS Lewis Festival.

2.6 Issues for further consideration

Members will be aware of the announcement by Queens's University that it is no longer in a position to support the

Belfast Festival going forward which will result in the Council having to give consideration, along with other funders how it might wish to deal with this issue pending the outcome of the strategic review of Festivals and Events.

A request for additional funding for the Belfast Festival along with a number of other requests relating to Pride, BBC Proms in the Park, Belfast Tattoo were discussed at a meeting of the Budget and Transformation Panel on 13 March with some consideration given as to how these events might be supported with a view to bringing a report to this committee at the appropriate time.

It is quite possible that further requests may also be made over the course of the forthcoming year as it is probable that some events will face potential reductions in their programming due to budget cuts at ACNI, Tourism NI and DSD.

In light of the need to consider the consequences of the decision by QUB and the need to collate further details on the other event funding issues, a more comprehensive report will now be brought to Committee in April for further consideration..

3 Resource Implications

- 3.1 If members were to agree to fund each of the events set out in Section 2 above the costs would be met via the Development Department's Revenue Estimates.

4 Equality and Good Relations Implications

- 4.1 There are no equality or good relations implications in this report.

5 Call In

- 5.1 This decision is subject to call-in.

6 Recommendations

- 6.1 Members are asked to:
- consider the contents of this report;
 - consider the proposals for funding as set out in Sections 2.4 -2.5;
 - if approved consider the attendance of the Lord Mayor and an officer at the launch of the NCAA Festival of Ice Hockey in Boston

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- **if approved consider the attendance of the Chair and Deputy Chair of the City Growth and Regeneration Committee and an officer at the New York –New Belfast Event “**

After discussion, the Committee:

- (i) approved the proposals for funding as set out in Sections 2.4 – 2.5 of the report;
- (ii) agreed to provide funding in the sum of £70,000 for the International Brian Friel Festival to be held in August, 2015;
- (iii) approved the attendance of the Lord Mayor and an officer at the launch of the NCAA Festival of Ice Hockey in Boston; and
- (iv) approved the attendance of the Chairperson and the Deputy Chairperson of the City Growth and Regeneration Committee and an officer at the New York – New Belfast event.

Response on Corporation Tax

The Committee considered the undernoted report

“1 Relevant Background Information

1.1 The Council has been asked to respond to an inquiry by the Committee for Enterprise, Trade & Investment. The inquiry will consider the potential for economic growth and job creation associated with a reduction in corporation tax in Northern Ireland. The Inquiry will centre on how the two year period, up to the formal devolution of corporation tax varying powers in April 2017, can be used to maximise the potential of Northern Ireland as a region to attract investment, grow the economy and create jobs. The key focus for the Committee will be on the other economic drivers Northern Ireland can influence and must have right in order to maximise its potential.

1.2 The key areas for consideration are:

- 1. What are the key economic drivers (other than low corporation tax) that the Executive can influence in order to maximise the potential of Northern Ireland to attract inward investment, grow the economy and create jobs?**
- 2. Which of these key economic drivers are considered priorities for the manufacturing sector?**

3. Which of these key economic drivers are considered priorities for the services sector?
4. How well is each of the priority economic drivers currently developed in Northern Ireland to support inward investment, economic growth and job creation?
5. What actions need to be taken, and by whom, to address any gaps in the priority economic drivers?

1.3 The following list of economic drivers has been suggested:

- Access to Finance
- Access to Markets
- Access to Suppliers
- Business Regulation
- Communications Infrastructure
- Energy Costs
- English Language
- Government Support (Financial)
- Government Support (Practical)
- Higher and Further Education
- Innovation and R&D Environment
- Labour Costs
- Labour Relations
- Lifestyle
- Living Standards
- Macroeconomic factors
- Political Climate (national)
- Political Climate (regional)
- Productivity
- Public Transport Infrastructure
- Road and Rail Networks
- Security
- Skills and Education

1.4 We were made aware of the inquiry on the 4th February 2015 and comments were required to be returned by the 10th March 2015. As this timescale would not have allowed the issue to be considered by committee, officers negotiated an extension to the deadline to allow the response to be considered by Committee.

2 Key Issues

2.1 The request for a response to the inquiry was distributed to officers across Council so that their contributions could be included in a provisional response. This draft response to the inquiry is included in Appendix 1.

- 2.2 The Council is already involved in programmes to attract Foreign Direct Investment (FDI), grow the economy and create jobs. For example, the Investment Programme, the draft Integrated Economic Strategy and the City Centre Regeneration Strategy and Investment Plan. These programmes have been informed by various studies, which are relevant to this inquiry, including Centre for Cities. (2015) 'Cities Outlook' and Oxford Economics. (2011) 'Research into the competitiveness of Belfast.' The draft response to the inquiry outlines these pertinent points from this research and our strategies.
- 2.3 The draft response covers the following main points:
- 2.4 A review of the current research:
- Corporation Tax – there is conflicting evidence as to the importance of a reduction in rate, when compared to other factors, in attracting FDI.
- 2.5 When deciding on a location, investors are typically trying to find a location that provides cheaper resources; access to new markets and/or suppliers; access to strategic assets, especially specialist knowledge or technologies; or ways to create efficiencies in their processes.
- 2.6 Investors are also influenced by non-economic factors such as political stability and the standard of living.
- 2.7 The draft response considers the research into the various factors (labour costs, skill levels, etc) within these broader heading together with any data that is relevant to Belfast.
- 2.8 There are examples from other regions who have attempted to attract FDI. These examples support the conclusions from the research and provide additional insight into issues for relatively smaller regions like Northern Ireland which may not be able to compete in terms of infrastructure and reputation, and so need to focus on removing any barriers to new investor.

Key drivers:

- 2.9 The draft response considers the main drivers for FDI to be labour (cost, skill levels & availability), transport and infrastructure (overland, international & ICT), energy costs, financial factors (taxes & rates & access to finance), physical business environment, local market conditions, clusters, political stability, innovation & entrepreneurship,

standards of living, business regulation and planning, and historical connections.

- 2.10 For manufacturing the key factors are labour cost and availability, energy costs, clustering, overland transport and access to finance.
- 2.11 For service industries the key factors are labour skill levels and availability, the physical business environment, Clustering, innovation, ICT infrastructure and taxes & rates.
- 2.12 In terms of priorities, the report considers the factors that are key to attracting FDI and that are currently poorly catered for in Belfast compared to competitors. These are labour skill levels, energy costs, and innovation and entrepreneurship.
- 2.13 The report highlights that the results will vary widely depending on the needs of the investor and so urges further research, based on existing benchmarks, such as the World Bank Group reports, to ensure meaningful and realistic conclusions.

Issues:

- 2.14 Key guidance on policy formulation (based on the research) is provided.
- 2.15 The risks to existing business from attracting the wrong type of FDI are raised.
- 2.16 Concerns are raised and clarity sought over the potential costs of a change in Corporation Tax.

3 Resource Implications

3.1 None.

4 Equality and Good Relations Implications

4.1 None

5 Call In

5.1 This decision is not subject to call-in.

6 Recommendations

6.1 Members are asked to:

- **Note the request by the Committee for Enterprise, Trade and Investment.**
- **Agree to the submission of the Draft Response.”**

The Committee approved the draft response and noted that a copy was available on the Council's internet site.

**Non Grant Community Financial Support 2015/16,
including Independently Managed Community Centres**

The Director of Development submitted for the Committee's consideration the undernoted report:

“1.0 Relevant Background Information

1.1 This paper is to outline our current non-grant financial support arrangements with organisations who deliver services on our behalf across the city and to seek committee approval to extend the arrangements for 2015/16 in respect of:

- **Independently management community Centres**
- **Anchor Tenants**
- **Service Level Agreement with Play Resource**

The report also notes the impact of LGR and proposes related contract extensions.

1.2 Current status: Community Services currently supports community development organisations across the city in a number of ways, these include:

1.3 The independent community centre model: This facilitates the management arrangements for a number of neighbourhood centres, historically owned by BCC but for which committee have approved a move to community management and associated lease agreements. These agreements have evolved over a period of time and appear to have been reactive and usually either as an initiative by BCC to address under usage of centres via working in partnership with the local geographical community or as a direct response to community requests. While the traditional focus of the centres was on

sports and recreation activities, input from Community Services staff has supported the development of broader programmes to address community needs. The range of broad based community programmes varies across each of the independently managed centres, that is, Grosvenor Recreation Centre, Shaftsbury Recreation Centre, Ballymacarrett Recreation Centre, Carrickhill Community Centre, Denmark Street Community Centre and Percy Street Community Centre.

The model comprises a lease agreement with each of the community development organisations with supporting financial resource which is received net of any rent allocation. This financial support is agreed annually by committee report and includes access for groups to our small community grant programme including summer scheme and project grants. The benefits of the independently managed structure for BCC owned community centres are:

- greater independence and quicker response to local need.
- greater opportunities for local people to shape services
- increased local employment
- opportunity to access a wider range of grant aid.
- greater involvement of local people
- ability to provide services in a more cost effective way than a directly managed facility.

- 1.4 Anchor Tenant support – BCC community centres currently deliver community based services in close association with local community organisations some of whom receive grant support for their own buildings. The Markets Development Agency received revenue grant until 2013 but needed to vacate their premises. In conversation, it was agreed they should take up office space in the Markets Community Centre as an ‘anchor tenant’. This arrangement was piloted in 2014 and is currently managed through the centre booking system rather than a formal anchor tenant agreement. The group no longer receive a revenue grant given many of their overhead costs are met by the BCC community centre budget however they continue to receive a small grant to cover other continuing costs such as telephone, insurance, etc. The arrangement has strengthened local relationships and allowed a more targeted delivery programme at the centre and in the locality. This arrangement has been in place historically with Sandy Row Community Forum and has led to close working relationships in the area. Neither organisation currently has

key holder access although this is being investigated after a request from MDA.

1.5 Service Level Agreements – Community Services also has a SLA with Play Resource who recently celebrated their 30th anniversary year and their new status as a charitable social enterprise organisation. Our SLA supports Play Resource to:

- support groups with access to the scrap store and other 'how to' resources (quick ideas, recipe cards and on line videos)
- provide training for those working with children and young people in arts and crafts (e.g. training artists in child protection, dealing with difficult behaviour, working with children with special needs, infant mental health and diversity; arts skills for the sector using workshops for play workers, youth and special needs workers)
- deliver outreach programmes (Creative Paths Arts Programme, Arts and Older People Programme, Youth Art Programme and an Early Intervention Arts Programme)
- support BCC funded summer schemes as a venue for training and the supply of materials

1.6 Council funding to Play Resource has provided an opportunity to support strand four of the community development strategy of *shared service design and delivery*. In the past year an officer led review highlighted areas of community development benefit to Council in supporting Play Resource to further develop their business model as a social enterprise. It also identified areas for alignment through the SLA to the wider corporate and community development priorities namely:

- Co-ordinate a tailored support package to further progress its social enterprise model for optimum self financing including participation in Economic Development's social enterprise mentoring programme.
- Reflecting the learning into the Community Resources toolkit and run a demonstration awareness series with community groups who are considering social enterprise in the community and voluntary sector. This will allow PRW to highlight their origin, growth and development and raise awareness and inspire other organisations to consider being a social enterprise.

- Council's funding supports dedicated service delivery for Belfast members only e.g. subsidising a Belfast membership rate. In turn we encourage the organisation to seek funding from other councils to supplement the membership rate for the rest of the region.
- A single council corporate membership as part of the SLA (previously a number of services had individual PRW membership costing approximately 2k additional to the SLA)
- Realise benefits to address Council's corporate priorities from their innovative recycling model for a low carbon city via recycling affordable resources to support development in local communities and with groups across Belfast aligning more effectively to Council's other ambitions in addressing the poverty/deprivation agenda.

1.7 New Council 2015: Service convergence has identified a number of assets for which responsibility will transfer to Belfast City Council from Castlereagh and Lisburn. These include 5 directly managed centres from Castlereagh including Cregagh Youth & Community Centre, Clonduff Community Centre, Braniel Community Centre, Tullycarnett Community Centre and Downshire Hall.

There are also a number of leases and 2 of these include related financial support:

- I. Sally Gardens: historical negotiations between Poleglass Community Association and Lisburn City Council have been deferred pending LGR. The organisation is keen to progress the transfer of land and buildings to BCC with a return lease arrangement and officers will continue to explore this ambition and report to committee. In the interim, and to ensure business continuity, Community Services intend to continue the revenue contract with the group. This historical LCC contract provides revenue support of £36,000 for overhead costs in relation to the provision of a 'satellite' facility. It is envisaged that any amended arrangement would see the facility move to BCC as an independently managed centre.
- II. Fullerton Park Pavilion: the lease will be managed by Parks however Dunmurry Community Association currently deliver community based programmes from

the Pavilion and have a standing contract with LCC for £6,500 which supports their core overhead costs.

2. Key Issues

- 2.1 Future support to the sector:** Community Services have a number of models for supporting the sector as outlined above. There are a number of change factors including LGR and changes in the funding environment which will impact on the way in which this support is provided in the future. In preparation for our new power and transferring functions, and to inform provision in the extended boundary area, it is proposed that Community Services develop an outcome based strategy and framework for Community Centre provision in the city which should include consideration of the most suitable management arrangements. The strategy and framework should be aligned with and inform the council's future policy and guidance on the transfer of assets to community management and/or ownership. A separate paper, including a more detailed terms of reference for this proposal, will be presented to committee in April.

Additionally, it is further proposed that Community Services adopt the following approach:

- 2.2 Retain the independently managed community centre model for 15/16:** The managing community organisation receives a financial award from BCC to manage the centre. The award is paid net of any allocated rent charged by council as previously agreed by the Community and Recreation subcommittee of 7th March 2006. Each group is monitored bi-annually with funding released on approval of the appropriate monitoring returns. A dedicated officer is assigned to both ensure compliance to all requirements and to provide ongoing community development support. As BCC retains ownership of the buildings, all non minor maintenance is undertaken by BCC Property Care. This arrangement ensures that each centre/asset is maintained to a high standard and that high quality services are provided whilst allowing the managing group the ability to respond to local need and access external funding to improve both the building and service provision.

Officers suggest this arrangement should apply to the following organisations for April 2015-16:

- Shaftsbury RC – Lower Ormeau Residents Association
- Grosvenor RC - Roden Street Community Development Association

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- Ballymacarrett RC – Connswater Community and Leisure Services Ltd.
- Carrickhill CC – Carrickhill Residents Association
- Denmark Street CC – Denmark Street Community Centre
- Percy Street CC – Lower Shankill Group Welfare

2.3 Review of independently managed centres during 15/16: In order to inform future support, officers will complete a review of the current model and present any recommendations to committee. The review will consider current management arrangements and capacity, outline programme performance and complete a cost-benefit analysis.

2.4 Retain the Service Level Agreement Model: Officers recommend the extension of the current SLA with Play Resource during 15/16 and throughout this period support the organisation to further develop their business model as a social enterprise and support the identified areas for alignment with wider corporate and community development priorities.

2.5 Retain the Anchor Tenant Agreement: To retain the arrangement with Sandy Row Community Forum and Markets Development Agency, as well as reviewing the anchor tenant arrangements in place within the transferring facilities with the aim of working towards standardisation of agreements.

3.0 Resource Implications

Financial implications

Centre	15/16 Cost
Shaftesbury Recreation Centre	£55,183.00
Grosvenor Recreation Centre	£55,183.00
Ballymacarrett Recreation Centre	£55,183.00
Carrickhill Community Centre	£33,110.00
Denmark Street Community Centre	£20,806.00
Percy St Community Centre	£8,830.00
Sub - total	£228,295.00
Sally Gardens	£36,000
Fullerton Park	£6,500
SLA Play Resource	£31,209
Total requested for approval	£302,004.00

4.0 Equality and Good Relations Implications

There are no Equality and Good Relations implications attached to this report

5.0 Recommendations

Committee is asked to note the contents of this report and agree to:

- ii The continuation of current funding arrangements for the Independent Centres 2015/16 with one year extension if required.
- iii The continuation of the Service Level Agreement with Play Resource into 2015/16 with one year extension if required.
- iiii The retention of the anchor tenant arrangement and to review arrangements for the LGR transferring facilities with a view of standardising future agreements.
- ivi Note the intention to develop an outcome based strategy and framework for community centre provision in the city.”

The Committee adopted the recommendations.

Asset Management

Area Working Belfast Investment Fund/ Local Investment Fund Update

The Committee considered the undernoted report:

“1.0 Relevant Background Information

1.1 At the Shadow SP&R Committee on 20th February Members agreed the boundaries for new area working groups comprising 4 AWGs based on a combination of the 10 District Electoral Areas across Belfast

- Area 1: North (2 DEAs) – Castle and Oldpark
- Area 2: South (2 DEAs) – Botanic and Balmoral
- Area 3: East (3 DEAs) - Titanic; Ormiston and Lisnasharragh
- Area 4: West (3 DEAs)- Court; Black Mountain and Collin

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	NORTH - Castle; Oldpark DEAs	SOUTH - Botanic; Balmoral DEAs	EAST - Titanic; Ormiston; Lisnasharragh DEAs	WEST - Court; Black Mountain; Collin DEAs
Overall combined Population of DEAs	63,807	68,597	98,249	103,073
No of Councillors	12	10	19	19

1.2 Work on revised Terms of Reference for the new AWGs is underway and a report will be brought to the Committee in the coming months on this.

2.0 Establishment of Local Investment Fund 2

2.1 The current £5million LIF programme was established in 2012 under the Investment Programme and was designed to support the delivery of local regeneration projects in neighbourhoods and as a way for Members to connect with their local communities. LIF has been successful with over 60 projects worth over £4.85m allocated in principle funding of which 20 projects are already complete; 9 are currently on the ground with a further 28 are at tender preparation stage.

2.2 Recognising the benefits of LIF at an area level and the outcomes which have accrued from this, Members have agreed the need for a LIF 2 programme. It is proposed that £4million is reallocated from the Belfast Investment Fund reserves to a new LIF 2 programme.

LIF - Options for Allocation Model for LIF2 and the new AWG Boundaries

2.3 The current LIF programme was allocated on an equal basis across the former North, South, East and West (£1,127,500) with a proportional allocation to the Shankill (£490,000). The revised boundaries under the LGR mean that there are now 10 DEAs in the Belfast area. Both the new West and East AWGs are made up of three DEAs and therefore have larger overall populations and also a larger number of Members per AWG area. Given this, the Committee is asked to give consideration to an option of allocating monies for LIF2 on a proportional basis based on the number of DEAs in an AWG rather than an equal allocation per area.

2.4 On the basis of the future AWGs which have been agreed by Committee this option would mean the following –

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	Option 1 – Equal allocation	Option 2 – Proportional allocation of £4m based on number of DEAs within the AWG <i>£4m/10 (10 DEAs) x numbers of DEAs per AWG</i>
NORTH – Castle & Oldpark DEAs	£1,000,000	£800,000 (2 DEAs)
SOUTH – Botanic & Balmoral DEAs	£1,000,000	£800,000 (2 DEAs)
EAST - Titanic; Ormiston & Lisnasharragh DEAs	£1,000,000	£1,200,000 (3 DEAs)
WEST - Court; Black Mountain & Collin DEAs	£1,000,000	£1,200,000 (3 DEAs)

- 2.5 It is recommended that Members agree ‘Option 2 - Proportional allocation of £4m based on number of DEAs within the AWG’. This would appear to be a fairer allocation of LIF 2 given that both the East and West AWGs are made up of three DEAs apiece and have larger overall populations.**

LIF 2 – Proposals for use of LIF 2

- 2.6 The current LIF programme was specifically designed to support the delivery of local regeneration projects in neighbourhoods and as a way for Members to connect with their local communities in advance of LGR and. A fixed amount of £5m was available with a minimum level of investment of no less than £15,000 in a project and a maximum of £250,000 to ensure a spread of investment across the city. The current LIF programme funded capital projects only**
- 2.7 LIF 2 presents a new funding stream for Members and therefore an opportunity to change the focus of what can be funded under the next programme. This therefore presents an opportunity for Members to consider the possibility of not only supporting capital projects but also funding revenue projects or other focused interventions including for example**
- supporting focused interventions, area planning and collaborative working and as agreed by the AWGs (similar to those already taken forward – community focused initiatives in West, Shankill and East; community safety initiatives in North and retail in South)
 - potential match funding for smaller scale projects including those seeking funding from other external funding sources including Peace IV

2.8 This would enable Members to focus on the particular needs of their local area and target LIF spend on those issues/projects which will most benefit their local areas within the context of area plans and the emerging Belfast Agenda. It is recommended that it is left to the discretion of individual AWGs to decide if they wish to use 100% of their LIF allocation to fund capital projects, 100% on revenue projects or to agree the breakdown of allocation between funding capital and revenue in line with the AWG priorities. If Members agree that LIF 2 could also be used to fund revenue type projects or further interventions it is proposed that criteria on how this will be applied will be brought back to Committee in due course.

2.9 *LIF Capital Projects* - If AWGs decide to continue to use some or all of their LIF allocation towards capital projects it is recommended that these are on the same criteria as the under the current programme, that they follow the same processes which are already agreed and that these continue to be for investments of a minimum of £15,000 up to a maximum of £250,000. However a new outcomes framework will be developed to aid decision making and support maximum impact.

North AWG

2.10 The North AWG made the following recommendations for the consideration of the SP&R Committee in relation to their Local Investment Fund

LIF Ref	Project	£	AWG Comments
NLIF051	Small Steps	Additional £30,000	That an additional £30,000 from unallocated LIF monies is allocated to the Small Steps project Committee is asked to note that this project has previously received £30,281 and this additional money is to make up a shortfall in funding for the project

3.0 **Belfast Investment Fund**

3.1 Members will recall that it was agreed in February that the criteria for the Belfast Investment Fund should be revised. Work is currently underway in relation to this and discussion ongoing with Party Groups. An update report on this will be presented to Committee in April.

4.0 Resource Implications

Financial: As outlined above.

Human: Officer time in working with groups on developing their project proposals

Assets: none at present

5.0 Equality Implications

Changes to the overall LIF programme will be re-screened

6.0 Recommendations

Committee is asked to note the contents of this report and

Establishment of LIF 2

- agree that a Local Investment Fund 2 is established and that £4million is reallocated from BIF reserves to fund this

Allocation model – LIF 2

- Agree whether to allocate resources equally based on Option 1 or 'Option 2 - Proportional allocation of £4m based on number of DEAs within the AWG' as outlined in 2.4 above in relation to LIF 2 given that both the East and West AWGs are made up of three DEAs apiece and have larger overall populations

Options for LIF2

- note that LIF 2 presents a new funding stream for Members and therefore an opportunity to change the focus of what can be funded under the next programme. A new outcomes framework will be developed to aid decision making and support maximum impact.
- agree if LIF2 should be refocused to enable AWGs to also fund revenue projects (e.g. supporting focused area interventions) in addition to capital.
- If the above is agreed, it is recommended that it is left to the discretion of individual AWGs to decide if they wish to use 100% of their LIF allocation to fund capital projects, 100% on revenue projects or to agree the breakdown of allocation between funding capital and revenue projects in line with the AWG priorities.

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North AWG

- **agree that an additional £30,000 of LIF funding is allocated to the Small Steps Adult Education Group project (NLIF055) from unallocated North LIF monies”**

After discussion, it was

Moved by Councillor Robinson,
Seconded by Councillor Attwood,

That the Committee agrees to the establishment of a Local Investment Fund 2 and to adopt Option 2, that is, to allocate the £4 million proportionately based on the number of District Electoral Areas within the Area Working Groups.

Amendment

Moved by Councillor Stalford,
Seconded by Councillor Boyle,

That the Committee agrees to the establishment of a Local Investment Fund 2 and to adopt Option 1 and provide an equal allocation of funding to each of the four Area Working Groups.

On a vote by show of hands two Members voted for the amendment and seventeen against and it was declared lost.

The original proposal standing in the name of Councillor Robinson and seconded by Councillor Attwood was put to the meeting, when seventeen Members voted for and one against and it was declared carried.

The Committee agreed to adopt the remaining recommendations set out in the report in relation to the options for Local Investment Fund 2 and the recommendation by the North Belfast Area working Group to provide £30,000 for the Small Steps Adult Education Group project from the unallocated North AWG LIF monies.

Asset Management

The Director of Property and Projects submitted for the Committee's consideration the undernoted report:

“1 Relevant Background Information

- 1.1 (i) 402 Newtownards Rd Easement/Wayleave**
At its meeting on 12 March 2015 the Parks and Leisure Committee received a report regarding the proposed granting of an easement and wayleave to Landmark East and

Northern Ireland Electricity (NIE) at 402 Newtownards Road. The Director of Property and Projects will provide an update to Committee on the decision of the Parks and Leisure Committee.

Landmark East are building the East Belfast visitor centre at the vacant site at 402 Newtownards Road. The building is funded by £250,000 of support from the Council's Local Investment Fund, £336,700 from the Northern Ireland Tourist Board (NITB) and the remaining £278,000 investment is from Landmark East.

- 1.3 The building footprint takes up the full area of the site and Landmark East have approached the Council seeking approval to take services to the site through Council owned Manderson Street Gardens. The services include an NIE cable, water supply and gas supply and Landmark East will require an easement from the Council to construct a 1000mm diameter trench along the length of the new visitors centre to take the services to the rear of the new building. NIE will also require a wayleave agreement from the Council to provide the required electricity supply.
- 1.4 (ii) Land at Stewart Street – Proposed sub-letting to Sure Start
At its meeting on 12 March 2015 the Parks and Leisure Committee received a report regarding the proposed granting of a sub-lease to Sure Start at Stewart Street. The Director of Property and Projects will provide an update to Committee on the decision of the Parks and Leisure Committee.
- 1.5 The Council hold the land from the NIHE and NIE by way of 25 year leases which commenced on the 31st March 2000. The land is used as a playground and open space; the playground is currently being refurbished as part of the rolling improvement programme.
- 1.6 At its meeting on the 22nd February 2013 the SP&R Committee approved Local Investment Fund support of £150,000 for Sure Start to construct a modular building on the Council's leased land at Stewart St.
- 1.7 (iii) Land at Annadale Embankment – Grant of Licence to Evander (NI) Ltd
The Carvill Group Ltd in 2009 took a licence for Council owned land at Annadale Embankment which they used as a contractor's compound adjacent to their development of new apartments subject to an annual fee of £30,000.

Subsequently under a deed of variation in 2011, the area was reduced and the licence fee reduced accordingly to £4,250 per annum.

- 1.8 On 20th May 2011, the Carvill Group Ltd entered into administration; however the administrators continued to pay the revised licence fee. The Carvill Group (in administration) has now sold its property interests to Evander (NI) Ltd and has sought to terminate the current licence agreement with the Council. There are no outstanding arrears and the licensee has complied with licence terms.
- 1.9 Evander (NI) Ltd has requested the grant of a new 2 year licence on the plot for use as a contractor's compound. The adjoining site was partly developed by the Carvill Group and Evander (NI) Ltd proposes to complete the development of a further 5-storey apartment block.
- 1.10 (iv) Land adjacent to Finlay Park – Whitewell Road, Belfast
The Parks and Leisure Committee at its meeting on 16th October 2014 approved the acquisition of land adjacent to 93 Whitewell Road and to the exchange of lands adjacent to 95 Whitewell Road. The Council has recently undertaken some refurbishment and development work at Finlay Park, including a refurbished playground and multi user games area together with a new community garden. Given land ownership issues, there was limited opportunity to enhance the image of the entrance to the Park and the aim is to regularise these land issues.

2 Key Issues

- 2.1 (i) 402 Newtownards Rd Easement/Wayleave
Landmark East require an easement over 27 metres x 1 metre of Council land in order to bring services to the new visitors centre at 402 Newtownards Road. The NIE will also require the Council to complete a standard wayleave agreement to facilitate the cable supplying power to the visitors centre at 402 Newtownards Road.
- 2.2 (ii) Land at Stewart Street – Proposed sub-letting to Sure Start
Sure Start have received approval in principle for £ 150,000 of Local Investment Fund support together with a further £35,000 from Sure Start, £10,000 from NIHE, £10,000 from Helm Housing and a possible £50,000 from the Alpha fund to construct a modular building on the Council's leased land at Stewart St.

- 2.3 The Committee is asked to note that Sure Start have requested a sub-lease from the Council for the area of land outlined in bold black on the map attached at Appendix '2'. This proposal is in line with the SP&R Committee's clarification of LIF guidance to Members at its meeting on the 22nd June 2012 that a LIF proposal in respect of a Council asset could be eligible if it was subject to a lease of reasonable duration from the Council.
- 2.4 (iii) Land at Annadale Embankment – Grant of Licence to Evander (NI) Ltd
A new 2 year licence with an annual fee of £2,750 has been provisionally agreed with Evander (NI) Ltd. Under the proposed licence the use will be restricted to a contractor's compound and the licensee will be required to reinstate the site to an agreed landscaping plan.
- 2.5 (iv) Land adjacent to Finlay Park – Whitewell Road, Belfast
At its meeting on the 16th October 2014, the Parks and Leisure Committee approved the acquisition of strip of land adjoining 93 Whitewell Road and to transfer, for storage purposes, a small portion of Council owned land (edged blue) adjacent to Finlay Park to the occupier of 95 Whitewell Road and to provide a fence at the transferred land for the benefit of both parties.

3 Resource Implications

Finance and Assets

- 3.1 (i) 402 Newtownards Rd Easement/Wayleave
- A premium of £350 has been agreed with Landmark East for the grant of the easement for the trench.
 - Appropriately the easement and wayleave are to be in land immediately adjacent to the culverted Connswater River and as such there is no prospect of the Council seeking to redevelop the land for anything other than amenity and access to the new C S Lewis Civic square which is being constructed as part of the Connswater Community Greenway project. Under the terms of the proposed easement, Landmark East will replace the ornamental trees at this location and fully reinstate the land to the satisfaction of the Parks Department.
- 3.2 (ii) Land at Stewart Street – Proposed sub-letting to Sure Start

- Terms for the proposed sub lease including rent will be brought to the SP&R Committee for approval in accordance with standing orders.
- The siting of the proposed modular building for Sure Start on part of the Stewart Street open space has been agreed with the Landscape & Design Unit and does not adversely impact on the refurbished playground and open space.

3.3 (iii) Land at Annadale Embankment – Grant of Licence to Evander (NI) Ltd

Termination of the licence to the Carvill Group Ltd (in Administration) and grant of a licence to Evander (NI) Ltd will regularise the current situation. Annual licence fee of £2,750 p.a. will be payable to the Council

3.4 (iv) Land adjacent to Finlay Park – Whitewell Road, Belfast

The proposals involve the acquisition by the Council of the land adjoining 93 Whitewell Road for a consideration of £500 plus reasonable legal costs subject to satisfying title. In relation to the land adjoining 95 Whitewell Road, it is proposed that the Council pay the owners reasonable legal costs associated with the land transfer. The Council are also to provide a new fence as referred to above. The associated costs will be provided for within the Parks and Leisure departmental budget.

3.5 Human Resources

Staff resources from the Estate Management Unit and Legal Services will be required to complete all agreements.

4 Recommendations

It is recommended that Members agree:

4.1 (i) 402 Newtownards Rd Easement/Wayleave

To grant an easement to Landmark East over the lands at a premium of £350 and to complete a wayleave agreement with NIE to provide an underground cable to supply electricity to the C S Lewis building at 402 Newtownards Road.

4.2 (ii) Land at Stewart Street – Proposed sub-letting to Sure Start

To grant a sub-lease to Sure Start for the land for the term remaining in the Head-Leases held by the Council from the NIHE and NIE, less three days at a rent and detailed terms to be agreed and approved by SP&R Committee in accordance with Standing Orders.

- 4.3 (iii) Land at Annadale Embankment – Grant of Licence to Evander (NI) Ltd**
To approve the termination of the licence to the Carvill Group Ltd (in administration) and the grant of a new 2 year licence agreement to Evander (NI) Ltd in accordance with the above provisionally agreed terms and conditions.
- 4.4 (iv) Land adjacent to Finlay Park – Whitewell Road, Belfast**
To ratify the decision of the Parks and Leisure Committee of 16th October:
- To acquire the land adjoining 93 Whitewell Road for a consideration fee of £500, together with meeting all reasonable costs, subject to legal agreement.
 - To transfer, for storage purposes, a small portion of Council-owned land adjacent to Finlay Park to the occupier of 95 Whitewell Road and to provide a fence at the transferred land and pay reasonable legal costs.”

The Committee adopted the recommendations.

Proposed Acquisition of Land at Old Golf Course Road, Dunmurry

The Committee was reminded that, at its meeting on 30th January, it had been advised that the Department of the Environment Northern Ireland Agency had declared surplus a site of approximately fourteen acres at the Old Golf Course Road, Dunmurry. The Land and Property Services agency had sought expressions of interest for the acquisition of the site in accordance with D1 Disposal of Surplus Public Sector Land procedures. A preliminary expression of interest in the land had been submitted by the Council to the Agency. The Director reminded the Members that the site fell within the current Lisburn City Council area that would come into the new Belfast City Council boundary on 1st April, 2015. The land was currently a formal open space and comprised two plots which had been zoned as an area of Existing Open Space and designated as an Urban Landscape Wedge and Community Greenway in the Belfast Metropolitan Area Plan 2015. He pointed out that the Committee had noted at its previous meeting in January that a report would be submitted when the terms of the disposal were available in order to seek the Committee’s direction on whether to proceed.

The Director explained that Land and Property Services had subsequently valued the site for the Environment Agency, although the Agency had been advised that it had received authorisation from the Environment Minister that the land could be transferred to the Council by way of a gift on the condition that all the land was retained as open space for public access.

The site comprised informal, semi-wild scrub land and trees. As such, minimal maintenance should be required in its current layout. Any future maintenance and management costs would vary depending on eventual end use but at the moment it was understood that the local community was keen to retain the land as an environmental

resource. Future upgrading works could potentially be undertaken on a phased basis if funding became available at a later stage and there might be opportunities to seek external funding. In the interim, the Council could undertake an initial clean up of the site and retain it as an informal open space. Any acquisition of the site, however, would be subject to satisfactory title and site investigations and work was currently underway in that regard.

The Committee approved the acquisition of the land from the Department of the Environment Northern Ireland Environment Agency on the basis as outlined, subject to detailed terms to be agreed by the Estates Manager and the Town Solicitor.

North Foreshore

The Committee considered the undernoted report:

“1 Relevant Background Information

The Council is currently leading on a number of significant regeneration projects within the city as part of its Investment Programme. The North Foreshore Giant’s Park represents a major regeneration opportunity for the City of Belfast with the potential for significant economic, environmental and social benefits. Members will be aware that the North Foreshore Giant’s Park is the former Dargan Road waste landfill comprising 340 acres. Whilst the site has many benefits in terms of location, planning designation, scale of opportunity etc, as a former landfill site it does however present a number of challenges in terms of development.

1.2 The Council had previously agreed that the North Foreshore should be developed as an Environmental Resource Park with potential for a ‘Cleantech Business Cluster’, as well as for recreational uses. The vision is to create opportunities for sustainable development and to bring significant economic, environmental and social benefits to the city. The Council’s Investment Programme 2012 – 2015 identified the development of an Environmental Resource Park at the North Foreshore as one of the key strategic projects.

1.3 Members will be aware that the Council submitted a £8M European Regional Development Fund Application for identified infrastructure works for an Environmental Resource Park. These infrastructure works comprise new access roads and identified services and site preparation works to provide sites that can be offered for disposal (by way of lease) on the open market. The Council has recently received a Letter of Offer for this funding, based on £4M from ERDF, £2 million from INI with the remainder to be funded by BCC.

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- 1.4 A report was brought to the Shadow Strategic Policy & Resources Committee on 16 January 2015 and approval was given to progress with the tender for the infrastructure works. This tender has been issued and is due to be returned on 2 April 2015. Subject to the Council agreeing to progress with the project and signing the Letter of Offer, it is intended to simultaneously run a marketing campaign for the disposal of the development sites whilst the infrastructure works are being developed.**
- 1.5 Best practice study visits were recently undertaken by a number of Elected Members, MLA's and officers to Metabolon (Germany) and VITO (Belgium) and to Eden (Cornwall). A copy of a report has been circulated presenting the key findings and actions from these study visits in relation to the North Foreshore.**
- 1.6 Following these study visits, a follow up meeting was held with the Elected Members who attended the visits. The feedback from Members at this meeting was that they considered that development of the North Foreshore was a significant and important project for the Council, given its potential to have a major impact on the economy as well as the environmental and social outcomes.**
- 1.7 It was recognised however that there will need to be strong political support to champion and drive the project forward, give full consideration to development proposals as they emerge from the private sector or elsewhere, consider resources and resolve any issues with government departments.**
- 1.8 The Council's prior experience in regenerating the Gasworks for example showed that strong political leadership was crucial in terms of maximising the economic and social benefits of this major regeneration project. The Gasworks site was developed in a similar way whereby the road and services infrastructure were put in at the start and development sites were then disposed of by the Council by way of long lease. Aligned to the physical development element there was also a focused economic initiatives strand that considered local employment initiatives etc**
- 1.9 The Gasworks is now a very successful Business Park which has won a number of major regeneration awards, particularly in terms of the development of a former Brownfield site. The Gasworks has an estimated 4,000 people employed (2010/11) and the Council receive an annual equity rent (i.e. a**

percentage of the occupational rents) from the completed developments. They also received upfront capital premiums from a number of the developers.

- 1.10 Members will also be aware that Balmoral and Duncrue Industrial Estates were previously developed in a similar manner by the Council. It is worth noting that a previous Economic Impact Study undertaken by IPSOS Mori back in 2007 in relation to Balmoral and Duncrue Industrial Estates highlighted the important role that they played in supporting the continued urban and social regeneration of Belfast, as well as contributing significantly to employment. In 2007 the total turnover in Balmoral and Duncrue was estimated at £680M p.a. employing circa 6,500 people.
- 1.11 The total rental income to the Council from its leased assets is currently circa £6.75M per annum and this is primarily from the Gasworks, Balmoral and Duncrue. There is also significant rates income from the occupiers within these estates. The vision for the North Foreshore is that it will similarly provide a return on investment in future years in terms of capital or rental returns to Council, rates income, private sector investment and jobs. There are also important environmental benefits and, dependent on the nature of future occupiers, this could also contribute towards the NI renewable energy and recycling targets

2 Key Issues

- 2.1 A North Foreshore Members' Steering Group was established in December 2010 to drive and direct the development of the overall site. The remit of the Group was to champion and oversee the management of the North Foreshore, especially with regard to policy, resources and future development options for the site. Following a more recent decision to limit the number of Steering Groups and Steering Group meetings, the North Foreshore Steering Group as previously established has not met on a regular basis.
- 2.2 At the recent follow up meeting with those Members who had attended the study visits they expressed the view that it would be important to re-constitute the North Foreshore Steering Group and that the Group should continue its work to champion and oversee the delivery of the North Foreshore Regeneration Project. Members attending this meeting were from four of the main political parties. They suggested that the Steering Group could be made up of a representative from each of the six main political parties as well as local

councillors from the Castle area, subject to the agreement of Committee.

3 Resource Implications

- 3.1 Future resource implications for the development of the North Foreshore will depend on the future disposal and development options. The number and frequency of working group meetings will have an impact on Member and officer time.**

4 Recommendations

- 4.1 Members are asked to:**
- (i) note the above and the update report in respect of the recent study visits.**
 - (ii) agree to the reconstitution of the North Foreshore Members' Steering Group**
 - (iii) consider the political representation on the Steering Group as indicated above."**

The Committee adopted the recommendations and agreed that the North Foreshore Members' Steering Group be comprised of the Elected Representatives from the Castle District Electoral Area and one representative from outside of the North Belfast Area from each of the six Political Parties.

**Leisure Transformation Programme:
Belfast Stadia Community Benefits Initiative**

The Committee considered the undernoted report:

"1.0 Relevant background information

- 1.1 At its meeting in August, the Strategic Policy and Resources Committee considered a report outlining a community benefits partnership approach for the stadia programme in Belfast, as required by the Department of Culture, Arts and Leisure (DCAL). The SP&R Committee agreed the objectives for the 'Enhanced Sports Development Programme' and agreed a financial contribution of £100,000 per annum over 10 years for the purposes of the programme.**

They noted that discussions were ongoing with the three sports governing bodies (Irish Football Association, Gaelic Athletic Association and Irish Rugby Football Union) to determine their match funding contribution, but that all had expressed a commitment to this effect.

- 1.2 All stakeholders to the 'Belfast Community Benefits Initiative' – DCAL, Council and the three sports governing bodies – recognise the once-in-a-generation opportunity of the investments and are committed to maximising the potential catalyst for wider social, economic and environmental regeneration.

The overarching purpose of the initiative is to: *Ensure that the public investment in the stadia and surrounding areas improves the quality of life now and for future generations, especially those who are socially marginalised and excluded across the city.*

2.0 Key issues

- 2.1 DCAL expects the Belfast Community Benefits Initiative to produce a well developed working draft of a Memorandum of Understanding by 31 March 2015, including:
- the minimum financial contributions, each will make to the Belfast Community Benefits Initiative each year (and the minimum period of time);
 - the proposed benefits;
 - specific, measurable targets; and
 - details of the governance structure, including roles and responsibilities.
 -

The Memorandum of Understanding must be signed in sufficient time ahead of 30 April 2015 to allow Belfast City Council to draw down the first project payment from DCAL.

Over the past number of months, discussions have taken place to develop the Memorandum of Understanding. In line with Committee agreements to date, work on the proposed benefits, specific, measurable targets and the governance is well underway

- 2.2 It was anticipated that the partners would co-fund a joint team of sports development / community engagement officers and associated work programmes.

In seeking to determine the financial contribution from the partners for this purpose, both the Irish Football Association and Irish Rugby Football Union have stated that their contribution to the Belfast Community Benefits Initiative, will be through core-funded staff already in post.

The Gaelic Athletic Association has indicated that it remains their intention to provide finance for a central resource,

although will not be in a position to confirm the final amount until the new financial year.

- 2.3 In the DCAL letter of offer to the Council in respect of the Olympia development, it states:

'With effect from the Completion Date, the Grantee shall make a minimum contribution of £100,000 each year for a minimum period of 10 years (so that a minimum of £1,000,000 is contributed in total) to the Belfast Community Benefits Initiative.'

In discussions with DCAL, they note that there is no obligation on the part of the Council to provide finance for a central resource, and are content that this approach fulfils the Council's letter of offer obligations.

- 2.4 It is now proposed that Committee re-states its preference for a co-funded team of sports development/community engagement officers and joint work programmes.

However, in light of the approach adopted by IFA and IRFU, and the timeframe to sign a Memorandum of Understanding, and in the event that co-funding a joint team is not possible, Committee authorises the allocated financial contribution can be used for an in-house resource to support the delivery of the Belfast Community Benefits Initiative objectives.

- 2.5 Committee is also considering a report on planning for Phases II and III of the Leisure Transformation Programme. This community benefits approach will enable the Council to meet DCAL obligations arising from any future co-funding opportunities.

3.0 Resource Implications

Financial: Committee has already approved up to £100,000 per annum of revenue funding, over 10 years, financed as part of the voluntary redundancy cost reduction exercise undertaken in Leisure Services.

Staff: The potential appointment of up to 3 sports development / community engagement officers to work on the delivery of the Belfast Community Benefits Initiative, in collaboration with the stadia partners. This will be within the affordability limits already set by Committee.

Assets: Fulfils the Council's obligations in respect of the Letter of Offer for the development of the Olympia leisure facility in the Windsor stadium.

4.0 Equality Implications

The final action plan will be screened for equality and good relations implications. It will include specific actions in relation to under-represented groups in sports (e.g. girls, women, disabled people) as well as good relations programmes.

5.0 Committee decisions required

Committee is asked to:

1. **Affirm its preference for a joint team of sports development/community engagement officers for the delivery of the agreed objectives of the Belfast Community Benefits Initiative;**
2. **Authorise officers to put in place the required resources and Memorandum of Understanding to ensure delivery of those objectives, in accordance with the letter of offer from the Department of Culture, Arts and Leisure by 30 April 2015, and subject to advice from the Town Solicitor.”**

The Committee adopted the recommendations, subject to the Memorandum of Understanding being amended to provide that the Irish Rugby Football Union and the Irish Football Association be required to supply an additional resource to that which was outlined in the report.

Agency Agreement for Enforcement and Management of Off-street Parking

The Committee was reminded that, with effect from 1st April, 2015, the Council would be responsible for the ownership of all the Department for Regional Development (DRD) off-street car parks, their management and enforcement, with the exception of Park and Ride and Park and Share car parks. The Department was currently drafting the Assets Transfer Scheme and it was anticipated that responsibility for thirty car parks would transfer to the Council, including ownership of twenty-four, with the remaining six to be leased by the Council.

The Head of Environmental Health pointed out that the Transition Committee, at its meeting on 18th August, 2014, had granted authority to officers to progress the development of a Service Level Agreement between the Council and the Department for Regional Development to continue to provide the current systems for parking regulation within off-street car parks between 1st April, 2015 and October, 2016.

The Asset Transfer Scheme was currently in a draft format and was being scrutinised by relevant Council officers. Amendments would be requested to the Scheme in order to ensure it fully satisfied the Council's requirements, with the final Transfer Scheme being reported to the Committee when received from the Department.

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A copy of the proposed Agency Agreement had been circulated and a copy was produced on the Council's website. The document had been scrutinised by officers of the Council's Legal Services Section and Health and Environmental Services Department and they had been satisfied with its contents. The Agreement applied to the seventeen charged car parks transferring to the Council and would take effect on the 1st April, 2015 and remain in force until 31st October, 2016. The contract value was estimated at approximately £280,000 over the eighteen month term of the Agreement. The Agency Agreement, which would be supported by a detailed Technical Specification, allowed enforcement of off-street car parks within the Council boundary to be provided for by the Department. Those documents allowed the Council to satisfy itself that the service provided would assist the Council in fulfilling its statutory obligations.

The Chief Executive reported that aspects of the service to be provided by the Department on behalf of the Council included:

- Off-street Enforcement
- Cash Collection
- Pay and Display ("P&D") Machine Maintenance
- Car Park Cleaning, Plant and General Maintenance
- Penalty Charge Notice ("PCN") Processing

Effective enforcement through the issuing of PCNs was essential to optimise car park usage, therefore benefiting City Centre accessibility and the local economy. It was important to note that there were no targets or incentives for Traffic Attendants to issue PCNs and all appeals in that regard would be dealt with through an independent appeals process and neither Council officers nor Elected Members would be involved in decisions regarding the issuing or appeal of individual PCNs. Clamping of vehicles and vehicle removal would be used as a means of debt recovery where an individual had three outstanding unpaid PCNs owed to the Council.

The Committee approved the contents of the Agency Agreement and that the Council be authorised to enter into the same with the Department for Regional Development.

Good Relations and Equality

**Recommendations of the Good Relations Partnership
and the Diversity Working Group**

The Committee was reminded that currently the minutes of the meetings of the Good Relations Partnership and the Diversity Working Group and any recommendation within those minutes were submitted to the Strategic Policy and Resources Committee for adoption and approval, subject to ratification by the full Council. However, during this period of change there was a number of issues which fell within the remit of those Groups but due to the timeframes and budgetary implications would become the responsibility of the new Council and therefore required approval by the Shadow Strategic Policy and Resources Committee.

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The Committee proceeded to consider in turn each of the undernoted extracts of the minutes of the aforementioned Groups:

Appendix 1

Good Relations Partnership – Minutes of 9th February, 2015

“Good Relations Action Plan 2015/16

The Good Relations Manager reminded the Members that, each year, the Council submitted an annual Action Plan to the Office of the First Minister and deputy First Minister (OFMdfM) in order to draw down funding for the Good Relations work of the Council. The Action Plan would be 75% funded by OFMdfM, while the remaining 25% would be included in the Council’s 2015/16 budget. She explained that correspondence had been received advising that the Action Plan must be submitted by 27th February in order to be scored and assessed. She explained that the Good Relations Unit had updated the audit which had been carried out in January and February 2014, in order to incorporate any issues which had been identified in those areas which would come into the Belfast boundary from April, 2015.

The Partnership agreed to recommend to the Shadow Strategic Policy and Resources Committee that it approves the Good Relations Action Plan 2015/2016 for submission to OFMdfM. The Partnership also noted that the Action Plan submission would be subject to alteration and amendment during the assessing and scoring process which would be undertaken by OFMdfM and that the Partnership would be notified of any changes in the final approved Action Plan at a later date.”

Good Relations Partnership – Minutes of 9th March, 2015

“Good Relations Grant Aid Funding – Tranche 1

The Members considered the undernoted report:

“1 Relevant Background Information

1.1 The first tranche of funding under Good Relations and Summer Intervention Grant Aid for activities taking place between 1st April 2015 and 30th September 2015 closed on 21st January 2015. The application pack also included other small grants across Council as part of the Corporate Grants project.

2 **Key Issues**

- 2.1** *By the closing date of applications, the Good Relations Fund had received 94 applications totalling approximately £550,000. and the Summer Intervention Fund had received 70 applications to be scored a later date.*

The Good Relations Fund is co funded by OFMDFM (75%) and Belfast City Council and the Summer Intervention Fund is fully funded by OFMDFM at 100%.

- 2.2** *As the grants under the Good Relations Fund are aimed at activities taking place between 1st April 2015 and 30th September 2015, these have been assessed first and have been scored against set criteria by Good Relations Officers as outlined in the guidance notes. Following this, an independent assessment panel was set up to review a sample of applications. This was chaired by the Good Relations Manager, attended by 3 other Officers independent of the Good Relations Unit and facilitated by CGU.*

- 2.3** *The role of these panels is to ensure that the scoring of applications has been undertaken in an appropriate fashion and to provide verification of sampled applications and the overall process. The Independent panel was satisfied with the scoring and application of the criteria and agreed to recommend the Officer's recommendations for awards and these are attached.*

- 2.4** *Members should note that the recommendations for awards for the Summer Intervention Fund will be brought to a future meeting of the Good Relations Partnership for approval.*

- 2.5** *An application via the Good Relations Action Plan as approved by Council on 3rd March 2015 has been submitted to OFMDFM asking for a total of £688,500.00 which is 75% of the cost of the Plan. This includes £360,000 towards grant aid costs. This plan was drawn up in accordance with the Council's estimates for 2015/16.*

- 2.6** *However, Members are reminded of the experience last year when the Council was informed late in the year after estimates were drawn up, that the budget had been significantly reduced which produced a shortfall in the budget. OFMDFM have also advised that initial indications of the Department's 2015/16 budget suggest an opening position that is lesser than their opening position last year.*

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2.7 *Members are reminded that an all party delegation met with the Junior Ministers in OFMDFM on 9th February where the Members outlined the Partnership's eagerness to work with OFMDFM on the Together Building a United Community Strategy and the Belfast agenda. However, they raised concerns around the resourcing of this work, long-term sustainability and the need for timely communication around funding, as the current situation impacts on business planning and service delivery. Members also asked the Junior Ministers to take into account the additional residents coming into the new Belfast Council boundary and the accompanying good relations issues when allocating funding to the Good Relations Programme this year.*

<p>Options: <i>In the meantime, however, Members are being asked to consider options to inform a recommendation to the Shadow Policy and Resources Committee in relation to Tranche 1 of the Good Relations Fund 2015/16 in the absence of a Letter of Offer from OFMDFM and no confirmation of the potential budget.</i></p>		
<p>Option 1: <i>Await confirmation from OFMDFM regarding budget allocation for 2015/16</i></p>	<p>Pros: <i>Council is protected from not proceeding at risk</i></p>	<p>Cons: <i>Confirmation from OFMDFM may not be received until late in the year. Projects are meant to have commenced from 1 April. Relationship with groups is damaged and work on programmes over the summer will be impacted.</i></p>
<p>Option 2: <i>Allocate awards as laid out in the submitted Good Relations Action Plan at up to a maximum of £360K for the year - £180K in first tranche</i></p>	<p>Pros: <i>Groups are able to commence projects from 1st April. Positive relationships with applicants are maintained</i></p>	<p>Cons: <i>Council would be proceeding at substantial financial risk as given the information provided, there it is unlikely that the full amount will be received from OFMDFM and Council would be liable for the cost incurred over what could be claimed back. Funding for Tranche 2 which covers activities from October 2015 - March 2016 would be severely compromised. The programme costs which amount to 30% (£280K) in the overall Action Plan would</i></p>

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		<p><i>be impacted upon significantly.</i></p>
<p>Option 3: Allocate awards for Tranche 1 on a lesser amount which would allow for the Good Relations Action Plan to be reprioritised</p>	<p>Pros: Financial risk to Council is substantially reduced. A proportion of groups can commence projects from 1st April. Programme costs would be reduced but could be prioritised. A proportion of Funding for Tranche 2 would likely still be available for projects from October 2015-March 2016</p>	<p>Cons: Reduced allocation to Good Relations Grant Aid with lesser amount of groups benefitting</p>

Should Members agree to recommend Option 3 to the Shadow Strategic Policy and Resources Committee, they would need to consider an amount of funding to allocate. The following are options which could be considered:

- a. Fund all 71 groups which have applied to the Scheme and are eligible which would require an amount of £178,326 noting this is what is proposed under Option 2.
- b. Fund 57 groups which have scored 50% and above which would require an amount of £155,946
- c. Fund 43 groups which have scored 55% and above which would require an amount of £126,616
- d. Fund 31 groups which have scored 60% and above which would require a total of £107,816

3 Resource Implications

3.1 Financial:

Good Relations Fund - The total budget for allowance of grants under the 2015/16 Action Plan is £360K for the year. However, as outlined in 2.6 above, OFMDFM have not confirmed their match funding and to grant awards on this amount would place the Council at substantial financial risk. Council is required to match fund the District Council Good Relations Programme at 25%.

3.2 Human Resources:

The work is covered within the work programme of the Good Relations Unit.

3.3 Asset and Other Implications:

None.

4 Recommendation

4.1 *The Partnership is requested to consider the options presented and recommend an option on how to proceed in relation to the Good Relations Fund in the absence of confirmation of match funding from OFMDFM, for consideration at the Shadow Strategic Policy and Resources Committee 20th March 2015."*

During discussion, the Partnership was advised that the Letter of Offer for 2014 had not been received from OFMDFM until half way through the year and that it had not as yet been received for 2015. It was pointed out that, should the Partnership be minded to recommend that all 71 eligible applications be funded in Tranche 1, then the programme would be proceeding at a financial risk to the Council.

After discussion, the Partnership agreed to recommend to the Shadow Strategic Policy and Resources Committee, that:

- a. on the basis that full funding of £178,326 can be confirmed from OFMDFM, that Option 2, as set out within paragraph 2.8 within the report, be the preferred option, which would allow for the delivery of all 71 eligible projects in Tranche 1;*
- b. on the basis that the full £178,326 cannot be confirmed from OFMDFM, that advice be sought from the Director of Finance and Resources on potential funding opportunities which could make up any*

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- shortfall to allow for the delivery of all 71 eligible projects in Tranche 1; and*
- c. should funding of £178,326 be unattainable through both OFMdFM and the Director of Finance and Resources, that the Shadow Strategic Policy and Resources Committee be recommended to proceed with Option C, as set out within paragraph 2.9 of the report, namely, that funding of £126,616 be allocated to the 43 groups which had scored 55% and above in meeting the Good Relations Criteria.”*

Diversity Working Group – 3rd March, 2015

“Decade of Centenaries

The Good Relations Manager provided the Working Group with an update on the Decade of Centenaries Programme and presented a list of proposed events for the coming year.

A draft specification for the exhibition covering 1916 was presented to Members for approval and the Good Relations Manager emphasised that regular updates and input would be sought from Members as the development of the exhibition proceeds. A Member requested further information on the influence of O’Donovan Rossa and it was agreed that the Good Relations Manager would present a report on this at the next meeting.

The Working Group granted approval to officers to seek authority from the Shadow Strategic Policy and Resources Committee to seek tenders for a suitable organisation which would design, develop and install the exhibition in advance of funding being secured from the Office of the First Minister and the deputy First Minister.

Bicentennial of the Battle of Waterloo

The Good Relations Manager informed the Group that Councillor Craig had requested that consideration be given to the High Sheriff hosting three talks in relation to the Bicentenary of the Battle of Waterloo and that an informal reception be held for the Royal Irish Regiment. The Members were informed that Councillor Craig had spoken to a local historian who would be prepared to give the talks. It was understood that there would be costs relating to the speaker and to provide refreshments.

The Good Relations Manager reminded Members that the Decade of Centenaries programme had already been agreed by Council and that it would focus solely on the period between 1912 -1922. She pointed out that the Linen Hall Library would be marking International Women’s Day,

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taking in the period from 1815-2015 and this would include reference to the Battle of Waterloo. Furthermore, from 10th until 17th April, they would also have coins and medals on display which would include items from this time.

The Working Group agreed to recommend to the Shadow Strategic Policy and Resources Committee the free use of the City Hall for such events, on the condition that funding for the events would be found elsewhere.

Request for the use of the City Hall – Orangefest

The Director of Property and Projects reminded Members that, since 2012, an application to hold 'Orangefest' in the grounds of the City Hall had been approved by the Committee and that the event had taken place annually since July 2012.

He outlined the details of a request which had been received from the organisers for the use of the City Hall grounds on Monday 13th July, 2015, between the hours of 11 a.m. and 7 p.m. The proposed event would be similar to previous years and would involve a mini-market, catering demonstrations and a small open-air children's entertainments programme.

This year, however, the organisers had also requested that the City Hall be open and that public tours of the building were available for those attending. He pointed out that Monday, 13th July 2015 was a Public Holiday and that this would depend on necessary staff being willing to work to cover security and to provide tours of the City Hall. He pointed out also that such staffing costs associated with the opening of the building on that day could be passed on to the event organisers.

During discussion, a Member stated that, given that it was an aim of the Council to open the City Hall to members of the public, then this should be accommodated where possible. A further Member suggested that the City Hall was generally open to members of the public on the majority of Bank or Public Holidays and that this should be no different.

The Working Group agreed to recommend that the Shadow Strategic Policy and Resources Committee approves the request as outlined and that it agrees, in principle, to open the City Hall on Monday, 13th July 2015 in order to provide tours of the building, provided that the necessary staffing arrangements could be put in place."

The Committee was informed that the above minutes had been considered by the Strategic Policy and Resources Committee on 13th March. That Committee had agreed that the minute in relation to the Bi-centennial of the Battle of Waterloo being amended to provide that a tree be planted in an appropriate location to mark the event.

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In addition, the Committee had agreed that a report on the review of the Bonfire Management Programme, which had been deferred by the Good Relations Partnership 9th March, be submitted directly to the Shadow Strategic Policy and Resources Committee for consideration and that appeared as a separate item on the agenda.

The Committee noted the information which had been provided and approved and adopted the recommendations of the Good Relations Partnership and the Diversity Working Group.

Review of Bonfire Management Programme

The Committee was advised that the Good Relations Partnership, at its meeting on 9th March, had considered a report on the Review of Bonfire Management and had agreed to defer the matter to enable further information to be obtained. Subsequently, the Strategic Policy and Resources Committee on 13th March, in considering the minutes of the Good Relations Partnership, had agreed that the aforementioned report be submitted directly to the Shadow Strategic Policy and Resources Committee for consideration. A copy of the aforementioned report and an extract of the minutes of the Good Relations Partnership is set out hereunder:

“1 Relevant Background Information

1.1 At the Good Relations Partnership meeting on 11th August 2014, members made a recommendation to the SP&R Committee that an external consultant be appointed to review the Bonfire Management Programme (BMP) to provide members with the necessary information to make an informed proposal to Council with regard to the future of any similar programme.

1.2 To move forward with this work an external consultant, Lindsay Advisory, were appointed in December, 2014 with the terms of reference for this work to including the following:

- to undertake a comprehensive evaluation of the Bonfire Management Programme 2014 including an analysis of its development since 2005;**
- to give consideration to those bonfires currently not part of the BMP, and;**
- to provide options for any future Programme based on the review and evaluation of the current delivery model and the impact of Local Government Reform on Belfast City Council.**

- 1.3 Over the past few months the consultants have met with or spoke to 50 plus stakeholders including elected members, community groups involved in the programme, BCC officers and external partners in order to get a wide range of feedback with regards to how the programme (if any) should be delivered in the future.
- 1.4 The following report outlines some of the key findings contained in the review and points for members to consider. It is worth pointing out that this is subject to the partnership making a recommendation to Shadow SP&R committee to seek approval from Council to proceed with any future BMP. At this stage there is no approval to implement a programme for 2015.

2 Key Issues

- 2.1 Following on from this consultation exercise, a draft report has been produced (see executive summary attached) and the overall consensus from the review was that there is continued support for the concept of a BMP which is made on the basis of findings including the following:
- ii feedback suggests that the PUL community feel supported through this programme and may disengage if it was discontinued
 - iii there would be a missed opportunity to further develop the work that happens with regards to reducing the number of August bonfires if the programme was discontinued
 - iiii the impact of withdrawal may mean more bonfires, and significantly more environmental and social issues at bonfires
 - ivi there could be a significant resource cost to council and partners to address issues at bonfires with no programme to assist
 - vi there will be a significant reduction in the co-ordinated effort across a number of statutory agencies to address negative issues associated with bonfires
 - vii without a coordinated programme there would be a missed opportunity to engage with certain hard to reach PUL communities who are not part of the programme

viii the general view was that by fully withdrawing or substantially reducing the value of grants issued, there was a very real risk that the situation would be worse than before the programme commenced in 2005.

2.2 Notwithstanding the positive feedback, the review also raised the following possible areas for improvement:

- i A long term interagency strategic focus on how we deal with both July and August bonfires should to be developed in order to:
 - support communities in the positive celebration of their cultural heritage through better bonfire management on 11th July
 - support communities to provide alternative activities to bonfires on the 8th August
 - take a proactive approach with partners to the removal of unwanted bonfires where there is broad political and community support
- ii The programme requires a long term strategic direction and/or framework to enable Council, its statutory partners and participatory groups to agree on a succession strategy from the programme in its current form.
- iii There is currently no strategic coordinated approach on what agencies and communities are working towards with regards trying to address any of the negative issues with regards to bonfires across the city including those in July and August as part of the current programme.
- iiii The programme needs to have greater clarity as to what outcomes it is seeking to achieve, with statutory partners and groups signed up to working towards a shared goal.
- ivi Further work needs to take place to improve how partners work with communities to reduce the number of August bonfires.

- vi Significant work needs to take place to work with those communities who are not currently on the programme.

2.3 Options

At the Good Relations Partnership meeting on the 9th March the consultant will deliver a presentation which will outline in more detail some of the findings from the review including possible options on a way forward for the BMP. As part of this review we are seeking approval from the partnership to make a recommendation to Shadow SP&R on a preferred option as a way forward for the BMP.

2.4 Recommended Option

Following on from findings contained within the review we are proposing that members consider the following recommended option as a way forward for the BMP.

Implement a revised programme with clearer focus on outcomes (environmental, social, and good relations) and how we monitor compliance, whilst taking a parallel approach to developing a long-term interagency strategy incorporating all bonfires across Belfast.

This strategy will include how we engage with those communities where there are bonfires currently not on the Programme as well as working with communities who are taking a proactive approach to reducing the number of bonfires in nationalist areas.

In summary, we will make a recommendation that Council should continue with the BMP through a funded programme with the implementation of a grant-aid framework to monitor compliance with guidelines while at the same time lead on the development of an interagency strategic framework (which will include operational delivery structures) on how we better manage all bonfires across Belfast, through better engagement with communities and working with elected members. It should be acknowledged that (if approval is received) all aspects of this option will not be fully realised for the 2015 programme such as the long term strategy given the challenging timescale.

As part of this recommendation, the development of a Multi-Agency Action Plan for all bonfires will be developed and as far as possible implemented, (resources permitting), through engagement with local communities and elected members.

This Action Plan should also seek to identify mechanisms for engaging with bonfires not on the programme to date and identify key strategies and priorities to deal with specific bonfires that have significant issues.

This option is further seeking approval that Castlereagh bonfire groups that are part of the Castlereagh Community and Cultural Forum are offered a transitional period, of one year (subject to review), to migrate from their existing rules and guidelines to Council-wide rules that are agreed through facilitated engagement with all groups. A Grant of up to £1,000 per group will be available if they wish to maintain their existing grant aid framework; or £1,500 if they sign up to the Council's guidelines.

2.5 Bonfire Management Guidelines and Grant Aid Framework

If Belfast City Council agrees to continue with the BMP on the basis of the above recommendation, immediate work will have to progress in order to engage with local groups who may be part of the 2015 programme. It is important that Council officers along with partners start to work more closely with groups who are involved in the programme to support them as we implement any new programme for 2015.

Parallel to this work it is recommended that new guidelines are developed which will include details on financial requirements for those groups taking part in the programme as well as clear guidelines on what penalties may be imposed if there are breaches. This will ensure there is a clear structure in place to enable groups to continue to implement the positive work that they are involved with and at the same time allow for monitoring procedures to be put in place. It is recommended that this is delivered through a grant aid framework.

This grant aid framework will be developed whereby funding is pre-conditioned by compliance to certain targets with the allocation of specific penalties for non-compliance on a number of issues, and not just focused on non-compliances with burning of flags and emblems. This grant aid framework will outline which penalties will be imposed on any given breaches and this should be communicated to groups at start of the 2015 programme.

As members will be aware the role of local community groups in this work is very challenging and it is often difficult for groups to adhere to guidelines such as the burning of tyres, flags and emblems as breaches are often out of their

control. Quite often despite the best efforts of local community groups who can be a small residents group extraneous factors such as flags being put on bonfires at the last minute resulting in breaches of the guidelines.

As part of this review, there is a recommendation that there is more support given by council officers and statutory partners to those groups who sign up to be part of the BMP to assist them in adhering to the guidelines of the programme. Given the set of circumstances around the enforcement of the breaches last year and subsequent issues raised by groups, it is recommended that consideration is given to those groups who make reasonable efforts and best endeavours to prevent breaches occurring.

2.6 Proposed Penalties within a Grant Aid Framework (Draft)

As part of the development of the grant aid framework for any future programme, consideration is required on any or what penalties may be imposed in relation to breaches. As mentioned, we are proposing that this is implemented via a grant aid framework which will be further developed subject to Council's approval.

To aid the development of the framework, members are asked to consider the following table which outlines a draft of proposed breaches and their subsequent penalties which could form part of the guidelines for a future BMP.

Proposed Penalties 2015 BMP (Draft) Based on Maximum Grant £1500	
Key Target	Withdrawn funding for non Compliance
The burning of any flag, emblem, posters, effigies or any other symbol that may cause offence is not allowed. Groups must work closely with local bonfire builders and statutory partners to carry out their best endeavours to prevent this.	15% up to £225
Tyres and toxic materials should not be collected or burnt on the bonfire and materials should be restricted to wood	10% up to £150

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Groups should refrain from the displaying of paramilitary trappings and paramilitary flags on or in the vicinity of the bonfire site or any activities associated with this programme.	10% up to £150
No collection of bonfire materials before 1st June 2015	10% up to £150
In accordance with suggested NIFRS safety guidelines, when a bonfire is built, the clearance space between it and any surrounding buildings should be at least 5 times the height of the bonfire.	10% up to £150
Maintain a clean, compact and tidy site.	5% up to £75
Total Maximum Funding that can be with held	60% up to £900

2.7 Groups penalised in 2014

In relation to those groups who received a financial penalty as a result of breaches within the 2014 programme, members are asked to make a recommendation as to whether they are to be included in any future programme. As you are aware the approach to monitoring compliance with the guidelines is not without its difficulties, and feedback suggests that in 2014 there was a lack of communication to groups with regards to how compliance would be monitored and the process whereby groups were penalised.

Furthermore, as the 2014 programme was implemented with limited engagement with local groups to support them in reducing the likelihood of breaches and there were issues in relation to who was responsible for the financial administration of the grant funding and adherence to the guidelines, it is proposed that these groups are considered for inclusion in the 2015 programme. This proposal is on the basis that there is early engagement with the groups who were previously penalised to agree a strategy for preventing similar breaches on any future programme.

2.8 Delegated authority

As members are aware, if there is Council approval for the BMP to proceed there is a considerable amount of work that needs to take place over the coming months to develop relevant guidelines, procure relevant services from external

companies as well as developing operational procedures for implementing the programme.

Due to the tight time constraints we are facing (if we receive approval from Council in April) we are seeking delegated authority from members to proceed with operationally delivery of this work with the condition that regular updates will be brought back to members as the programme progresses.

2.9 Lisburn and Castlereagh

It is worth noting that in the areas transferring over from Lisburn and Castlereagh, there is currently one August bonfire site that will be part of the new Belfast boundary and is not part of any Council led programme.

In Castlereagh there are currently nine July bonfire sites that will be part of the new Belfast boundary which are represented on a Bonfire Interagency Working Group which is part of the Castlereagh Community Culture Forum. This forum receives (and manages) an allocation of £1,000 per bonfire through the Tidy Bonfire Programme with the aim of working together to minimise the negative effects from bonfires and to help promote a more family friendly cultural celebration for the 11th July. The forum self regulates each bonfire against a grant aid framework with different penalties imposed for various breaches.

2.10 Finances

Members are also asked to note that OFMDFM and NIHE funding for the BMP is not yet secured, and as in previous years, it is unlikely that OFMDFM will confirm funding until the programme has already commenced.

The following table shows potential funding that will be secured for this programme along with a projected spend plan:

Potential Funding 2015		Spend Plan (Based on £1.5k grant per group x 55)	
OFMDFM	£50k	Grants	£82k
BCC	£25k	Cleansing	£18k
NIHE	£35k	Beacons	£20k

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PCSP	£15k	Monitoring	£2k
		Contingency	£3k
Total	£125k	Total	£125k

Given the nature of the resources available and with the additional areas coming into Belfast, members may wish to consider awarding a maximum grant of £1500. As part of the review that was undertaken a number of groups had indicated this would be acceptable if it was supplemented with increased engagement with agencies on an ongoing basis.

3 Resource Implications

- 3.1 Funding from partners has yet to be finalised for this programme, BCC contribution of £25,000 is included in this year's revenue estimates. If members agree to proceed with the programme, it is on the basis that the Council is operating 'at risk'.

4 Equality and Good Relations Considerations

- 4.1 Equality and good relations implications will be considered as part of the development and implementation of this work. A bonfire management programme has been included within the Good Relations Action Plan 2015/2016 which has been screened in accordance with the required guidelines.

5 Recommendations

- 5.1 The Partnership is requested to note the contents of the BMP review Executive Summary and:

1. approve the recommended option as set out in paragraph 2.4 of the report for the future delivery of the Bonfire Management Programme, including:
 - a. continuing with the Good Relations funded programme, with the implementation of a grant-aid framework to monitor compliance with guidelines;
 - b. the development of a long-term interagency strategy and multiagency action plan on how we better manage all bonfires across Belfast; and

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- c. offering Bonfires which are part of the Castlereagh Cultural Forum a one year transitional period to migrate from their existing guidelines to future Council guidelines.
2. agree the draft proposed penalties for the Grant Aid Framework 2015, as outlined in 2.6 of the report;
3. consider whether those groups which were penalised in 2014 should be included in this year's Programme, subject to local strategies being developed with the groups to reduce the likelihood of future breaches;
4. agree that the maximum award in the proposed BMP Grant Programme be capped at £1500;
5. grant delegated authority to Council officers to proceed with the operational delivery of the BMP, with update reports being submitted to the Partnership;
6. note that the Council will have to consider any recommendation bearing in mind that it would have to proceed at risk since funding for the Programme has not been confirmed; and
7. commend the recommendations of the Good Relations Partnership to the Shadow Strategic Policy and Resources Committee for approval."

Extract of the minutes of the Good Relations Partnership of 9th March, 2015

"Review of Bonfire Management Programme

The Programme Manager reminded the Partnership that at its meeting on 8th December, 2014, it had appointed Lindsay Advisory Consultants to carry out an independent, comprehensive evaluation of the Council's Bonfire Management Programme 2014. It was agreed that the evaluation would include an analysis of the development of the Programme since 2005, give due consideration to those bonfires which were not currently part of the Programme, provide options for any future Programme based on the review of the current delivery model and consider the impact of Local Government Reform on the Council.

He informed Members that Ms. S. Lindsay, of Lindsay Advisory Consultants, was in attendance in order to provide details on the review and she was welcomed to the meeting. Ms. Lindsay presented to the members the outcomes of the review, which included the history of the programme to date, the outturns, the lessons learned and proposals for a

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future framework for the programme. She emphasised that the future programme should be outcome-focussed and include a number of recommendations for both short and long term objectives.

After a number of questions from members, the Chairman thanked Ms. Lindsay for her presentation and she left the meeting.

The Programme Manager presented a report to the Partnership which outlined a number of key findings from the review and a range of issues for members to consider. During discussion, a Member reminded the Partnership that it had previously agreed that information should be sought from the relevant agencies in relation to the number of bonfire-related crimes, such as assaults, incidences of hate crime, theft of materials and damage caused to roads and properties in 2014. The Programme Manager explained that these statistics had been difficult to collate but that he would endeavour to bring this information to a future meeting. A number of Members were in agreement that a public space should be set aside for bonfires, which could also be used for other events throughout the year.

After discussion, the issue was deferred to allow consideration of the issues which had been raised within the review and it was agreed that officers would bring a further report with the requested information to a future meeting of the Partnership.”

During discussion, a Member explained that he had requested that the report be referred directly to the Shadow Strategic Policy and Resources Committee due to the time scales involved in approving the Scheme. He pointed out that groups needed to know the information as soon as possible and, if the Committee were minded to defer the matter for another month, the earliest the Scheme could be in place would be after the monthly meeting of the Council on 5th May. He expressed the view that this did not give the groups enough time to consider signing up to such a scheme.

A further Member pointed out that the Review of the Bonfire Management Programme had been considered in detail by the Good Relations Partnership and there were a number of questions which had required to be answered before it could have recommended it for approval to the Committee. He pointed out that the Partnership would like the opportunity to have those questions answered prior to agreeing a revised Programme for 2015.

After further discussion, it was
Moved by Councillor Robinson,
Seconded by Councillor Attwood,

That the Committee agrees that officers be authorised to advise potential Groups that there would be a Bonfire Management Scheme for 2015, and to discuss any potential applications and advise the Groups that the Scheme would be available in May.

On a vote by show of hands ten Members voted for the proposal and seven against and it was declared carried.

Cross-Cutting Issues

York Street Interchange: Environmental Statement Consultation

The Committee considered the undernoted report:

“1.0 Relevant Background Information

- 1.1 The Department for Regional Development announced the preferred option for the York Street Interchange (YSI) in December 2012. The preferred option proposes the full grade separation of movement between the Westlink, M2 and M3. Grade separation is provided via underpasses below the Lagan Bridge and Dargan Bridge. York Street would be partially raised to accommodate the underlying links. All north facing slip roads at Clifton Street remain open in the proposed layout.
- 1.2 DRD Transport NI has now completed Stage 3 assessment of the scheme and this work has included the completion of an Environmental Impact Assessment, in accordance with the requirements of the Design Manual for Roads and Bridges. The DRD Minister announced the formal consultation on the Environmental Statement for the proposed York Street Interchange on 27th January 2015.
- 1.3 DRD Transport NI anticipates that following this stage of public consultation there will be a Public Inquiry (possibly late 2015), with construction beginning 2017/18 and the proposed scheme completed by April 2021.
- 1.4 A Strategic Advisory Group has been set up by DRD Transport NI to provide strategic guidance to facilitate the integration of York Street Interchange with other government and private initiatives and also to review the scheme aesthetics. The Council are represented on this group along with representatives from DSD, Planning NI, Arts Council, FAB and Transport NI.

2.0 Key Issues

- 2.1 A draft response has been circulated for consideration and a summary of the main issues is outlined below.

It is suggested that the Council welcomes the opportunity to comment on the Environmental Statement for the York Street Interchange as part of the Stage 3 Assessment public consultation process.

The York Street Interchange is highlighted in the Council's draft City Centre Regeneration Strategy and Investment Plan as a significant project for the city. It is suggested that careful design is required for connecting north / south routes for pedestrian and cyclists and creative solutions are needed to reduce the visual impact of the interchange and make use of otherwise dead space required. The Plan suggests 'Underpass Projects' to improve the visual impact and pedestrian connectivity through the M3 and York Street Interchange through public art, landscaping interventions and community sports facilities.

The Council will continue to work with DRD and other partners through the Strategic Advisory Forum to consider actions to minimise the impact of the scheme on the adjoining residential areas and to consider the aesthetics and finishes of the road proposal. The Council are also keen to assess the regeneration opportunities of surplus land parcels resulting from the proposed development at an early stage to maximise the potential benefit for the city. It should be noted that the YSI proposal will impact on one of the DRD off street car parks which will be transferred to Council ownership in April 2015.

It is suggested that the Council request DRD to reconsider the use of on road cycle lanes and shared bus lanes as part of the proposed cycle provision for the scheme. In our response to the draft NI Bicycle Strategy, the Council strongly supported high quality segregated cycle lanes in urban areas particularly on routes where traffic volumes and speed may be high. It is considered that the York Street proposal presents an opportunity to develop segregated cycle lanes along with other innovative measures for cycling infrastructure such as bus stop by passes. The Council would recommend input from DRD Cycle unit into the design of this infrastructure following on from consultation on the Bicycle Strategy.

There are a number of proposed developments in the vicinity of the YSI proposals such as City Quays and the new University of Ulster campus development on York Street. The need to increase the opportunity for active travel access to the new University campus, the city centre and the harbour area is vital.

In relation to the technical aspects of the proposed scheme, it is suggested that the Council highlight the following issues relating to air quality, noise and contaminated land:

- **Air Quality**
Council Officers have been working closely with DRD on the development of a new Air Quality Action Plan for the city and York Street Interchange has been identified as one of the measures to include in the new plan to improve air quality in that area. The scheme is considered as a means of reducing localised emissions on connecting roads (i.e. as a result of relieving a significant congestion hotspot) and, to a lesser extent, incremental reductions in background emissions, which of course will have a wider impact on exposure. It is suggested that there will be additional concerns regarding the air quality impacts of the proposed scheme on receptors, however, the Council would wish to continue in consultation with DRD regarding the operational and construction plans for the proposed scheme.

- **Noise**
It is suggested that there could be some concerns as to the impact the construction and particularly piling works could have on the local community. The Council would request early communication from DRD and future contractors regarding work schedules, especially night time work to ensure early communication and engagement with local communities.

- **Contaminated Land**
The Council welcomes the approach taken and the recommendations made with respect to the management of any unforeseen contamination during construction. However, full technical details of the work to be completed have not been provided. This would need to be submitted in order for the Council to fully appraise the possible land contamination issues. Furthermore, there are some concerns that the risks posed to users / residents of adjacent sites has not been fully considered.

3.0 Resource Implications

3.1 There are no resource implications attached to this report.

4.0 Equality and Good Relations Implications

4.1 There are no specific Equality and Good Relations Considerations attached to this report.

5.0 Call-in

This decision is subject to Call in.

6.0 Recommendations

6.1 Elected members are requested:

- **to consider the proposed Draft response to the consultation appended and to agree a final response or any amendments to be forwarded to DRD.”**

The Committee approved the draft response and noted that a full copy was available on the Council's website.

Use of Bus Lanes by all Vehicles at times of Emergency or Chronic Congestion

The Committee was reminded that the Shadow Council on 8th December had passed the following motion:

“Belfast District Council urges the Department for Regional Development to implement measures permitting the use of bus lanes by all vehicles at times at chronic congestion as a result of an emergency situation; thereby saving thousands of lost working hours to the economy of our City”.

The Committee was advised that a letter had been forwarded to the Department outlining the Council's decision and a response from the Minister's secretary had been received on 8th January. The response had pointed out that, whilst the current legislation did not empower the Department to suspend bus lanes, a Constable in uniform could exercise his or her discretion to permit all vehicles to use bus lanes in times of emergency. Such a decision, it was pointed out, should be taken only with a view to ensuring that the travelling public would be informed in a timely manner in order to avoid confusion.

The Committee had noted the receipt of the response from the Minister and agreed that a letter be forwarded to the Police Service of Northern Ireland seeking its views on when it would exercise its discretion to permit all vehicles to use bus lanes in times of emergency.

The Democratic Services Manager reported that a response had now been received from the Road Policing Development Unit. The letter stated that the Road Traffic (NI) Order 1995 governed adherence to traffic signs and provided for an

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exemption in circumstances where a “*Constable in uniform*” directs traffic to proceed in a manner which was at variance with the sign. It continued: “*So where a police officer is on the ground and directed traffic to use the bus lane, then no motorist complying with the direction shall be guilty of an offence. Alternatively, where a pre-notified event, such as a public strike was to occur, the police had in the past agreed with the Department for Regional Development Transport NI, that enforcement of the bus lanes should be suspended to facilitate traffic flow. When that had occurred the public had been advised in advance via the BBC traffic bulletins and the NI Trafficwatch website.*”

The Committee noted the contents of the response from the Police Service of Northern Ireland.

Restricted Items

The information contained in the following reports is Restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (NI) 2014

Performance Management and Corporate Plan

Corporate Plan 2015/16 and Organisational Development and Improvement

The Committee considered a report in relation to the Corporate Plan 2015/16 and Organisational Development and Improvement which highlighted information in relation to the following:

- The draft Corporate Plan for the first year of operation of the new Council;
- A feedback report from the recently completed peer challenge exercise which had been carried out to ensure that the Council was fit for purpose to fulfil its ambitions for the City and the organisation; and
- The proposed approach to on-going organisational development and design.

Corporate Plan 2015/16

The Chief Executive explained that the Corporate Plan was a key document for managing the Council’s strategic business. It set out what the Council wanted to achieve in the city and the key priority actions to make that happen. It was proposed that the Corporate Plan for the new Council would be for the year 2015/16 only, to allow elected Members more time to consider and refine their priorities for Belfast in line with the Belfast Agenda and ensure that all the plans and strategies of the organisation aligned to those. It would also allow the new committees to consider their strategic priorities and commitments for the duration of the new Council. The draft Corporate Plan for 2015/16 had been shaped by elected Members discussions on a number of strategic issues, through workshops and other engagement sessions with key stakeholders.

**Creating a Fit for Purpose Council –
Organisational Improvement and Development**

The Members had also been considering how to make the Council fit for purpose to deliver an ambitious city agenda and had already made changes the Council's governance structures to create committees that were more aligned to the achievement of city and local outcomes.

To support the Council's transformation and improvement, the elected Members had agreed that a peer review would be carried out earlier in the year. The Council had been assessed by a team comprising peer elected Members and senior local government officers against the following key competencies:

- Understanding of local context and priority setting
- Financial planning and viability
- Political and managerial leadership
- Governance and decision-making
- Organisational capacity

The findings of the peer review had been presented by the review team to elected Members on 5th March and the team's full report had been circulated to the Committee. The Corporate Plan set out the Council's commitment to taking forward implementation of the recommendations of the peer review in the year ahead.

The Corporate Plan summarised the key actions the Council would undertake in the year ahead and was intended to be a brief and high level document. It would be supported by operational plans and Committee plans which would be agreed by Members in the first months of the new Council. The performance indicators specified by the Department of the Environment were included in the plan and regular updates on progress against the objectives and indicators would be submitted to the Committee, helping to ensure that our improvement objectives remained relevant and that the best arrangements for delivering them were in place.

**Taking Forward Organisation
Development and Design**

In terms of organisational development and design, some of the work which had been recommended by the peer team should be undertaken was already underway in that a new post of Director of Planning and Place had been created and recruited and the staff transferring had been agreed; the decision making and accountability (DMA) process was being rolled out across the whole organisation; the scheme of delegation had been developed; Heads of Service and senior managers briefing sessions had taken place, with more being planned; and an extensive Member capacity building programme was being implemented with further work being developed for the new Council, particularly in relation to the role of elected Members.

It was, however, important to now agree the design, shape and operating principles of the new organisation. The peer review had been commissioned to, among

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other things, inform new structures and future ways of working. The team had advised that there were several important facets that should inform new organisation structures and ways of working, all of which would support the organisation to evolve further into “one Council” and these are detailed in the peer review report.

Given the review’s recommendations on the new organisation structures and future ways of working, it was proposed that organisational development and design principles and priorities were agreed now and that a programme of work for the short, medium and longer term be developed. Specifically it was proposed to create a City Neighbourhood Services Department, develop a “corporate core” model for support and “enabling” services; develop an approach to the “Belfast Manager” and develop proposals about tiers of management and spans of control.

After discussion, the Committee:

- Approved the Draft Corporate Plan 2015/16;
- Noted the recommendations of the peer review and agreed to their implementation; and
- Agreed the proposed functional model for the organisation and the next steps in organisational improvement and development as outlined.

Finance/Value-for-Money

**Recommendation for
Generalist Advice Funding 2015/16**

The Committee considered a report which had been submitted by the Community Development Manager in relation to recommendation for Generalist Advice Funding 2015/16.

The Community Development Manager reported that, the Statutory Transition Committee in April 2014, had agreed to progress to an open call process for the Community Development Programme 2015-17, which was managed by Community Services, including Generalist Advice, Capacity and Revenue (Community Buildings). The purpose of the Generalist Advice Funding was to support core costs and associated programme costs, offering longer term sustainability for Belfast based Generalist Advise organisations that had full time staff and ongoing annual costs, and that produced work that substantially benefited the City. The report provided the Committee with recommendations for Generalist Advice Funding for year one, from 2015-16, however, proposals were also sought for 2016-17 should the Council agree to extend contracts in this year.

The report outlined rationale for the funding allocations, details of the allocations received, the criteria for decision making and the following recommendations for funding:

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Area	Area Allocation Based on new boundary 2015	Recommended awards based on agreed model to reflect 2015/16 available budget ¹	Variance: from 2014/15 grant levels
Central	10.00%	£ 82,588.50	0.00
East Belfast	14.41%	£134,593.53	24,007.53
North Belfast	24.71%	£241,153.43	2,720.43
South Belfast	15.37%	£143,538.48	8,671.46
West Belfast	35.37%	£329,891.59	70,481.11
Total	99.86%	£931,765.53	£ 105,880.53

The Committee noted the information which had been provided and approved the recommendations for Generalist Advice Funding as set out.

Community Development Funding 2015-2017

The Committee was reminded that, at its meeting on 13th February, it had considered a progress report in relation to the Community Development Grand Aid Programme for 2015/16.

The Committee had agreed the proposed area allocation model for Advice Grants, but had requested officers to revisit the proposed quality threshold and band qualifiers presented for the Capacity and Revenue grant categories. Any amendments should allow the Council to fund a larger number of organisations, and thus more local community based services, while continuing to offer a significant individual grant contribution. Furthermore, by reviewing and reducing the threshold and band qualifiers, additional funds would ensure groups with lower capacity, or those who were first time applicants to the Council would not be disadvantaged when compared to groups which had a higher capacity or a longer-term working relationship with the Council.

The Community Development Manager reported that officers be now proposing that the quality threshold score for both grant categories were reduced to 50%. They would further suggest that the Committee agree a fourth funding band which would give a smaller grant offer to those eligible applicants who had not achieved the proposed quality threshold score. That would reflect the Committee discussion to support organisations during this transitional period to allow them to address any identified weaknesses in their applications in relations to both organisational governance and

¹ Uplifted to accommodate decimal percentage allocations.

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programme content. It that was acceptable, any agreed funding would be conditional on the applicant group agreeing to accept funding capacity development support from Community Services staff. The new recommended bands were as follows:

“i Capacity Grant

Reduce the quality threshold score to 50% and apply individual grants across the following 4 funding bands:

Note:

Band A - > 70% offer max grant of £42,200

Band B - > 60%<70% offer max grant of £28,150

Band C - > 50%<60% offer max grant of £23,500

Band D - < 50% offer max grant of £15,000

NB This financial value of this band would be reviewed pending confirmation of the total additional budget available

If agreed this would allow council to offer financial support to 20 organisations to a value of £618,524.22. The total additional budget made available from non recurrent finance will inform the value of the individual grant allocation to the remaining 9 groups in the new Band D category but it is proposed these would not exceed £15,000.

ii. Community Buildings Revenue Grant

Apply a quality threshold score of 50% but fund all eligible applications which fail to attain this score through the introduction of a fourth category which is capped no matter what the size of the building or the programme.

Note:

CALCULATION OF AWARD based on size of building & community programme.

30-50 points at F= Grade One

51-90 points at F= Grade Two

91 points or more at F= Grade Three

Grade 1 facilities - receive up to £6,500

Grade 2 facilities - receive up to £13,000

Grade 3 facilities - receive up to £18,000

Grade 4 facilities - receive up to £5,000

NB This financial value of this band would be reviewed pending confirmation of the total additional budget available

If agreed this would allow council to offer financial support to 62 organisations to a total value of £797,713.46. As with the Capacity Grant above, the total additional budget made available from non recurrent finance will inform the value of the individual grant allocation to groups in the new Grade 4, ie those groups who have not achieved the 50% threshold score. If agreeable a further 20 organisations would attract funding of no more than £5,000 per organisation depending upon affordability.”

Accordingly, it was recommended that the Committee:

- (ii) note the contents of the report and agree the proposed approach to Capacity and Community Buildings (Revenue) grant in 2015/16;
- (iii) agree the recommendations in relations for Capacity grant for 2015/16; and
- (iii) agree the recommendations for Community Buildings (Revenue) grant 2015/16

The Committee adopted the recommendations.

Asset Management

Transfer of Assets/Liabilities

The Committee noted the contents of a report in relation to the transfer of assets and liabilities to the Council from Castlereagh Borough Council and Lisburn City Council and noted also that correspondence had been sent to the Department of the Environment requesting it to invoke a process of arbitration for dealing with areas of dispute.

Future Use and Management of the City Hall

The Committee considered a report which outlined proposals for the future use and management of the City Hall.

The Committee was advised that reports had been presented to the Committee on a number of occasions in respect of various aspects of the future use and management of the City Hall building and, whilst they had been discussed in depth, no firm decisions on management had been made.

The Director of Property and Projects pointed out that those reports had highlighted the fact that the City Hall hosted in excess of 300 functions annually in the 3 prestige function rooms and, in virtually all cases, the use of the building was provided to the approved function organiser at no cost, with the associated security, cleaning, supervision, cloak-room, bar staffing costs and utility costs being absorbed by the Council. In addition, there were no charges for public or private tours of the building which would help offset the increasing staffing costs associated with providing the tours.

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The Committee was reminded also that representations had been received from local businesses pointing out that free provision of prestigious venues such as the Great Hall or Banqueting Hall was having an adverse impact on their ability to let their own facilities at competitive market rates.

In light of the above, and the Council's efficiency agenda, it was appropriate for the Committee to now consider the situation in which the City Hall was routinely provided free of charge for the full range of events which had an external focus and which had little or no specific relationship with the City or the Council or its wider aims and objectives. If Members were minded to change the situation, there were three main ways in which the use of the City Hall for functions and events could be more effectively controlled, namely:

- (a) revision of the criteria governing access to the building for functions and events;
- (b) imposing a charge for some/all types of functions as a way of rationing access and recovering some of the associated costs; and
- (c) ration access in other ways for some/all types of events and functions (for example by applying a "once-in-three-years" approach).

The report provided details on how these issues could be managed and addressed and a number of other additional City Hall related issues, such as requests for the ILLUMINATE (LED) lighting system of the City Hall's three main facades, the operation of the proposed new Exhibition Area in the City Hall; and the opening of the City Hall main gates.

After discussion, the Committee agreed to:

- (a) the revision of the criteria governing access to the function areas in the City Hall with a report to be submitted to a future meeting;
- (b) the introduction of charging for external functions which were commercial in nature;
- (c) the introduction of a "one-in-three-years" approach for events and functions held in the City Hall;
- (d) the application of a charge for commercial tour operators;
- (e) the submission of a further report on the criteria for the use of the ILLUMINATE system to a future meeting; and
- (f) change the position with regard to the main gates, that is, to routinely have the gates open as opposed to closed during working hours.

**Leisure Transformation Programme:
Capital Development Update**

The Committee considered a report which provided an update in relation to the Capital Development as part of the Leisure Transformation Programme.

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At its meeting in July 2013, the council had agreed to allocate £105m in terms of capital expenditure to renew its leisure estate. In line with the capital financing strategy agreed by the Council, capital financing to support £85m of that expenditure would be secured by 2016/17 and the Director of Finance and Resources had anticipated that the Council would have the ability to close the gap over the period of the capital expenditure programme.

The Council's approach in broad terms has been to take decisions in three phases:

Phase I: to optimise strategic opportunities in relation to the Investment Programme for example stadia development programme;

Phase II: to address leisure provision in areas transferring under the reform of local government; and

Phase III – to take a strategic 'One Public Estate' approach to the remainder of the estate.

In addition, the Council had agreed a number of strategic principles to guide its investment.

The report outlined the proposed next steps in each of the three phases and indicated that the total spend would be as follows:

Phase I	Olympia, Andersonstown (as previously agreed)	£38m
Phase II	Robinson, Avoniel, Templemore, Brook/Andersonstown Enhancement	£61m
Phase III	E.g. Girdwood (II)	£6m+ (tbd)

After discussion, the Committee agreed:

- (1) to authorise officers to develop the Leisure Transformation Programme capital investment plan as outlined, to refine costs, messaging and other details;
- (2) Phase II: in relation to Avoniel, to the disposal of the land, conditional upon the alignment of delivery timelines with the Belfast Education and Library Board, optimising the integration of the two designs and consideration being given to the potential for single delivery contract. That would, however, be subject to Council officers confirming that the disposal of the land would not adversely impact upon the Council's own future leisure development proposals for the site and the Board confirming that it would either relocate the Play Centre and playground at its expense on Belfast Education and Library Board land or alternatively fund a replacement on Council-owned land and agree to the terms of land acquisition as determined by the Land and Property Services agency;

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- (3) Phase II: in relation to the Templemore Baths, a match funding limit of up to £7m, in order that a full application might be made at the earliest opportunity to the Heritage Lottery Fund for the re-development of wet facilities in the Inner East Area; and
- (4) Phase II: that officers develop an engagement process for the design and development of the Robinson Centre and the Brook Activity Centre.

Chairman

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Transition Committee

Monday, 9th March, 2015

MEETING OF TRANSITION COMMITTEE

Members present: Councillor Jones (Chairman);
Councillors Austin, Carroll, Clarke,
Corr Johnston, Craig, Dudgeon,
Garrett, Graham, Groves, Heading,
Magennis, McDonough-Brown,
McKee, McNamee, O'Hara
and Sandford.

In attendance: Mr. C. McCarthy, Interim Strategic Director of
Health and Environmental Services;
Mr. J. McGrillen, Director of Development;
Mr. J. Walsh, Town Solicitor;
Mrs. R. Crozier, Assistant Director of Parks and Leisure;
Mr. B. Flynn, Democratic Services Officer.

Apologies

Apologies were reported on behalf of Councillors R. Brown, Hanna and Hussey.

Minutes

The minutes of the meeting of 10th February were taken as read and signed as correct. It was reported that those minutes had been adopted by the Shadow Council at its meeting of 3rd March, subject to the omission of the item under the heading 'Service Convergence – Pricing for Outdoor Leisure', to the effect that the decision in respect of which had been 'called in' in accordance with Section 41 of the Local Government Act (Northern Ireland) 2011. Accordingly, the ad hoc Committee had met on 27th February to consider the call in request and had referred the matter back to the Transition Committee for further consideration.

Declarations of Interest

No declarations of interest were reported.

Reconsidered Matter: Service Convergence - Pricing for Outdoor Leisure

In accordance with the decision of the ad hoc Committee of 27th February, the Committee considered further the following minute of the meeting of 10th February, together with an associated report, as set out also, which had been prepared by the Assistant Director of Parks and Leisure:

Service Convergence - Minute of Meeting of 10th February

**Transition Committee,
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“(Mr. A. Hassard, Director of Parks and Leisure, attended in connection with this item.)

The Committee considered the following report:

“1 Background

1.1 *On 29 January 2015, a report had been submitted to the Transition Committee setting out proposals as to how the Council may wish to manage the converging of prices for comparable services currently provided by Lisburn City Council (LCC), Castlereagh Borough Council (CBC) and North Down (ND) in those areas transferring to Belfast.*

1.2 *To inform this report, a detailed analysis and comparison was undertaken of the scope of services, and associated scale of charges (prices) applied across the councils. The findings of this work indicated that the Belfast level of charge is generally lower than that of the other Councils.*

The analysis identified that for street trading licences the Belfast service charge is significantly higher than that applied by LCC/CBC in the transferring area. Significant had been defined as being a sudden and adverse increase in price for recurring services, as a direct result of the boundary extension, when converging the transferring area price to the Belfast price.

2 Key Issues

2.1 *Following discussion, the Transition Committee agreed:*

(i) a general principle that Belfast prices would be applied to services delivered in the transferring areas which will mean that in the majority of cases transferring users and residents will experience a reduction in service prices.

(ii) in relation to Street Trading Licenses, whereby a significant price difference would be experienced, that a phased approach (i.e. incremental levelling of prices over a 4 year period) would be applied.

(iii) further consideration be given to the differential in prices for outdoor leisure provision,

specifically 3G Pitch usage, in assets transferring from LCC and that a separate report be brought back to Committee for consideration.

2.2 *The purpose of this report is to outline the position in regards to any potential differential between the charges applied by BCC for outdoor leisure: 3G Synthetic Pitch provision as compared to LCC as well as some of the key considerations which Members may need to take into consideration.*

3G Synthetic Pitch

2.3 *Members will note that there is only 1 asset transferring from LCC which is affected (i.e. Brooke Activity Centre). The table below sets out the current differences in charges between BCC and LCC. The greater increase in prices relates to hiring pitch (both full and half pitch) at full cost. There is insignificant increase for concession usage; however, Lisburns peak/off-peak times differ from BCC's.*

Description	BCC	LCC
3 G Synthetic Pitch Peak, full pitch	£82.00	£60.00
3 G Synthetic Pitch Peak, full pitch - concession	£41.00	£40.00
3 G Synthetic Pitch Peak, half pitch	£41.00	£30.00
3 G Synthetic Pitch Peak, half pitch - concession	£20.50	£20.00

In liaison with colleagues from LCC, a summary of the usage of this facility is set out below:

- *Primarily School bookings during the day at the facility (concession rate)- usage of half pitch;*
- *There are 18 weekly bookings at other times (after 5 and at weekends) – all bookings are for half the pitch in a casual, cash basis; and*
- *10 local teams and 8 community groups book the facility*

If a decision is taken to retain the current LCC charging structure for any specified period post transfer of asset to BCC, it is estimated that there would be a potential loss in income of £4-5K (approx) per annum.

2.4 **Options for Consideration**

1. *Move to the BCC rate. BCC will work with the existing groups to consider block booking options, where not currently applied. A block booking by a recognised team or community group secures usage and is exempt from VAT, reducing the charge applied to:*

- *£68.30 for full price full pitch*
- *£34.15 for concession price full pitch*
- *£34.15 for full price half pitch*
- *£17.10 for concession price half pitch*

2. *Consider the proposed BCC charges for Brooke as 'significant' and phase in the increase in line with the agreed approach to other transferring council charges*

3. *Hold existing LCC charges for 12 months. This would not be in line with the agreed charges for other activities or services.*

2.5 *Regardless of which option is agreed, P&L, via the emerging pitches strategy, are considering options for community and discounted charges. Brooke 3g pitch will be included in this exercise.*

2.6 *Service Continuity & Bookings*

Members should note that in the interest of ensuring business continuity, Belfast have agreed to honour any bookings taken by LCC/ CBC that transcend 01 April 2015 and that the price charged at point of booking (on basis of a payment or part payment being made) will be also honoured. This mainly relates to outdoor leisure arrangements.

3 *Resource Implications*

If a decision is taken to retain current LCC prices for a year period, there may be a potential loss of income of £4-5K annually.

4 *Equality and Good Relations Implications*

All recommendations outlined will be taken forward within the context of the Council's equality and good relations frameworks. Communications in relation to pricing will be as per all existing Council processes and channels (e.g. City Matters, website).

5 Recommendation

To agree the preferred option (as set out in section 2.4 above) to be applied for 3G Synthetic Pitch bookings linked to the asset transferring from LCC.”

The Director of Parks and Leisure outlined the principal aspects of the report and answered a range of Members’ questions in respect of the options which had been identified.

Proposal

Accordingly, it was

*Moved by Councillor Magennis,
Seconded by Councillor Clarke,*

That the Committee agrees to adopt Option 3, as set out within section 2.4 of the report, specifically to retain the Lisburn City Council rate for the hire of 3G pitches at the Brooke Activity Centre for a period of 12 months, that is, from 1st April, 2015 till 31st March, 2016.

Amendment

*Moved by Councillor Hussey,
Seconded by Councillor McKee,*

That the Committee agrees to adopt Option 1, as set out within section 2.4 of the report, specifically to apply the Belfast rate for the hire of 3G pitches at the Brooke Activity Centre from 1st April, 2015.

On a vote by show of hands, four Members voted for the amendment and eight against and it was declared lost.

The proposal standing in the name of Councillor Magennis and seconded by Councillor Clarke was thereupon put to the meeting when eight Members voted in favour and none against and it was declared carried.”

**Service Convergence –
Report of Assistant Director of Parks and Leisure**

The Committee considered the following report:

“1.0 Relevant background information

1.1 On 29 January 2015, a report was submitted to the Transition Committee setting out proposals as to how the Council may

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wish to manage the converging of prices for comparable services currently provided by Lisburn City Council (LCC), Castlereagh Borough Council (CBC) and North Down (ND) in those areas transferring to Belfast.

1.2 At that meeting, the Transition Committee agreed:

- (i) a general principle that Belfast prices would be applied to services delivered in the transferring areas which will mean that in the majority of cases transferring users and residents will experience a reduction in service prices.**
- (ii) in relation to Street Trading Licenses, whereby a significant price difference would be experienced, that a phased approach (i.e. incremental levelling of prices over a 4 year period) would be applied.**
- (iii) further consideration be given to the differential in prices for outdoor leisure provision, specifically 3G Pitch usage, in assets transferring from LCC and that a separate report be brought back to Committee for consideration.**

1.3 At its meeting on 10 February, the Transition Committee agreed to retain the Lisburn City Council rate for the hire of 3G pitches at the Brook Activity Centre for a period of 12 months, that is, from 1st April 2015 until 31st March 2016. This would not be in line with the agreed charges for other activities or services.

1.4 Under Section 41 of the Local Government Act (Northern Ireland) 2014 provides that a Council's Standing Orders must make provision requiring reconsideration of a Committee decision (Call In). The Ad-Hoc Committee for Call-in met on 27 February to consider the challenge and recommended that the decision be referred back to the next meeting of the Transition Committee.

2.0 Key issues

The Call-In challenged the decision of the Transition Committee of Belfast District Council made on 10 February 2015 under the heading 'Service Convergence – Pricing for Outdoor Leisure'. This was on grounds that it is procedurally deficient due to it:

- i. Creating a separate charging structure for one facility when all other such facilities within the council**

area operate under a single charging structure and doing so;

- (a) for no substantive reason, or**
- (b) on no reasonable grounds, or**
- (c) without due or adequate consideration, or**
- (d) without consideration of all relevant or material information or specifically without due consideration of the difference in charges between this centre and every other centre once VAT advantage is applied, or**
- (e) without a due or appropriate or adequate consideration of Equality issues, or**
- (f) without due or adequate consultation, or**
- (g) to the detriment of specific user groups of that centre without due or adequate consideration or due or adequate consultation.**

ii. Charging youth teams substantially more to use that facility at peak times than they are charged to use any similar facility within the council area at peak times;

- (a) for no substantive reason, or**
- (b) on no reasonable grounds, or**
- (c) without due or adequate consideration, or**
- (d) without due consideration of all relevant or material information or specifically without consideration of the level of or the impact on youth team use of the centre, or**
- (e) without a due or appropriate or adequate consideration of Equality issues, or**
- (f) without due or adequate consultation, or**
- (g) contrary to the council's stated policy of increasing youth participation in sport and acting contrary to this policy without due or adequate consideration or due or adequate consultation.**

Pricing Policy

Currently, charges for 3G pitches are set in accordance with the Parks and Leisure departmental pricing policy, which sets out a consistent charge for all 3G pitches across the city. A full equality impact assessment was carried out on this policy in 2002. It is the intention over the coming months to present a corporate pricing policy to Committee for its consideration. This will harmonise processes, prices and booking conditions across the new Council area, and will be subject to a full equality screening. At that point, any differential impacts will be identified and mitigating actions introduced.

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It is likely that this corporate policy, given its broad nature, will be screened in for a full equality impact assessment and require a 12 week consultation.

Previous Options for Consideration

In advance of this corporate pricing policy, the Committee considered the following 3 options at its meeting on 10 February for the only transferring 3G pitch, located at the Brook Activity Centre:

Option 1: Move to the Belfast City Council rate;

Option 2: Consider the proposed BCC charges for Brooke as 'significant' and phase in the increase in line with the agreed approach to other transferring council charges; *or*

Option 3: Hold existing Lisburn City Council charges for 12 months.

This was in line with the 3 options considered at the initial meeting on 29 January across all comparable services including Building Control and Community Services.

Equality implications

Further detail on the equality implications for each option is set out below for Members' consideration:

Option 1: Across the city, a consistent charge for all 3G pitches is based on the Council's annual scale of charges which derives from the departmental pricing policy. The policy was equality screened in 2002. The price differential between BCC and LCC is set out in the appendix.

There is an adverse price differential for those groups/clubs who pay full rate. There is a positive price differential across all concession groups.

A potential mitigating action is that officers will work with those groups/clubs who pay full rate, to ensure that they can avail of the best rate possible and reduce the adverse impact.

Option 2: In previous consideration, Transition Committee deemed the price differential as significant for street trading licences i.e. this was a sudden and adverse increase of approx £1,000 for a recurring service. As per the table in the appendix, there is no price differential of this scale.

Option 3: This would not be in line with the agreed charges for other activities or services and would sit outside the Council's scale of charges derived from the current departmental pricing policy. It would have a positive price differential for those groups/clubs who pay full rate. It would have a negative impact across all concession groups, particularly in terms of age (i.e. schools and juvenile teams) as a Section 75 group. In a recent update report to Parks and Leisure Committee (24 February 15), it was noted that there is an under-supply of provision for youth teams in the city.

A potential mitigating action is that sports development officers could work with schools and juvenile teams to maintain participation levels. However, they would still be adversely impacted by this pricing policy.

Options 1 and 3 would be deemed to have minor impacts, as outlined above, as this would be a temporary arrangement until such times as the Council introduces a revised corporate pricing policy. The Council can introduce mitigating measures as outlined above.

3.0 Resource Implications

Financial: If a decision is taken to retain current LCC prices for 15/16, there may be a potential loss of income of £4-5k.

4.0 Equality Implications

As outlined above.

5.0 Committee decisions required

**Option 1: Move to Belfast City Council rates; or
Option 3: Hold existing Lisburn charges for 12 months"**

The Assistant Director of Parks and Leisure outlined the principal aspects of the report and answered a range of Members' questions. In response to a Member's question, she indicated that a cricket pitch, which was located at the Fullerton Park in Dunmurry, would require upgrading and, as such, it was not anticipated that the Belfast rate for the hire of that facility would be imposed until that work had been completed.

After further discussion, it was

Moved by Councillor McNamee,
Seconded by Council Heading,

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That, as a transitional arrangement, the Committee agrees to rescind its decision of 10th February and agrees further to maintain the former Lisburn City Council charge for the use of the 3G pitch at the Brooke Activity Centre until such times as a Corporate Pricing Policy has been established, equality screened and adopted.

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

Service Convergence - Transfer of Assets/Liabilities

(Mrs. C. Reynolds, Estates Manager, attended in connection with this item.)

The Committee considered the following report:

“1 Background

1.1 On 29 January 2015, the Committee received a detailed report outlining what practical arrangements are being put in place to ensure service continuity and investment in those areas transferring into the city from Lisburn, Castlereagh and North Down.

1.2 With only 23 days remaining until the 1 April, the level and pace of work underway across the organisation is gaining greater momentum. This report sets out a high-level overview of some of the preparations being undertaken by the core frontline services as well as some an update on the transfer of assets and liabilities from Lisburn, Castlereagh and North Down to Belfast.

2 Key Issues

2.1 Service Readiness Preparations

2.1.1 *Detailed service planning is ongoing across the organisation to ensure the effective day-1 delivery of core front-lines services to the additional 21,000 households, 53,000 citizens residing in approximately 690 new streets and the transfer of 800 businesses. In summary:*

- Operational delivery plans and resources in place to extend all core services (e.g. cleansing, refuse collection, recycling, building regulations and licensing, night-time noise, air quality, food safety, key programmes and outreach initiatives) into new transferring areas**
- Necessary fleet and operational equipment in place for Day-1**

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- **Training plans in place and being implemented for transferring staff**
- **Handover processes in place for transferring assets (e.g. key holders, access arrangements, security, systems connectivity)**
- **Service delivery geographies agreed (e.g. cleansing, refuse collection, outreach programmes) and staff resources allocated**
- **Signage – programme of replacement signage for transferring assets in place**
- **Capital Investment - £2m secured through SSP&R for investment in a number of capital projects in new areas transferring.**
- **Maintenance - £573K budget secured through SSP&R for necessary maintenance and upgrade works to transferring assets**
- **Grant provision - £429K secured through SSP&R to support the extension of the Council's grant aid programmes into those new areas transferring.**

2.2 Communications and Engagement

2.2.1 Over recent months and as we move closer to 1 April, the level of communications and engagement activity across the Council has intensified significantly. Some highlights include:

- **Customer Mapping - All services have a firm understanding of the customer profiles and needs linked to the areas transferring and this information has informed service and resource planning.**
- **Officers throughout the organisation are working closely with communities' and stakeholder groups across the city to raise awareness of the services and support provided by the Council**
- **Belfast 2015 and Business E-shot's being issued to transferring residents and businesses**

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- **Business Engagement Event held on 5th Feb to share information on rates revaluation and rates convergence scheme in early Feb**
- **An 'Introduction to Procurement with Belfast City Council' even for business scheduled for 12 March 2015**
- **City Matters issued to extended Belfast City Council – next addition 30 March 15**
- **Website/Social Media – ongoing release of information around LGR and what it will mean for residents**
- **Door Knocking – direct household contact to share information and inform transferring residents of plans around core front-line services e.g. recycling, refuse collection**
- **Stakeholder Engagement – cross-departmental group in place to oversee and coordinate engagement activities in those areas transferring and ensuring relevant and timely information relating to services is available to officers on the ground.**
- **Local Engagement Events – programme of local engagement events in transferring facilities (e.g. community centres) to provide information on council services to transferring residents and users groups**

3.0 Transfer of Assets and Liabilities

- 3.1 As a result of Local Government Reform (LGR), there are a number of land and property assets due to transfer to the Council on 1 April 2015. These include 55 assets due to transfer from Lisburn City Council, Castlereagh Borough and North Down and 30 no of off street car parks due to transfer from DRD.**
- 3.2 A detailed due diligence exercise has been ongoing over recent months around the transferring assets. A detailed report had been submitted to the Council's Strategic Policy and Resources on 20 February with an update on the transfer of assets and liabilities from CBC/LCC to BCC. This paper set out the current position and highlighted the key outstanding matters including Transfer Schemes; resolution of identified title and lease issues and building compliance issues.**

- 3.3 There has been intensive engagement over recent weeks with LCC/CBC to resolve many of the outstanding matters. There is however a number of key issues which still require resolution. These include:

(i) Transfer Schemes:

The Local Government Act 2014 provides for the making of Transfer Schemes for the transfer of designated assets and liabilities of a local government body (or department) to a local government body. Transfer Schemes, scheduling the transferring assets and liabilities (inc loan liabilities and contracts) will be required between CBC, LCC, NDBC and BCC. It is the responsibility of the transferring council (i.e. LCC, CBC, ND) to prepare such schemes for those assets transferring to BCC. We are still awaiting this.

On 12 February the DOE issued the Assets & Liabilities Transfer Schemes for CBC/LCC/BCC, together with guidance in utilising the scheme. Draft versions of the Transfer Scheme had previously been provided by DOE in July 2014 but the Transfer Schemes recently received differ from the earlier version produced by DOE.

The key differences relate to:

- the adjudication role of DOE in the event of disputes between the parties was clearer in the earlier draft;
- in the previous draft version, there was specific provision that responsibility for public liability claims pre-dating 1.4.15 rested with the body with responsibility for the asset at that time. In the Transfer Scheme recently forwarded by DOE this provision has been excluded.
- no requirement in the current version for both the transferor and the transferee having to agree and sign the Scheme. In the current version, it is the responsibility of the transferring body (CBC/LCC) to complete and to be signed by DoE.

Whilst a proposed timeline had been previously agreed with CBC/LCC for submission of the Transfer Schemes to BCC, at the time of writing the report they have not yet been received. Officers have continually stressed the urgency of receiving these Schemes and it is understood that CBC/LCC intend to bring them to their Governance and Audit Committee on 10 March. It is a matter of significant concern

that CBC/LCC has still not forwarded these Transfer Schemes to BCC

(ii) Building Compliance

In broad terms, all transferring building assets have had condition surveys undertaken by BCC and a programme of both non-recurring and planned preventative maintenance activities has been developed accordingly.

However, in relation to statutory building compliance matters (such as asbestos, legionella) there were a number of outstanding reports and other building compliance data. These are required in order to accurately assess statutory compliance in respect of matters such as asbestos, legionella etc and BCC had previously requested (on several occasions) that all outstanding compliance information was urgently forwarded by CBC/LCC. In the absence of such information, BCC had sought the agreement of CBC/LCC to access the relevant properties to undertake their own compliance surveys and this exercise is currently underway.

As part of this BCC recently completed an asbestos survey of the Robinson Centre. The findings of this report confirmed the presence of asbestos in the building.

As a result, CBC made a decision on 13.2.15 to close the facility as a precautionary measure albeit a portion of the building (e.g. Gym area) has since been reopened by CBC. The Health & Safety Executive have been advised and they are working with CBC in this regard.

- 3.4 Detailed discussions have taken place between BCC and CBC over recent weeks regarding this matter. BCC has now identified the urgent need for a further, more detailed, invasive survey to be undertaken of the building to fully identify the scale of the issues and the potential works required. The Council has sought authority from CBC to undertake this survey.

4.0 Next Steps

- 4.1 Members should note that the Town Solicitor has sought Senior Counsel opinion on the DoE Transfer Scheme and the specific concerns relating to the Robinson Centre and associated liabilities arising as a result of the building condition and the presence of asbestos. As a result of this advice it is proposed that the Council will now write to the

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Department of the Environment. A fuller update will be submitted to SSP&R Committee on 20 March 2015.

4 Resource Implications

- 5.1 Resources have been agreed as part of the revenue estimates for 2015 /16.**

6 Equality and Good Relations Implications

- 6.1 None**

7 Recommendations

- 7.1 Members are asked to note the content of the report and that a more detailed report on the Transfer Scheme for Assets and Liabilities will be submitted to the Council's Strategic Policy and Resources Committee on 20 March 2015."**

The Committee noted the contents of the report.

Renewing the Routes Programme

The Committee considered the following report:

"1 Relevant Background Information

- 1.1 The ongoing Renewing the Routes Programme has delivered local regeneration projects at targeted locations across the arterial routes of Belfast since 2004. The Programme has facilitated the investment of approximately £7,810,000 across these key routes and neighbourhoods with the completion of approximately 800 commercial units and 137 environmental improvement schemes.**
- 1.2 The Committee agreed a four year rolling programme for the continuation of local regeneration across the target areas of the city in February 2012.**
- 1.3 The purpose of this report is to provide updates and seek approval for a number of proposals linked to the council and additional ongoing programmes. The updates are in respect of:**
- Progress of works under the current agreed programme on Oldpark Road and Stewartstown/Woodbourne Crescent**

- Progress of works under our current agreed programme in Castlereagh Road and Lisburn Road

1.4 Following on from the programme approved in February 2012, Committee support is sought in relation to the specific local regeneration action plans for York Road and Shankill Road areas which are summarised as a project table.

2 Key Issues

Oldpark Rd and Andersonstown Rd (Node 4: Stewartstown Rd) programme

2.1 In June 2013, Council approved the Local Regeneration Plans for Oldpark Road (Oldpark Avenue to Clifftondene Crescent) and Andersonstown Road (Hillhead Crescent to Suffolk Road).

2.2 The initial priority initiatives in the agreed Action Plans were achieved within the agreed allocations and under-spends have been identified on both Stewartstown Road (approx £29,000) and Oldpark Road (approx £24,000) allowing the consideration of additional projects. In September 2014 Council agreed to extend the nodes of both roads in order to exhaust the under-spend through new project opportunities being presented for Stewartstown Road and Oldpark Road including commercial and environmental improvements. Typical cosmetic works include the painting of frontages, strip lighting, new signage and tiling.

2.3 *Stewartstown Road*

In order to utilise the under-spend work commenced on the adjacent Woodbourne Crescent area as an extension of the 2013/14 commercial/environmental improvement scheme. Despite being well used, the commercial units at Woodbourne Crescent are in poor condition and the inclusion of these units at Woodbourne Crescent has resulted in a wider environmental impact in the locale. Construction work is nearing completion on six additional commercial units and an environmental improvement scheme on the six Woodbourne Cottages has been completed.

2.4 *Oldpark Road*

The under spend presented an opportunity to further maximise the overall environmental improvements in the vicinity and an additional 13 businesses will benefit from investment within the commercial node between Oldpark

Avenue and Rosapenna Street. Construction work is nearing completion on the units.

Update on Renewing the Routes 2014/2015 programme

- 2.5 In June 2014 the Development Committee approved the Local Regeneration Plans for Castlereagh Road (Beersbridge Road to Grand Parade/Ladas Drive) and Lisburn Road (Bradbury Place to Tates Avenue). Building work is nearing completion on both roads and is expected to conclude by the end of March 2015.
- 2.6 On Castlereagh Road 35 commercial units are receiving shop front upgrades. Heritage improvement works to the boundary wall of the McQuiston Presbyterian Church are underway and low level landscaping is also proposed. Working with the East Belfast Historical Society the content for the interpretative tourism sign has been agreed and the sign is in manufacture and will be installed at the Beersbridge Road junction.
- 2.7 Environmental improvements at the block of shops near the top of the node at 259-247 Castlereagh Road have been agreed and will consist of improving the footpath in front of all the shops by levelling the area, tarmacing the surface and removing concrete bollards and replacing five of these with steel finish.
- 2.8 The programme is also on site on Lisburn Road (Bradbury Place to Tates Avenue) with 42 commercial units currently being targeted for improvement works as well as 11 environmental improvements and a heritage improvement scheme underway.

Proposed Regeneration Action Plans for 2015/16 (Shankill Road/ York Road)

- 2.9 Since approval in February 2012, work has continued on the development of plans for the agreed target areas. The 2015/2016 programme is the final Renewing the Routes scheme that was agreed in the 2012 Investment Programme. Extensive scoping and engagement work with relevant statutory and community contacts, including elected representatives for the area was carried out as part of the plan development process. This activity has informed the development and prioritisation of the local regeneration work summarised in the regeneration action plans included with this report for endorsement by committee.

The proposed plans for Shankill Road and York Road also identify a longer list of additional projects that could form the basis for further work should increased resources become available or modifications are required for existing plans.

2.10 The key common themes emerging from the scoping work with local Councillors and stakeholders were identified as:

2.11 - *Environmental improvements* - major issues facing the routes are dereliction or underutilised property and often poor general environments; requiring action to ensure improvements that can complement other developments;

- *Heritage* – the roads contain elements of historical or cultural significance that offer the opportunity to develop these local assets through architectural lighting, interpretive signage and heritage projects; and contribute to wider tourism initiatives

- *Commercial improvements* – focus areas have been identified along the routes; the areas are hubs of activity with local shops, services and facilities serving the community. The commercial improvements will focus on improving the environment for residents, businesses and visitors and promote local pride within these areas

- *Environmental management works* - Targeted and sustained clean-up and graffiti removal campaigns working with local groups;

- *Collaborative and partnership work* - essential in maximising finite budgets, particularly with a joined-up approach to external funding opportunities with statutory agencies. The underlying objective is to maximise the impact of the Council's own contribution through internal joint working and external partnership opportunities alongside community safety, parks and leisure, economic development, building control, tourism and the arts and cleansing services.

2.12 Members will note the relevant areas and Regeneration Action Plans for the Shankill Road and York Road are appended for consideration. The additional longer list of projects is also provided as a guide for further potential activity should additional resources become available.

3 Resource Implications

3.1 There are no additional resource implications.

4 **Equality and Good Relations Implications**

4.1 There are no relevant equality and good relations implications attached to this report.

5 **Recommendations**

5.1 Committee are requested to:

- Note the progress of the additional projects at Stewartstown Road and Oldpark Road utilising projected under-spend from the current programme;
- Note the ongoing work in relation to the current programme on Castlereagh Road (Beersbridge Road to Grand Parade/Ladas Drive) and Lisburn Road (Bradbury Place to Tates Avenue);
- Endorse the proposed Renewing the Routes Regeneration Action Plans for the 2015/16 programme on Shankill Road (Peter's Hill to Agnes Street) and York Road (Fife Street to York Park) as summarised."

The Committee adopted the recommendations.

Chair

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Shadow Planning Committee

Wednesday, 11th March, 2015

MEETING OF SHADOW PLANNING COMMITTEE

Members present: Councillor Mullan (Chair);
Councillors Bunting, Campbell,
Garrett, Haire, Heading, Johnston,
McDonough-Brown, McGimpsey,
Ó Donnghaile, L. Patterson and Sandford.

Also attended: Councillor J. Rodgers.

In attendance: Mr. J. McGrillen, Director of Development,
Mr. C. McIlwaine, Divisional Planning Manager;
Ms. K. Mills, Senior Planning Officer;
Ms. N. Largey, Council Solicitor;
Mr. K. Sutherland, Urban Development Manager; and
Mr. B. Flynn, Democratic Services Officer.

Apologies

Apologies were reported on behalf of Councillors Armitage, Bradshaw, Carson, Corr, Hargey, Hutchinson, McCoubrey and R. Patterson.

Minutes

The minutes of the meeting of 19th February were taken as read and signed as correct. It was reported that those minutes had been adopted by the Shadow Council at its meeting on 3rd March.

Declarations of Interest

No declarations of interest were reported.

Listing and De-Listing of Buildings

The Committee was advised that correspondence had been received from the Northern Ireland Environment Agency (NIEA) seeking the Council's views in respect of proposals which had been formulated for the listing and de-listing of a number of buildings in Belfast. The Committee agreed with the Agency's proposals to list the following buildings:

- The Synagogue, Somerton Road
- Royal Belfast Hospital for Sick Children
- Microbiology Building, Grosvenor Road
- External Waiting Hall - Royal Victoria Hospital
- Direct Wine Shipments, Corporation Square

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- Congregational Church, 101-103 Donegall Street
- 1 Victoria Square
- 4, 5 and 6 Murray Street
- Central Hall, Rosemary Street
- 1-5 Castle Lane and 23-29 Cornmarket
- 13-17 Grosvenor Road
- War Memorial Building, 9 Waring Street
- McCracken's Bar, Joy's Entry
- Belfast Telegraph Offices, 124-144 Royal Avenue

Dankse Bank – Donegall Square West

The Committee was advised that a letter had been received from representatives of Danske Bank requesting that that it would agree not to support a proposal to list the bank's corporate headquarters in Donegall Square West. The letter had indicated that the building acted as the bank's regional operations centre for the island of Ireland and added that the listing of the building could impose unnecessary constraints on the ability of the bank to upgrade or re-develop its headquarters.

The Committee noted the information which had been received but agreed that it was minded, given its unique architecture and style, to support the proposal to list the building.

Advance Notice of Delisting

The Committee agreed that it would be opposed to delisting of the following properties:

- Arnott House – Bridge Street
- Donegall Chambers –Donegall Place
- 81-87 Royal Avenue
- 23-37 Talbot Street
- Imperial House – Donegall Square East
- 20-22 Castle Street
- 56-88 Royal Avenue
- Fountain House - Donegall Place

Transfer of Planning Function

The Committee considered the following report which gave an overview of the Council's preparations for assuming responsibility for the planning function from 1st April onwards:

“1.0 Background information

- 1.1 On 1st April 2015 a range of planning functions will transfer from DOE to the council. The Senior Responsible Officer (SRO) for this 'project' is John McGrillen and a programme team of DOE and BCC officers is coordinating delivery of a**

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detailed project plan. A project board (the 'Planning Panel') has also been established with input from across Council.

- 1.2 The transfer of planning is largely seen in two phases - transition and transformation. The current priority is a successful transition. Namely, ensuring the Council can discharge its statutory duties and deliver business critical planning functions from 1st April 2015.
- 1.3 At its meeting on 13 January the Council's Audit Panel requested that the SRO submit to the Shadow Planning Committee a state of readiness report (and that this be forwarded to the Audit Panel following Shadow Planning Committee consideration). A report was subsequently presented to Shadow Planning Committee in February and also to the Council's Assurance Board and Audit Panel in early March.
- 1.4 The purpose of this report is therefore to provide an update on readiness since the previous report to committee and highlight key areas requiring further action and the proposed work to address these. Readiness in this instance has been judged by our ability to:
 1. Receive and process new, or live, applications for planning permission, Tree Preservation Order requests and enforcement case; *and*
 2. Support the work of the new Planning Committee.
- 1.5 Appendix 1 outlines the key deliverables that must be in place in order for this to happen and provides an assessment of readiness; indicated by a Red, Amber, and Green (RAG) status. This has been informed by input from officers and senior managers across council.
- 1.6 The SRO's assessment at this time indicates that the majority of tasks are either completed or on target for completion within the required timescales and, as such, it is considered that the Council is well placed to deliver planning from 1st April 2015. However given the scale of change and ongoing issues that still need to be managed regarding the portal, processes, governance arrangements and staff transfer, it is inevitable that issues will arise in the early weeks and months following the transfer of planning. Any such issues will continue to be managed by the project team in consultation with planning staff.

2.0 Summary of key issues

2.1 There are a number of key issues of which members should be aware. These are summarised below with details of current and proposed mitigating actions. Further detail on these and other work streams is outlined in Appendix 1.

2.2 These actions have been included within the project plan and issues log that is reported regularly to the Planning Panel and TMT. Key issues that remain critical in relation to day 1 include:

2.3 Planning Portal

- The re-configuration and testing of the NI Planning Portal is an ongoing process and is being delivered by the DOE.
- The Portal will continue to be 'owned' by the DOE at a regional level and therefore the Council does not have the ability to change or adapt it.
- The Council is therefore reliant upon the DOE to ensure that the system meets operational needs and is operational from 1st April.
- The DOE will not provide access to the Portal from the BCC network until 1st April.

Mitigating actions

1. Staff from the Belfast Planning Office have been nominated to attend the DOE portal testing schedule and provide feedback on system updates
2. Connectivity to the Portal on the BCC network has been established and tested.
3. A regional governance structure for the ongoing management and subsequent replacement of the portal (post 2019) is to be agreed by Chief Executives.
4. A business continuity plan will be put in place to respond to any potential connectivity issues.

2.4 Regional SLAs

- A number of services will be delivered through a shared services agreement i.e. facilitated by one council on behalf of all 11 councils. Examples include Property Certificates and environmental services.
- An SLA, provided by the DOE, outlining how they will be resourced and how councils can access them, is to be agreed.

- **Regional SLAs with statutory Consultees must also be agreed. NILGA were originally asked to lead this work stream, however these have not been sufficiently progressed and are not yet agreed.**

Mitigating actions

- **The new councils have agreed to lead the development of new SLAs with statutory consultees in place of NILGA. Belfast City Council will progress the SLAs with DRD and Northern Ireland Water. It should be noted however that the Planning Act (NI) 2011 places the onus on statutory Consultees to respond within a stated timeframe and therefore provides sufficient protection for the Council as planning authority to proceed with decision making.**
- **Shadow Planning has granted authority to the Chief Executive to enter into an SLA for the provision of shared environmental services.**

2.5 Telephony

- **Belfast City Council, along with 8 of the other new Councils, will be maintaining the use of NI Direct for call handling.**
- **Customers will therefore continue to use the same contact number (0300 200 7830) and calls will be transferred to staff in Cecil Ward as required.**
- **Guidance has been given to Council telephony staff on what to do should they receive calls directly through the Council exchange however further work is required to confirm that this system interface will be in place for day 1.**

Mitigating actions

1. **Council has been meeting directly with NI Direct and data transfer between systems has been confirmed; though voice transfer is still to be confirmed**
2. **Communications is being sent to all applicants/objectors/correspondents from 2nd April to confirm the change of contact details and new office location.**
3. **Council will ensure that key staff have direct dials and mobiles/blackberries to ensure staff are accessible to members and the public as required.**

2.6 Transitional Arrangements

- Arrangements are required in order to manage the transfer of live applications from transferring areas. This includes arrangements for handover by case officers, relocation of Portal reference numbers, allocation of fees for partially processed applications and transfer of hard files.
- Consideration is also required in relation to how deferrals by the existing Town Planning Committee will be handled.

Mitigating actions

1. Further input from DOE is to be sought in relation to transitional arrangements and in particular the allocation of fees.
2. The local Area Planning Manager has been engaging with his Lisburn & Castlereagh counterpart to determine the volume and complexity of transferring cases .
3. Democratic Services has scheduled an additional Town Planning Committee meeting in order that any outstanding deferred cases can be considered before transfer.”

The Committee noted the information which had been provided.

River Lagan - Proposed Bridge

The Committee considered the following Council response to the Department for Regional Development’s consultation regarding the proposed new bridge over the River Lagan between the Ormeau Embankment and the Gasworks Estate:

“Council Response

Belfast City Council welcomes the opportunity to comment on the proposed pedestrian and cycle bridge over the River Lagan, Belfast. The Council has a keen interest in this proposal due to its proximity to the Ozone Leisure Centre and Ormeau Park. Whilst the Council is broadly supportive of the proposed development to improve connectivity of the city to surrounding neighbourhoods it is essential to consider any environmental issues arising from the proposed pedestrian and cycle bridge. It should be noted that the bridge proposal will be located on DSD land at the east and west bank of the river. It is anticipated that this land will be transferred to council ownership as part of the DSD asset transfer in April 2016. The Council will engage with DSD and DRD regarding detailed design and management of these areas.

In the response below some strategic context is outlined before specific comments in relation to the proposal under consideration.

Belfast Metropolitan Area Plan

Within BMAP two new pedestrian/cycle bridge crossings are proposed to serve key activity spines between the east and west sides of the River Lagan. These are proposed to improve the connection between the extension of existing riverside walkways and the more strategic sections of the pedestrian network, whilst facilitating better access to and from the City Centre. The Council welcomed the proposed pedestrian/cycle bridge crossing Gasworks to Ormeau Embankment (Proposal CC 023/02) in relation to improving the connections and accessibility of the city centre.

Belfast City Masterplan

Belfast City Masterplan sets out the strategic objective for an Accessible and Connected City. The masterplan aims to deliver a placemaking solution for the Shaftesbury Link (City Centre Ring Southern Section) which contains the potential for a pedestrian bridge from the Gasworks to Ormeau Park in order to link the residential neighbourhoods to Ormeau Park.

Belfast City Council City Centre Regeneration Strategy and Investment Plan. The draft Belfast City Centre Regeneration Strategy and Investment Plan identified the policy objectives to “Create a green, walkable, cyclable centre” and “Connect to the city around”. These are two of the eight policies outlined in the draft plan.

The objective to “Create a green, walkable, cyclable centre” is to “reduce the area of asphalt and increase green space in the city centre through provision of new open spaces, a comprehensive streetscaping programme and development of the Lagan corridor as a recreational spine.”

The objective to “Connect to the city around” aims to “reduce barriers between the city centre and the communities that surround it by connecting to activity in adjacent neighbourhoods, developing two new pedestrian bridges over the River Lagan and reducing road widths, improving pedestrian crossings, streetscaping key corridors and improving the built form relationship at the edge of the centre.”

Belfast City Council welcomes the proposed development of a pedestrian and cycle bridge over the River Lagan as this will provide increased accessibility to the Ozone Leisure Centre and Ormeau Park. Increased usage of these facilities will enable more people to get more active, more often and help us achieve better health outcomes for the City and local neighbourhoods. The

Council would like accessibility to the park and leisure centre to be considered during the design and construction phase so that there is no negative impact on the public's ability to use these facilities.

From a waste management perspective, the Council would encourage the use of sustainable/recycled material where reasonable practical within the bridge construction. We would also emphasise the importance of managing any waste generated throughout the whole phase (e.g. excavation and construction / building works) appropriately, whilst adhering to all legal requirements (such as Duty of Care). We would encourage the recycling and minimisation of any waste generated on site by the construction workforce (e.g. food scraps, paper, cardboard, plastic and cans). Also, promotion of the waste hierarchy with prevention and reduction of waste as a priority should be considered throughout the whole project.

When consulting on the environmental and biodiversity impacts of the construction and use of the proposed pedestrian and cycle bridge Belfast City Council would request clarification that the Northern Ireland Environment Agency has been consulted as part of this process.

Belfast City Council Environmental Protection Unit had been previously consulted by the DoE at the 'preapplication stage' for the proposed pedestrian/cycle bridge (Z/2014/1060/PREAPP).

This Unit's correspondence with Planning, date 3rd Nov 2014 is attached. It refers to two reports which were submitted at preapplication stage, both conducted by Amey:

Phase I Land Contamination Report Proposed River Lagan Footbridge Amey PLC" dated September 2014 and referenced CO0401210.

Study of Options Environmental Report, Lagan Footbridge, Belfast Road Service" dated August 2014 and referenced CO401123/SOER/v1

In the letter we requested that a Phase II contaminated land risk assessment is submitted which involves an intrusive site investigation of underlying soils/water and possible gas. The Amey Phase I report had concluded that a Phase II was conducted.

In relation to noise impacts from construction works, the August 2014 Amey report refers to noise effects which will be temporary and of short duration. The report highlights the fact that piling operations will affect receptors in the vicinity. What was not referred to in the EPU letter was BCC's construction Advice Notes which gives advice/guidelines to contractors re noise from

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construction works including piling, noise and vibration. BCC construction advice notes are attached for reference.”

After discussion, the Committee endorsed the response, subject to it being amended to reflect that the Council was of the view that further consultation was required with local residents on their concerns that the bridge could potentially create an additional flashpoint between youths from south and east Belfast.

Planning Committee - Operating Protocol

(Ms. N. Largey, Council Solicitor, attended in connection with this item.)

The Committee was reminded that, at its meeting on 19th February, it had considered a draft Operating Protocol to oversee the running of the Planning Committee from 1st April onwards. At that meeting, the Committee had agreed that the Protocol would be re-examined with a view to reflecting a range on comments and suggestions which had been made by Members.

Accordingly, the Council’s Solicitor outlined the principal aspects of a revised Operating Protocol and summarised how it had been amended to address the issues which had been raised. Specifically, she referred to the amendment regarding representations to the Committee by Elected Members. In addition, she clarified that Members would be permitted to request that an application be removed from a delegated list only if that application was within their District Electoral Area.

“OPERATING PROTOCOL

BELFAST CITY COUNCIL PLANNING COMMITTEE

INTRODUCTION

1. The following protocol has been developed for use by the Planning Committee (“the Committee”). It should be read alongside relevant provisions of the Council’s Standing Orders and the Code of Conduct for Councillors and is not intended to replace either document. The key aims of the protocol are to ensure that:

**Those who apply for, or object to, applications before the Committee are able to make informed representations and know the case which they have to meet; and
The Committee makes decisions in a sound, lawful, and transparent way and in a timely and efficient manner.**

REMIT OF THE COMMITTEE

2. The primary roles of the Committee will include:

Exercising the Council’s powers and duties in relation to local planning policies, plan strategies, the statement of community involvement and any other development plan documents;

Exercising the Council's powers in relation to listed buildings;

Consideration of applications for planning permission and development management in accordance with the Council's Scheme of Delegation;

Responding to consultations issued by the Department of Environment, or any other Department, in relation to planning matters;

Responding to consultations in relation to regionally significant or major applications to be determined by the Department of Environment;

Scrutiny of the Council's delivery of planning functions, to include development management, enforcement, etc .

3. More detailed terms of reference can be found in XXXXXXXXXXXXXXXX.

FREQUENCY & TIME OF MEETINGS

4. It is recommended that the Committee should meet every month; though there should be flexibility for additional meetings if required.

5. Dates and times will be advertised at least 5 days in advance on the Council website.

SCHEME OF DELEGATION

6. As per the requirements of Section 31 of the Planning Act (NI) 2011 the Council will operate a scheme of delegation for planning outlining delegation both to the Committee and officers (this can be found at XXXXXXXXXXXXXXXX). The overall objective is to ensure that arrangements for decision-making on applications for local developments are efficient whilst ensuring that proposals that raise strong local views or sensitive issues for the local environment can be dealt with by elected members. Delegating determination of some planning applications to officers is also seen as a critical factor affecting the overall performance of the development management process as it helps ensure that decisions are taken at the most appropriate level, procedures are clear and transparent, costs are minimised and members have more time to concentrate on complex applications.

7. In respect of development management, authority is delegated to appointed officers for local, generally non-contentious, applications.

8. Enforcement activities are also delegated to appointed officers. However the Committee will receive periodical reports on enforcement activities.

9. Arrangements are also in place within the scheme that allow members to request that an application, which would normally fall within the scheme of delegation, be referred to the Committee for determination.

10. Major applications, applications made by the Council or an elected member of the Council, and applications relating to land in which the Council has an interest in, cannot be delegated.

FORMAT OF MEETINGS

11. Committee meetings (dates, times and papers) will be published on the Council's website at least 5 calendar days in advance.

12. Papers will include the following:
Minutes of the previous meeting for approval as a complete record;

Details of delegated applications for noting only by the Committee;
Details of proposed pre-determination hearings;
Details of non-delegated applications (including those brought back following deferral) for consideration by the Committee;
Details of applications of regional significance with an impact upon the Council area in respect of which the Council is a statutory consultee or where it may wish to make representations;
Papers relating to the development of policy.

13. All members of the Council will receive a weekly list of all applications which are delegated to officers in accordance with the Council's Scheme of Delegation.

14. If a member wishes to request that a delegated application is brought before the Committee this must be done, in writing or by email, within 14 days of the application being publically advertised. Members should notify Democratic Services of this request stating clearly their reasons, which must be material considerations. Democratic Services will then liaise with the Town Solicitor's office and the authorised senior planning officer to determine whether the reasons which have been set out are material considerations and are of significant weight to allow the application to be referred to

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Committee. The Town Solicitor or authorised senior planning officer will advise the relevant member of their decision.

15. The Town Solicitor, in consultation with the authorised senior planning officer, may refer a decision back to Committee for the purposes of reconsideration.

16. A quorum, as outlined in the Council's standing orders, is required for the Committee to convene.

17. Councillors will be required to declare an interest in any item on the agenda at the beginning of the meeting and must then leave the meeting for that item. Members will then be invited to return to the meeting room and notified of the Committee's decision before the meeting recommences.

18. The Committee will discuss those applications that have not been delegated before taking a vote on one of the following options:

**Approve the application with conditions as recommended;
Approve the application with amendments to the recommended conditions;**

Refuse the application for the reasons recommended;

Refuse the application with additional or different reasons;

Refuse the application contrary to officers recommendations;

Return the application to officers with a direction for additional information or clarification.

19. The Committee can defer consideration of an application to a subsequent meeting for further information, further negotiations or a site visit. As deferrals have an adverse effect on processing times, and the applicant can lodge an appeal when the Council has not made a decision, the Committee will generally only defer an application once. The member proposing deferral must provide clear reasons as to why a deferral is necessary.

20. The Chair has a casting vote.

21. Members must be present for the entire item, including the officer's introduction and update; otherwise they cannot take part in the debate or vote on that item.

PUBLIC REPRESENTATIONS

22. Meetings of the Committee will be open to the public; however, numbers will be limited according to the meeting venue capacity and associated fire and safety regulations.

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23. Seating for the applicant, objectors and statutory consultees will be reserved but only for the time in which their application is being considered.

24. Only those who have made written submissions in respect of the application shall be permitted to make oral representations before the Committee.

25. Each deputation who wishes to appear before the Committee shall submit a prepared statement in advance of the meeting in a format as required by the Council.

26. The statement, along with any other supporting information, must be provided in sufficient time which, unless circumstances dictate otherwise, shall be 2 weeks prior to the date of the Committee at which the matter is to be considered and the statement shall be included in the report to Committee. Speakers will not be permitted to circulate papers to members at the Committee meeting.

27. The Committee may agree to accept representations outside these procedures but will only do so in exceptional circumstances.

28. All Committee papers will be available online. However, access to some documentation may be restricted by virtue of the Council's publication policy. Information which is determined to be exempt by virtue of Schedule 6 of the Local Government (Northern Ireland) Act 2014 may be published where the Council considers that the public interest in disclosing same outweighs the public interest in maintaining the exemption.

29. Any documentation which is provided directly to any members of the Council in relation to a particular application must also be copied to the Committee clerk/planning section so as to ensure that the issues raised can be fully investigated by officers prior to the Committee hearing. Failure to do so may result in either the documentation being disregarded or the hearing being deferred.

**30. Deputations shall be heard in the following order:
Statutory consultees;
Objectors and/or their representatives;
Applicant and/or their representatives and/or those supporting the application.**

31. Statutory consultees shall only be invited to attend Committee where they have objected to an application. If a member requires the attendance of a statutory consultee in other circumstances, this must be done at least one week in advance of the Committee meeting.

32. Deputations, unless otherwise agreed in advance by the Committee, shall consist of no more than 3 persons. Where there are more than 3 objectors or groups of objectors they will be required to arrange a single deputation to express their representations.

33. Deputation shall be confined to the presentation of a statement and the making of a short address either by each member of the deputation or, should they so wish, by their nominated spokesperson or legal adviser.

34. Each deputation shall be permitted a maximum of 5 minutes to address the Committee. Where more than one person wishes to make representation the 5 minutes should be shared between the members of the deputation.

35. All members of a deputation must continue to be seated and remain silent whilst other deputations are being made to the Committee.

36. Cross-examination, discussion or any type of debate between persons making representations to Committee shall not be permitted.

37. Once all deputations have been made, the parties shall be permitted an opportunity to rebut any factual inaccuracies which may have arisen from the oral representations of another deputation and in respect of which they have not had an opportunity to comment. This will be strictly limited to responding to any such issue and the party will not be permitted to rehearse any representations which have already been made.

38. The Committee may, upon advice from officers, exclude any deputation from being present during the whole or part of the time when any other deputations are being made due to the confidential nature of information relevant to the application to be discussed; or for such other reasons as may be deemed appropriate.

39. The Committee may seek clarification from those who have spoken on any issues raised by them but should not enter into a debate.

40. Officers can address any issues raised during the course of representations from any deputation and the Committee may seek clarification from officers.

41. The Chair will ensure that those making representations to the Committee adhere to the time limits set out in this Protocol. These

time limits will have been communicated to those making representations in advance of the meeting.

42. The Chair may at any time during the hearing of deputations, if they think it necessary to secure order, suspend the meeting and direct the removal of any individual from the meeting, or order that the meeting be cleared of all deputations.

43. When hearing deputations, the Chair will require members engaging in debate to desist, until such time as all relevant information has been received.

44. The Chair may bring the questioning of any person appearing before the Committee to a close provided s/he is satisfied that all relevant issues have been addressed. The Chairman may also prevent duplication of questions being put.

45. If a member of the Committee moves that the question be put to a vote and the Chair is of the opinion that the application before the Committee has been sufficiently discussed, he shall put the motion to the vote.

DECISIONS CONTRARY TO OFFICER RECOMMENDATION

46. The decision as to whether to grant an application lies with the Committee and it is entitled to come to a decision contrary to officer recommendations.

47. Any such decision may be subject to legal challenge and members must therefore ensure that the rationale for the decision are fully explained and based on proper planning considerations.

48. The senior authorised planning officer and/or the Council's solicitor should always be given the opportunity to explain the implications of the Committee's decision prior to a vote being taken on any such proposal.

49. The reasons for the decision contrary to the officer's recommendation must be formally recorded in the minutes and a copy placed on the planning application file / electronic record.

DECISIONS CONTRARY TO PLANNING POLICY

50. In general, planning decisions should be taken in accordance with the local development plan and any other associated planning policy documents. If a Committee member proposes, seconds or supports a decision contrary to the local development plan they will need to clearly identify and understand the planning reasons for doing so, and clearly demonstrate how these reasons justify

departure from the local development plan. The reasons for any decisions which are made contrary to the development plan must be formally recorded in the minutes and a copy placed on the planning application file / electronic record.

MANDATORY PRE-DETERMINATION HEARINGS

51. The Committee must hold pre-determination hearings for those major developments which have been subject to notification (i.e. referred to the Department but returned to the Council for determination) prior to the application being determined.

52. Paragraph 22-43 of this Protocol shall also apply to pre-determination hearings.

53. In deciding whether to hold a pre-determination hearing, members should take into account the following factors (please note this list is not exclusive):

the relevance of the objections in planning terms;

the extent to which relevant objections are considered to be representative of the community, particularly in the context of pre-application community consultation;

the potential of causing undue delay in the decision making process; and

the numbers of representations against the proposal in relation to where the proposal is and the number of people likely to be affected by the proposal.

54. The Committee may also hold a pre-determination hearing, at their own discretion, where they consider it necessary, to take on board local community views as well as those in support of the development.

55. The applicant and any other person who makes representations to the Council in respect of the application will be afforded an opportunity to appear before the Committee.

56. Any hearing will take place after the expiry of the period for making representations on the application but before the Committee hears the application. The Council will endeavour to hold pre-determination hearings on a separate date from the Committee meeting at which it will be considered; however this may not always be possible.

57. For these hearings the case officer will produce a report detailing the processing of the application to date and the planning issues to be considered. If the Committee decides to hold the hearing on the same day as it wishes to determine the application the report to councillors will also contain a recommendation.

PREPARATION OF PLANNING POLICY DOCUMENTS

58. Planning policy documents include the local development plan, local planning policies, plan strategies, the statement of community involvement and any other development plan documents or guidance.

59. The Committee should have a high level of involvement in the preparation and approval of planning policy documents.

60. Once approved by the Committee, planning policy documents will be referred to the Council's Strategic Policy and Resource Committee who will assess the document to determine whether it consistent with the broader strategic objectives of the Council.

61. If Strategic Policy and Resource Committee considers any of the said planning policy documents to be inconsistent with those objectives, the Committee will reconsider the relevant document in light of the issues raised by the Strategic Policy and Resource Committee.

62. Once the Committee has reconsidered the relevant document it shall be reported to the Strategic Policy and Resource Committee and will be subject to ratification by full Council.

SITE VISITS

63. Site visits may be arranged subject to Committee agreement. They should normally only be requested where the impact of the proposed development is difficult to visualise from the plans and other available material and the expected benefit outweighs the delay and additional costs that will be incurred.

64. Only members of the Committee and officers should attend organised site visits.

65. Members will not carry out their own unaccompanied site visits as there may be issues around permission to access the land, they will not have all of the relevant information from the relevant planning officer and, if a councillor is seen with an applicant or objector, it might lead to allegations of bias.

66. A nominated officer will record the date of the visit, attendees and any other relevant information.

67. The Chair, or Vice Chair in the Chair's absence, will ensure that the site visit is conducted in accordance with this protocol and the Code of Conduct for Councillors.

68. A statement will be read out by the Chair before the commencement of the site visit to remind members of the purpose of the visit and the terms of this protocol. The planning officer will then remind members of the proposal and the main issues.

A nominated officer will prepare a written report of the members' site visit which should then be presented to the Committee meeting at which the application is to be determined."

Deferred Applications – Update

The Committee considered the following report:

“1 Background Information

1.1 Members will be aware that a number of planning applications have been deferred by the Council's Town Planning Committee. It is proposed to have a mop up meeting of the Town Planning Committee on 26th March 2015 to deal with those applications.

1.2 It is envisaged however that it will not be possible to deal with all of the deferred applications at that meeting. This will mean that there will be some applications which would have been decided by the DOE Planning Service but will then have to be determined by the Council as a result of the Council deferring the application.

1.3 There will also be a number of applications which have been deferred by Lisburn City Council and Castlereagh Borough Council which will be transferred to Belfast on 1st April 2015.

2 Key Issues

2.1 As members will be aware, the first actions of the Council as a local planning authority are likely to come under great scrutiny from the press, the general public, and in particular, those parties interested in the applications which have been deferred.

2.2 As the Council was not the decision maker in respect of those applications which have been deferred, it is likely that members have in the past made comments or expressed a view in relation to a particular application, or to a particular type of application. This will give rise to issues in relation to pre-determination, potential conflict of interest or the appearance of bias.

2.3 In addition, members will recall that the decisions of the Committee will be subject to the supervision of the High Court by way of judicial review. Judicial review is typically concerned with the decision making process as opposed to the decision itself. One of the grounds for judicial review is that there has been procedural unfairness in dealing with an application which includes, amongst other things, the appearance of bias.

2.4 In light of those considerations it is essential that the Planning Committee has a robust process in place for determining those applications which have been deferred so as to ensure that there is no appearance of bias, pre-determination or any other alleged impropriety.

2.5 In order to do so, it would appear that there are two options available to deal with deferred applications post April 2015. These are:

2.6 Option One

- Delegate permission to the senior authorised planning officer to determine all applications which have been deferred prior to April 2015.
- This will be subject to the senior authorised planning officer, in consultation with the Town Solicitor and Director of Development, bringing any application to Committee where it is deemed appropriate in all the circumstances to do so.
- Any major applications, applications made by the Council, an elected member of the Council, a Council employee and applications relating to land in which the Council has an interest cannot be delegated and will therefore be brought before Committee.

2.7 Option Two

- Apply the Scheme of Delegation to all deferred applications. Those applications which are not delegated under the Scheme will be brought before Committee to be determined. A copy of the Scheme is attached at Appendix One.
- Any member who had requested that the application be deferred, together with any member who has had any involvement in the process or has expressed a view in relation to the application, shall not take part in the decision making process so as to avoid any suggestion of impropriety.

- 2.8 Officers have estimated that approximately 10-12 applications will have to be determined at each Committee meeting, taking into account the Scheme of Delegation and the average number of applications received. That estimate does not include those applications which are currently deferred.**
- 2.9 If Option Two is selected that will increase the number of applications which will have to be considered by Committee in the initial months and may cause delay in determining other applications. Members are reminded that if a decision is not made within 8 weeks of a non major application being lodged (and 16 weeks in respect of a major application), an applicant can appeal that 'non-decision' to the Planning Appeals Commission ('the PAC'). If the PAC finds in favour of the application it has the power to make an order for costs against the Council.**

3 Resource Implications

- 3.1 It is not possible to determine resource implications at present; though it should be noted that the proportion of decisions brought before Committee will have an impact upon the required committee support provided by Democratic Services, Legal Services and the Planning Service.**

4 Equality and Good Relations Implications

- 4.1 None.**

5 Call In

- 5.1 Members are advised that any decision relating to the governance of the committee is subject to Call In.**

5. Recommendations

- 5.1 The Committee is asked to agree to either Option One or Option Two as set out in the body of the Report."**

After discussion, the Committee agreed to adopt Option Two as outlined in the report, with the following course of action to be undertaken:

- To apply the Scheme of Delegation to all deferred applications;
- That a list of applications not delegated under the Scheme would be circulated to the Planning Committee;

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- Should a member of the Planning Committee wish to have an application brought before the Committee, they should notify Democratic Services within seven days of circulation;
- The remaining applications would be then be delegated to the senior authorised planning officer for consideration; and
- Any Member who had requested that the application be deferred, together with any Member who has had any involvement in that process, or has expressed a view in relation to that application, shall not take part in the decision-making process, so as to avoid any suggestion of impropriety.

Chair

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