

# Parks and Leisure Committee

Thursday, 9th August, 2012

## MEETING OF PARKS AND LEISURE COMMITTEE

Members present: Councillor McCabe (Chairman);  
Aldermen Humphrey and Rodgers;  
Councillors Corr, Haire, Hartley, Hendron,  
Mallon, McKee, McNamee, Mac Giolla Mhín,  
Mullan, A. Newton, Thompson, Garrett,  
Ó Donnghaile and Spence.

In attendance: Mr. A. Hassard, Director of Parks and Leisure;  
Mrs. R. Crozier, Assistant Director of Parks  
and Leisure; and  
Miss. L. Hillick, Democratic Services Officer.

### Apologies

Apologies for inability to attend were reported from Councillors Kelly, Kyle and O'Neill.

### Minutes

The minutes of the meeting of 14th June were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 2nd July, subject to the submission of a report to a future meeting in respect of the control of weeds and general maintenance issues at the City Cemetery.

### Declarations of Interest

The following declaration of interest was reported:

- (i) Councillor McNamee declared an interest in respect of Item 18, Maintenance Agreement for Pocket Park, 380-390 Newtownards Road.

### Deerpark Residents' Association

The Committee was reminded that, at its meeting on 14th June, it had agreed to receive a presentation from the above-mentioned Residents' Association in relation to the increase in anti-social behaviour and sectarian-related incidents at the Ballysillan Playing Fields. Accordingly, it was reported that Councillor L. Reynolds, Mr. S. Harper, Ms. G. Robinson and Mr. D. Watson, together with Constables N. Simpson and P. McCullough, Police Service of Northern Ireland, were in attendance and they were welcomed to the meeting by the Chairman.

Councillor Reynolds reported that the Residents' Association wished to highlight various issues associated with the site and how their properties had been affected by the increase in sectarian-related incidents and anti-social behaviour and problems associated with three identified hotspots within the Park. In relation to sectarian-related incidents, he reported that pre-arranged fights between youths as young as thirteen years old were being organised through the social media site, Facebook. Those pre-arranged incidents were on occasion resulting in attacks on surrounding homes and local residents having to contact the Police. In addition, physical damage was occurring at the site, including vandalism to playground equipment and allotments and, due to the unauthorised use of quads and motorbikes, the playing field surfaces. He stated that drug and alcohol abuse as well as other high risk activities were also taking place.

Councillor Reynolds referred to the actions which had been undertaken previously to address those difficulties. In particular, he referred to the fact that the fencing and trees which had been erected had proven to be an ineffective barrier and had failed to protect residents and their homes. The Residents were of the view that a number of measures could be taken in order to address their concerns and prevent attacks, including:

- (i) increasing the height of the existing fencing;
- (ii) erecting a ball catcher fence and the development of a hanging garden;
- (iii) installing lighting and closed-circuit television;
- (iv) restricting access to the Park; and
- (v) reconvening the Working Group which had been established previously.

Constable Simpson advised the Committee that the Police Service of Northern had identified a rise in the number of incidents emanating from the Playing Fields between the hours of 12.00 noon and 10.00 p.m. Such incidents were having a detrimental impact on the residents of the area and, in some instances, the grilles protecting the windows had been removed from their properties and replaced with other vandal-proof materials. The Police were currently developing a programme to prevent such attacks. He stated that, in order to prevent injury and attacks, it was imperative that a plan be developed and implemented without delay.

After discussion, during which the Residents advised the Members that their homes had been attacked with golf balls, bricks and petrol and pipe bombs, the Committee agreed that a report be submitted to its monthly meeting in October outlining those measures which could be taken to address the rise of such incidents at the Ballysillan Playing Fields.

### Adjournment

The Committee agreed to adjourn for a period of time.

(The Committee stood adjourned from 4.55 p.m. – 5.06 p.m.)

### Financial Report 2011/2012 - Quarter 4

The Committee considered the undernoted report:

“1. **Relevant background information**

The Strategic Policy and Resources Committee agreed on 18 June 2010 that:

- the council would produce financial reporting packs for the Strategic Policy and Resources Committee and each Standing Committee on a quarterly basis
- the Budget and Transformation Panel would also receive monthly financial updates if there were any significant issues to report.

The reporting pack contains a summary dashboard of the financial indicators and an executive summary explaining the financial performance of Parks and Leisure Committee in the context of the financial performance of the overall council. It also provides a more detailed explanation of each of the relevant indicators covering the year to date and the year end forecast position.

The style and layout reflect much of the discussion and feedback arising from the members' financial training at the end of September 2010. As we previously advised the committee, we will continue to develop the style and contents of the reports in liaison with members.

Central finance and our departmental management team have worked together to develop the information within this financial reporting pack.

2. **Key issues**

**Final year-end financial position 2011/12**

The year-end performance of the Parks and Leisure department is a 0.1% variance against total budget; i.e.; an over spend of £33k.

There are a number of key reasons for this position as follows:

The direct employee budget is showing a 1% overspend at year end the same as reported in quarter 3. Committee will be aware of the ongoing service reviews within the Department and recommendations will be provided to committee over the next number of months to finalise the structures. Measures regarding overtime and agency staff are currently being implemented to reduce expenditure in these areas.

Utilities costs for the department were overspent by 18%. Leisure was £250k over in water and electricity costs specifically and there have been ongoing issues with the combined heat and power units at the number of centres which has increased the consumption of electricity. This is being addressed with the Property and Projects Department. Parks were £179k over spent on utilities specifically water charges. The borehole at the Zoo has finally been re-connected which means that the water supply at the zoo can be fully provided without a requirement to connect to the mains supply and this accounts for £78k of the overspend. These budgets have been increased for 2012/13 but due to the level of increases being experienced this may still be an issue for the department going forward.

Compensation claims were overspent by £62k in Leisure and £304k in Parks & Cemeteries. The department has been working closely with Legal Services to improve the reporting and inspection processes around these. However the majority of these claims are historical and take time to settle.

Directorate support was under spent due to delays in marketing and promotions activities due largely to the review of the leisure membership scheme. However the department has now agreed a marketing plan for the year ahead for the new scheme.

Income from Leisure Centres has improved from quarter 3 and has exceeded its target by £10k. However two of the centres had planned to close for repairs in 2011-12 and their income targets were reduced to reflect this. The maintenance plans were delayed and the centres did not close. As discussed above; extensive marketing plans have been developed to promote the new leisure membership scheme and retain existing members.

Income from fees and charges at Malone house was down £10k and Belfast Castle £36K against budget which was an improvement on Quarter three for Malone House. Although the fees and charges for events have dropped the income from the franchise agreements is improving. Both sites have also had a tighter control on their expenditure to reduce the impact on the overall subsidy of the facilities.

Zoo income was down £150k against the expected income at year end as reported in quarter three. This was largely due to a reduction in visitor numbers and poor weather over the summer. This included income from the shop however expenditure in shop supplies has also reduced to balance this issue.

Income from Fees & Charges for Parks and Open Spaces was up by 13% or £267k due to price increases not reflected in budgets and increased usage.

Income from fees and charges for Cremations was up by (8%) £88k on budget and burials were on target against budget.

The financial reporting pack contains more detail on both the overall council position and the financial performance in each of the Services within the Department.

3. **Resource Implications**

There was an over spend of £33k for the financial year ending 31st March 2012.

4. **Equality and Good Relations Implications**

None.

5. **Recommendations**

Members are recommended to note the above report and associated financial reporting pack.”

After discussion, the Committee noted the information which had been provided.

**Parks Events Small Grants Scheme**

The Committee noted that, in accordance with the authority delegated to him, the Director of Parks and Leisure had approved the undernoted schedule in relation to small grants which had been awarded under the Parks Events Grants Scheme:

**This page can be viewed in the Report Pack on [Modern.gov](http://Modern.gov)**

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### **Support for Sport Development Grants**

(Ms. C. Moraghan, Sports Development Officer, attended in connection with this Item.)

The Committee noted a schedule of support for sport applications in relation to development grants and hospitality applications which had been approved by the Director of Parks and Leisure in accordance with the authority delegated to him.

### **Departmental Plan 2011/2012 - Year End Update**

The Committee noted the contents of a report in relation to the year-end review of the 2011/2012 Departmental Plan.

### **Draft Playing Pitches Strategy**

The Committee considered the undernoted report:

#### **“1. Relevant Background Information**

**Members will be aware that the Playing Pitches strategy, its recommendations and actions plans were agreed by Committee through a number of its meetings during 2011 and 2012.**

**Since then officers across the Council have been working to implement the playing pitches strategy, a key element of the Council’s investment programme and its associated action plan. Members recently requested more regular updates on ongoing progress.**

**The purpose of this report is to outline for Members the progress to date on the different elements of the action plans and to present, for review and approval a draft application process for the £750K for Schools fund, which was agreed as a key sub-objective of the Capital Investment strand of the strategy.**

#### **2. Key Issues**

**Within the playing pitches strategy there are three objectives:**

- **Capital Investment**
- **Management**
- **Sport Development**

**Various activities are taking place under each objective and these include the following:**



### **Capital Development – 3G pitches and changing facilities**

Planning and discussions around the physical development and specific locations of the new pitches and changing facilities are progressing. The implementation programme and progress reports will be reported to both Parks and Leisure and Strategic Policy and resources Committee as part of the Investment Programme updates.

### **Review of Facility Management Arrangements (FMAs)**

A review of FMAs has been ongoing and Members were briefed on the work to date earlier this year. The proposed future partnership arrangements framework and policy will be the subject of a separate report to the Committee meeting in September.

### **Sports development activities**

A range of activities are taking place to promote pitch supports among underrepresented groups including females and people with a disability. These include supporting clubs through Clubmark and Support for Sport. Among the grants awarded was one to Belfast Deaf United (association football). Clubs also have an ongoing opportunity to provide their view through the Sports Forum. We are also partnering with governing bodies and Sport NI to host participation events aimed at underrepresented groups including females.

### **Allocation of £750k fund for school pitches**

Members will be aware that they have previously agreed to the allocation of £750,000, from the total £10million allocation, to a fund for capital enhancements to playing pitches owned by schools. The purpose of the capital enhancement is to allow greater community access to the pitches, for example the installation of flood lighting to allow the pitch to be used by the local community in the evenings. Any application to the fund would have to demonstrate that the capital enhancement would increase wider community usage of the playing pitch.

Officers from the department have worked with colleagues from Legal Services to develop an information and guidance pack for applicants. The document outlines information on project eligibility, the process for application and assessment of applications.

The fund is open to any school which is based within the Belfast City Council area and primary, second level and special needs schools from any of the sectors (controlled, maintained, voluntary or integrated) will be eligible to apply.

The application can be for a capital enhancement on a grass or synthetic pitch that is used for at least one of the following sporting codes:

- Association football (soccer)
- Gaelic games – football and hurling
- Camogie
- Rugby
- Cricket
- Hockey

Section 3 of the information and guidance pack outlines what we consider to be a capital enhancement and what will not be eligible for support.

Due to there being a limited amount of money available and based on practice elsewhere, it is suggested that there will be a minimum award of £25,000 and a maximum award of £75,000. The Council will fund up to 100% of the construction costs, up to a maximum of £75,000, although design costs will not be eligible.

To assess the applications that are submitted we are suggesting the use of a matrix which is included as appendix 1 of the information and guidance pack for applicants. The proposed criteria are:

- Participation – type
- Participation – increase in usage additional to school use
- Funding (secured and anticipated)
- Access to pitch
- Access to ancillary facilities

The Director has had an initial conversation with the Department of Education and they have indicated that they are willing to participate in the process of assessing applications. A meeting is currently being organised to discuss this in detail and to put the necessary arrangements in place.

The timescale for the process is outlined in section 7 of the information and guidance pack and it is proposed that the application process opens on the 03 September and closes on the 07 December 2012.

3. **Resource Implications**

**Financial**

£10 million has been allocated in the capital programme for the implementation of the playing pitches strategy in the period 2011-2014.

**Human Resources**

No additional human resources known at this time.

**Asset and other Implications**

None at this stage although the implementation of the strategy will have implications on the number and type of playing pitches provided by the council.

4. **Equality and good relations implications**

Policy Arc Ltd was appointed to externally verify the equality dimensions to the development of the strategy which has been subject to an EQIA. The full EQIA can be downloaded from the Council's website.

5. **Recommendations**

The Committee is asked to;-

- (i) note the update on the work taking place to implement the Playing Pitches Strategy;
- (ii) review and agree the draft process for the allocation of the £750k fund for capital enhancements to school pitches."

The Committee adopted the recommendations.

**Growing Communities - Conservation Volunteers Request**

The Committee considered the undernoted report:

**“1 Relevant Background Information**

The purpose of this report is to update Members on ongoing facilitation work by the Conservation Volunteers (TCV) at a number of Parks and Leisure sites and to consider a request by TCV to have use of the Ormeau Park on Sunday 7 October 2012 for their ‘Big Green Weekend’.

As members will be aware, the Council now operates community gardens at Suffolk, Lenadoon, Glenbank and Musgrave Park and is developing further gardens at sites across the City, including Finlay Park, Wedderburn Park, Knocknagoney and Falls Park. The Council also hosts various projects operated by community organisations, including community gardens at Grove Park, Waterworks Park and Ballysillan.

Following the launch for public consultation of the draft ‘Growing Communities’ strategy in June, developed by the Council in partnership with Belfast Healthy Cities, the Public Health Agency and Belfast Health Development Unit, it is expected that the Council will develop and support more community gardens across the City in the future.

Since 2010, The Conservation Volunteers (TCV), GROW and Larne Lough Nurseries have worked with the Council, undertaking environmental improvement and community facilitation work in a number of the aforementioned community gardens, either directly funded by the Council or through partner agreements. At the February 2012 meeting of the Parks and Leisure Committee, Members approved additional, interim financial support for these organisations to cover the period April to June 2012, pending implementation of an agreed longer-term approach to provision of these services.

**2 Key Issues**

TCV are a not for profit organisation, established in Northern Ireland in 1983, delivering a range of environmental improvement activities involving the local community. TCV have worked with the Council on various projects in recent years, and are currently an active member of the Steering Group for the development and implementation of the Growing Communities Strategy.

Under the arrangement outlined in paragraph 1.3, TCV manage community garden projects at Ballysillan, Glenbank and Musgrave, developing the gardens with the local community, and delivering health and social wellbeing and active citizenship activities, as well as accredited training.

In order to maintain current levels of activity and community involvement at these sites from July to the end of the current growing season in October 2012, The Conservation Volunteers have requested further funding for this year up to a total of £8,100. Approval for funding facilitation around all of our 'growing' activities was granted by Committee at its meeting in December 2011, up to a total of 24,360 (for non-Peace funded activities) and this £8,100 is included within that total amount agreed.

For those projects where TCV are involved this would be broken down as follows:

- Ballysillan – one day per week
- Musgrave – one half day per week plus one Saturday per month
- Glenbank – one half day per week plus one Saturday per month

TCV propose to match the funding provided by the Council, by adding additional sessions / days' at each site. The activities to be delivered include, in summary, the following:

- Site maintenance and development;
- Community engagement;
- Grow Your Own training;
- Healthy cooking demonstrations;
- Hosting events to raise the profile of the site and volunteering;
- The involvement of schools; and
- Monitoring and evaluation of all activities.

All of the facilitation support which the Council has engaged to date has been in order to meet an immediate requirement to ensure continuity of activities in the community gardens which we would otherwise not be possible to achieve through current Council resources.

Following the launch of the draft strategy to consultation, it is timely to review the requirements for ongoing provision of community facilitation in Council community gardens, in order to identify an approach for securing a facilitation partner or consortium of partners on a longer-term basis.

To this end we would propose to develop a tender for community facilitation for growing activities for a three year period, to commence from January 2013. The department will ensure appropriate contract management processes are in place and that, as per our normal processes, the tender will be evaluated on both cost and quality and will be awarded to the most economically advantageous tender.

### **3 Resource Implications**

#### **Financial**

It is proposed that the value of the contract for three years would be £90,000. If approval is granted, allowance for this work can be made in the forthcoming estimates period (although some spend will be required between Jan-March 2013). All of this type of work is an ongoing area of growth for the Parks and Leisure Department.

#### **Human Resources**

Officer time is required on an ongoing basis to manage the facilitation partners and their requirements.

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

All of the ongoing development of community gardens across the city are enhancing existing Council (and non-Council) assets and helping to bring residents and local communities into our facilities to engage in healthy activities in their localities.

### **4 Equality Implications**

None at this stage.

### **5 Recommendations**

Members are asked to note the ongoing partnership working with TCV and to:-

- (i) approve TCV's request for the use of Ormeau Park on Sunday 7 October 2012 for their 'Big Green Weekend';
- (ii) approve that officers develop the specification and tender for facilitation of growing activities for a period of 3 years, to the value of £90K
- (iii) and authorise the Director, under the Scheme of Delegation, to award the successful tender."

The Committee adopted the recommendations.

#### **Departmental Improvement Programme - Operations Reviews**

The Committee agreed to defer consideration of a report in relation to operational reviews within the Parks and Leisure Department to enable any Member who so wished to be briefed by the Director.

#### **Green Flag Awards**

The Committee was reminded that the Green Flag Awards had been established during 1996 and were managed by the Keep Britain Tidy, the British Trust for Conservation Volunteers and the Green Spaces organisations. The Assistant Director reported that, during 2009, the Parks and Leisure Department had achieved its first Green Flag Award for the Cave Hill Country Park, and subsequently, had gained the awards for the Barnett Demesne, Botanic Gardens, the Falls, Musgrave and Ormeau Parks and the Roselawn Cemetery. She advised the Committee that, at its meeting on 11th August, 2011, it had agreed that a further three sites be identified to be put forward for the 2012 assessment round. Those sites had included the Belmont Park, the Sir Thomas and Lady Dixon Park and the Waterworks Park.

The Assistant Director pointed out that the external assessment had been completed and that the Department had retained the Green Flag Awards previously held and had achieved the standard for the above-mentioned three new sites. She stated that the Green Flag Award was a standard for quality management and, in particular, community engagement, with significant emphasis being placed on the stakeholders experience and involvement in the development and improvement of sites. Management and staff had worked with local communities to ascertain their needs and priorities to apply the standards to the three sites. The Council now held ten of the fifteen awards held throughout Northern Ireland and considerable sustained effort, as well as on-going development activities with local communities, was required to ensure that the awards standards were maintained. The estimated cost for submitting two additional sites in the 2013 assessment rounds would cost approximately £1,600, provision for which had been made within the Department's improvement budget.

After discussion, the Committee agreed that two additional sites be put forward for accreditation during 2013 and congratulated and thanked those officers within the Parks and Leisure Department for their work and efforts in maintaining and achieving such prestigious Awards.

### **City Cemetery Improvement Programme**

The Committee considered the undernoted report:

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

Concern was expressed by Committee about the maintenance of the City Cemetery. At the June 2012 Committee. Committee asked for a programme of maintenance to deal with any invasive species, reduce the amount of weeds within the edges and surrounds of the city cemetery and to ensure a regular programme of grass cutting continues throughout the rest of the grass cutting season.

#### **2 Key Issues**

During the late spring and summer of 2012 the Cemetery experienced significant amounts of rainfall over a prolonged period. The cemetery relies on a programme of regular chemical weed control in order to maintain the 92,251 linear metres of edging contained within the cemetery. The sustained rainfall has significantly reduced the quality of the impact of the weed control chemical due to the requirement to have four hours of dry weather after application and many areas of the cemetery have required a second and third application of weed control to eliminate weeds.

This is not unique to the City Cemetery as large parts of the City are also experiencing the same problem of prolonged inclement weather with many roads and footpaths showing signs of significant weed growth. In addition the warm and wet weather has provided ideal growing conditions for weed and grass to grow. Grass cutting machinery has struggled in the wet conditions to maintain the 219,598m<sup>2</sup> of grass cutting within the cemetery and while grass cutting has been maintained to an acceptable level there have been large areas of grass cutting that have been left with unsightly markings on the grass due to the wet conditions. Concern was expressed during late May about the amount of weeds surrounding the edges of graves and a decision was made to use two seasonal staff with a specific task to mechanically strim the edges of graves instead of cutting grass. This has been continuous since June 2012 and will continue for the rest of the grass



growing period. Significant areas of the 92,251 linear meters of edging have been strimmed and as stated this will continue for the rest of the growing season as long term weather predictions indicate August will continue to be wet with prolonged spells of rainfall thereby reducing further options to apply chemical weed control.

**Interim Action Plan July – October 2012**

- Contractors have been employed to eliminate invasive weed species dependent on suitable weather conditions.
- Two staff have been allocated to continue strimming of edges of graves and surrounds until weather conditions improve to allow chemical weed control.
- The cemetery has been divided into areas with 11 staff allocated areas to maintain a regular grass cutting programme.
- Implementation of additional signage within City Cemetery is being progressed with Facilities Management Unit.
- The Monumental Safety Programme will be reviewed and recommendations brought forward upon completion of the review.
- Liaison with Commonwealth War Graves will continue throughout the next 12 months regarding improvements to the war graves within the Cemetery.
- Work has been ongoing as part of the development of a Falls Park and City Cemetery Masterplan which was reported to Committee in April 2012. A number of improvements are being considered for example:
  - Development of Allotments
  - Provision of adequate accommodation to replace existing staff facilities and service yard is being progressed.
  - Provision of a decorative mural on cemetery wall.

- **Specific proposals will be brought to a future Committee as part of the Falls Park and City Cemetery Development Plan.**
- **Concern has also been raised about the condition of the Blitz War Memorial at the City Cemetery. It has been established that this does not come under the remit of the Commonwealth War Graves Commission and will need to be funded from existing maintenance budgets. A plan for refurbishment of the memorial is being developed.**
- **A mural project has been proposed and developed to a point where costs have been estimated at £6,500. Appendix 1 provides an artist's impression of the wall. Design suggestions include covering the wall with a stained glass window style design using vibrant colours and incorporating images of a secular nature connected and respectful to the environment. It is proposed the projects will facilitate the involvement of local groups and community organisations and ensure the production of high quality professional artwork.**

**3 Resource Implications**

**There are no additional resource implications for maintenance being carried out at present as this work is included within the existing budget for City Cemetery.**

**It is proposed that the cost of the mural is also funded from existing departmental budgets.**

**4 Equality and Good Relations Implications**

**None.**

**5 Recommendations**

**Committee is asked to note the contents of the report."**

In response to Members' questions, the Director reported that all sections of the community would be involved in the development of the proposed mural at the site. In addition, he stated, in order to progress a future vision for the cemetery and improve the standards of routine maintenance and ascertain the potential for inclusion within the Council's Improvement programme, that a report would be submitted for the Committee's consideration at a future meeting.

The Committee noted the Director's comments and the contents of the report.

### Upgrade of Pitches to Intermediate League Level

The Committee considered the undernoted report:

**“1     Relevant Background Information**

Members are aware of the recently developed playing pitches strategy and that as part of this a number of decisions have been made by Committee and that £10 million has been allocated in the capital programme for the implementation of the playing pitches strategy in the period 2011-2014.

In addition to these requirements a number of football clubs have made council aware of their requirement to play at intermediate league level and the existing lack of facilities. Discussions have been held with IFA regarding the current position of Belfast clubs and the Intermediate League. Therefore consideration is being given to upgrading three additional pitches so that they meet the IFA's intermediate League ground criteria.

The first pitch is the third generation (3G) FIFA-endorsed rubber crumb pitch, at Olympia and the durability of the surface means that matches can be played concurrently one after the other and could provide a solution to all those matches that are postponed during wet weather. Numerous clubs and organisations avail of the 3G facilities at Olympia but none of these are Irish Football Association (IFA) Intermediate League teams as the facilities currently do not satisfy all of the IFA Intermediate League criteria.

The second location is Clarendon Playing fields and the third location is Dixon Playing fields.

It is proposed that the specification for Clarendon and Dixon Playing Fields is worked up and ready for implementation should funding becoming available.

Currently no provision has been made for these upgrades in departmental budgets.

**2     Key Issues**

An inspection of all three locations was carried out recently by the IFA and highlighted several non compliances relating to the Intermediate League ground criteria.

### Olympia

The 3G pitch/facility meets the majority of the IFA's criteria but a barrier with a minimum height of 1.0m is required to safeguard the access from changing facility to the playing area of players and officials.

### Clarendon and Dixon Playing Fields

Several actions will be required to be undertaken at both locations including the erection of perimeter fencing and a barrier with a minimum height of 1.0m to safeguard the access from changing facility to the playing area of players and officials.

Work will have to be carried out at all three sites to ensure that the grounds meet the 'access to pitch for players and officials' and other criteria. Officers have liaised with building control, health and safety and the Council's approved fencing supplier and have developed a suitable proposal to meet all of the IFA's criteria for the three sites.

Clubs must provide written confirmation from the Council that they have sole control of the ground and its environs on match days, and that only a referees inspection can be used to declare the pitch unplayable. Clubs, where appropriate will be required to block book facilities. It is envisaged that the expression of interest process will be conducted annually.

The Olympia pitch has the potential to accommodate more than one club and should this project be taken forward it would be the intention to invite expressions of interest for the block booking of the pitch for use in the intermediate year. It is envisaged that the expression of interest process will be conducted annually.

Both Clarendon and Dixon Playing Fields are currently managed under a facility management agreement (FMA). Members will be aware that FMAs are currently under review and will be considered by Committee in September. It is likely that this will lead to a change to the current approach but is unlikely to have any immediate impact on clubs using these facilities.

To maximise any future investment in Clarendon and Dixon Playing Fields it would be necessary to have more than one club make use of the intermediate league facilities. It is

therefore proposed to initiate discussions with the clubs involved regarding potential around sharing arrangements. Any such arrangement would also have to be subject to an expressions of interest process

### **3 Resource Implications**

#### **Financial**

The estimated value of services for the upgrade work at each site is:

- Olympia –£8,000 (this can be accommodated in the 2012/13 maintenance budget)
- Clarendon Playing Fields –£35k to £40k  
Dixon Playing Fields –£35k to £40k

There is currently no provision in existing budgets for the works at Clarendon and Dixon Playing Fields.

#### **Human Resources**

There are no additional human resource implications

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

The proposal would increase the number of weekday bookings on the 3G pitch at Olympia as the successful club will require at least one additional training session per week.

### **4 Equality and Good Relations Considerations**

The processes proposed in this report will be subject to the Council's existing equality screening process;

### **5 Recommendations**

It is recommended that Committee give approval for:

- The proposed works at Olympia Leisure Centre being completed in the current financial year.
- Subject to IFA approval, an expression of interest process be initiated for the block booking of the pitch at Olympia for the current season.
- The works at Clarendon and Dixon be prioritised should funding become available subject to discussions being undertaken with the FMA holders regarding ground sharing arrangements.

- **A further report be presented to Committee in due course on progress with this initiative.”**

After discussion, it was

Moved by Alderman Humphrey,  
Seconded by Councillor A. Newton

That the Committee agrees that the proposed works be carried out at the Clarendon Playing Fields, the Dixon Playing Fields and the Olympia Leisure Centre.

#### **Amendment**

Proposed by Councillor Mallon,  
Seconded by Councillor Mullan,

That the Committee agrees that the proposed works be carried out at the Clarendon Playing Fields, the Dixon Playing Fields and the Olympia Leisure Centre and explores within the context of the Playing Pitches Strategy the possibility of bringing the second pitch at the Clarendon Playing Fields up to intermediate level standard.

On a vote by show of hands eight Members voted for the amendment and seven against and it was accordingly declared carried.

The amendment was thereupon put as the substantive motion when eight Members voted for and seven against and it was accordingly declared carried.

#### **Replacement of Cremators at Roselawn Crematorium**

The Committee considered the undernoted report:

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

**The Committee is reminded that at its meeting in June 2008 it received a report outlining that new legislation would require that UK based crematoria remove mercury emissions from the flue gases of at least 50% of all their cremations. This work is to be completed by the end of 2012. At the meeting the Committee had agreed to remove mercury emissions from 100% of its cremations and recommended that provision be made within the capital programme for this work.**

**Members are further reminded that at its meeting in August 2011 it received a report on the economic appraisal commissioned to identify the most economic and effective option. The EA concluded that the provision of three new cremators represented the most cost effective option.**

Following on from this decision a tender process was initiated. This process has been completed and the tender has been awarded to Facultatieve Technologies, which is a leading international companies in the design, construction and maintenance of cremators. The Company has a UK Office located in Leeds and representatives from it have met with Belfast City Council staff during the summer to plan the works schedule.

Members will recall that Environmental legislation from the European Parliament requires that the mercury abatement equipment be installed by 31 December 2012, with a minimum of 50% of all their cremations being abated or arrange for burden sharing with other crematoria.

Owing to delays in the tender process coupled with the decision to undertake 100% abatement means that the Council will be unable to meet the deadline of 31 December 2012. However, Officers have been in contact with Castlereagh Borough Council, the compliance authority, to discuss the implementation plan and have reached an agreement on the phasing of the installation.

The four existing cremators will be replaced by three large cremators. The installation programme will be phased over several months from September 2012 – April 2013 to ensure that at least one cremator will be operational at all times. Disruption therefore will be kept to a minimum and Facultatieve Technology is aware that any noise nuisance during construction work must be restricted to out of hours to avoid Service times. Consequently, the installation work will largely take place in the evening and overnight.

## **2 Key Issues**

The Key issue for the Committee to consider is the potential impact of this work on the Service. This is highly sensitive and there is a determination to minimise the impact of this necessary work on the public.

From a technical perspective we are satisfied that we have reached an understanding with the contractor on the issue of installation and that there will be minimal disruption to the public in terms of noise and inconvenience.

A critical issue will be the capacity at a time of year when there has traditionally been an increase in the number of cremations. Discussions are currently ongoing with the contractor to review the programme to ensure that we have optimum capacity throughout the installation works.

Officers will be developing an effective communication plan involving key stakeholders such as Funeral Directors to manage the service delivery during this period.

**3 Resource Implications**

**Financial**

There are no additional financial implications at this time.

**Human Resources**

There are no additional human resource implications.

**Asset and Other Implications**

The provision of the new cremators will ensure that the Council meets its legislative obligations and will provide a high quality cremation service for the city and the wider region.

**4 Equality and Good Relations Considerations**

There are no equality implications.

**5 Recommendations**

**The Committee is asked to note the report at this time.”**

A discussion ensued, during which a Member expressed concern that the use of only three cremators would have a detrimental impact on cremation services at the facility. In addition, several Members expressed concern in relation to the maintenance of the facility. In response, the Assistant Director pointed out that the Economic Assessment had indicated that the installation of three new cremators would allow for the crematorium to deal with any potential increase in demand and allow for routine maintenance.

After discussion, the Committee noted the contents of the report and agreed that a report be submitted to a future meeting in relation to the possible measures which could be taken to improve the condition of the crematorium building.



### **Belfast Play Forum Lease**

The Committee was reminded that, at its meeting on 6th December, it had considered a report which had outlined a proposal from the North Belfast Play Forum to replace the existing polymeric surface at the Multi-Use Games Area in the Waterworks Park with a third generation pitch. Accordingly, the Committee had agreed to support the project in the sum of £10,000, subject to the successful award of grant-funding from BIFFA.

The Assistant Director reported that correspondence had been received from BIFFA which was now seeking a contribution of £5,102.04 from the Council and that that amount was less than the anticipated £10,000. In addition, the correspondence had indicated that three quotations would be required to satisfy BIFFA's procurement guidelines. She pointed out that, at the time of the previous report, no terms and conditions relating to procurement practice had been available. However, the Council's procurement guidelines required that, in the event of a Council-led procurement exercise, a tender process be undertaken for expenditure in excess of £30,000 and that tenders be sought from four potential suppliers. In this instance, the procurement would be undertaken by the North Belfast Play Forum and it was proposed that, as the Council's contribution was under £30,000, it concurred with the requirements of the main funding body.

She drew the Committee's attention to the fact that, in order to ensure that the facility was sustained for the purpose of the grant and used as a sporting facility, a fifteen year lease would be required. There was an existing management agreement in place between the Council and the Play Forum and, within that agreement, maintenance and management responsibilities had been divided between the two parties and, in order to support the Play Forum, the Council made an annual contribution of £12,000 towards its running costs.

The Assistant Director stated that, due to the fact that there was an on-going review of facilities and management agreements, the current lease with the Play Forum ran from month to month. Officers were seeking to regularise the situation and a report in this regard would be submitted for the Committee's consideration in due course. She pointed out that, under revised proposals, facilities management agreements would be replaced with operational maintenance and bookings in-house. Therefore, no fees would be paid to agreement holders and income generated from the use of such facilities would revert back to the Council. However, discussions with representatives of the Play Forum had indicated that the retention of its income would be vital to the delivery of the programme and that, whilst they appreciated the support which had been received from the Council in the past and the positive working relationship which had been developed, they were of the view that the lease option represented the best way forward. The Forum had requested that the Committee be made aware that, whilst the income potential from the third generation surface might be greater than that gained from the current facility, it would require additional effort and staff and had requested that the Committee note that the loss of the annual fee would place a further strain on the Forum. The Assistant Director stated that a move from a management agreement to a lease would result in a saving to the Council of approximately £12,000 and that BIFFA were providing approximately £50,000 to the Forum. Accordingly, she recommended that the Committee:

- (i) authorise the payment of £5,102.04 to the North Belfast Forum in respect of the replacement of the polymeric surface with a third generation surface; and
- (ii) agree, in order to meet the terms and conditions of BIFFA, to lease the site to the North Belfast Play Forum for a maximum period of 15 years, subject to approval, in accordance with Standing Order 60, of the Strategic Policy and Resources Committee and the completion of an appropriate legal agreement.

The Committee adopted the recommendations.

**Shore Road Playing Fields/Community Capital Programme**

The Committee considered the undernoted report:

**“1 Relevant Background Information**

The Committee is reminded that at its meeting in February 2012 it received a report regarding an application for funding to the Sport NI Community Capital Programme. The report outlined a proposal from Grove United FC to upgrade one of the existing grass pitches at Shore Road Playing Fields to 3G. This work would in part be undertaken with funding from Sport NI.

The Club had asked the Council to provide the necessary security of tenure required to draw down the funding from Sport NI, estimated to be in the region of £245,000. The report highlighted a number of matters that required clarification.

In the interim period, Officers have met with representatives from Grove United and from Malachians to discuss the issues previously identified in the February report. The current position is as follows:

1. An application has now been made to the Planning Service, a decision is pending;
2. The issue of funding remains uncertain, although the club has been awarded a conditional offer of £100,000 under the Local Investment Fund; as part of the Council's Investment Programme.

Security of tenure of remains outstanding, however, agreement has been reached with the Club to enter into a lease agreement rather than a facilities management agreement.

It has also been agreed that, at this time the boundary for the agreement be restricted to the existing grass area immediately adjacent to the Tabernacle Church.

## **2 Key Issues**

The main issue for the Committee to focus on at this time is the security of tenure. As Members may recall from previous discussions, Sport NI requires an appropriate legal agreement to ensure that the facility will continue to function as a sports pitch for a period of ten years from completion of the works. In line with the approach taken with other applications made under the Community Capital Programme it is proposed that the Council enter into a lease agreement for a period of ten years from completion of the works. In addition, Sport NI require a Deed of Dedication. The Committee is reminded that the Deed of Dedication would require the Council to take over responsibility for maintaining, operating and (if necessary) replacing or renewing the facility if the grant recipient is unable to do so at any time during the ten years. Should the Council chose not to maintain, operate, or replace the facility, SNI could seek repayment of part of the grant funding (based on a sliding scale over the ten year period).

Similar agreements have been entered into in respect of applications relating to other Council sites under the Community Capital Programme.

## **3 Resource Implications**

### **Financial**

There are no additional financial implications, however, there is the potential for a request for financial assistance to meet all or part of the short fall in funding.

### **Human Resources**

There are no additional human resource implications; work is being progressed within existing resources.

### **Asset and Other Implications**

The provision of a third generation synthetic surface would enable the facility to increase use and help address short fall in provision. It would support the development of programmes to support initiatives around health and well being; community safety and the creation of shared spaces. At present, the grass only facility restricts the ability to generate programmes.

**4 Equality and Good Relations Considerations**

There are no equality considerations. The creation of a synthetic pitch to replace the grass pitch would support Good Relations initiatives in the area through increased access to the facility.

**5 Recommendations**

It is recommended that the Committee:

1. Note the report; and
2. Agree to enter into an appropriate ten year lease agreement with Grove United and Malachians and associated ten year Deed of dedication with Sport NI subject to approval from Strategic Policy & Resources in line with Standing Order 60 and subject to:
  - The applicants receiving the necessary statutory approvals;
  - The clubs securing the necessary funding;
  - The lease containing appropriate clauses which will ensure that the facility will help support and contribute to the Council's wider strategic outcomes;
  - The legal framework will making provision relating to the
  - maintenance programme for the upkeep of the pitch and will provide for a capital replacement fund to meet the cost of replacement of capital items during the term of the agreement.”

The Committee adopted the recommendations.

**Northern Ireland Tourist Board's Tourism Development Scheme –  
Belfast Zoo Playground**

The Committee considered the undernoted report:

**“1 Relevant Background Information**

The Tourism Development Scheme (TDS) is the programme devised by Northern Ireland Tourist Board (NITB) to allocate capital funds made available from the Executive Budget to tourism related capital projects. The TDS is a competitive process and requires applicants to make bids for funding from the scheme.

Members will recall that a successful application to this fund for £250,000 grant support in 2006 culminated in the building of the new entrance, visitor centre and shop facility at the zoo in 2008.

The NITB TDS for 2011-2013 was launched at the end of November 2011. An application to the NITB TDS was made in January 2012 for a 50% contribution from the scheme towards a new playground for the zoo.

Members will recall the Parks and Leisure Committee report of 12 August 2010 regarding the Parks Playground Improvement Programme. The report highlighted the poor condition of the zoo's playground, which needed a wider range of play activities to reflect the visitor numbers, and recommended: 'The Zoo is a major tourist and visitor attraction and should provide a play area consistent with its status as a major attraction. It is therefore proposed that a major redesign of the Zoo play area be undertaken and that it be put forward for inclusion in the capital programme.'

During 2011, staff from the Parks Landscape Planning and Development department designed a new scheme for a proposed playground at the zoo. The plan presents an enhanced facility, which will better cope with increased visitor numbers now attending the zoo, provide a wider range of play equipment suitable for a variety of ages and abilities, and which creates better links and learning opportunities between play and the key themes of the zoo, i.e. animals, habitats and biodiversity.

At its meeting on 12 January 2012, the Parks and Leisure Committee agreed to support the application to the NITB TDS for an enhanced playground facility at the subject to agreement on funding by Strategic Policy and Resources Committee. Further, the Committee agreed that any commitment by the Council would be subject to the zoo project being awarded the TDS grant funding, and subject to further scrutiny depending on the success of 2 other Council applications for TDS funding.

Our application to the NITB TDS of January 2012 was not successful. However, the zoo was contacted in June 2012 by NITB to provide an update as the project had been placed on a reserve list, and more recently, in July 2012, we have been advised that the zoo's playground redevelopment project will now proceed to a full economic appraisal.

Part of this full economic appraisal includes the preparation of a full business plan for the project, and we have been asked to provide updates to information relating to matching finance.

## **2 Key Issues**

The zoo made an application to the NITB TDS 2011-2013, which was initially unsuccessful.

The TDS is a competitive process, and offers up to 50% grant funding for eligible projects.

The need for redevelopment of the playground at the zoo has been a priority since the Parks and Leisure Committee report of June 2010. A plan for a new playground was developed during 2011. The new scheme has a budget cost of £430,000.

In July 2012, the NITB advised that the Zoo's playground project is to be scrutinised by a full economic appraisal, and we have been asked to provide an update regarding matching finance.

## **3 Resource Implications**

Should the application to the NITB TDS for a 50% grant towards the cost of a new playground at the zoo be successful, it is anticipated that, with Members support, the remaining 50% costs (i.e. £215,000) for the project will be made via a financial contribution from the Council's capital programme subject to approval by the SP&R Committee.

Members will be aware that in September 2011, the Strategic Policy and Resources Committee agreed that the Council would make two other applications to the NITB TDS, for conference facilities at the Waterfront Hall and for the relocation of the Belfast Welcome Centre (BWC).

## **4 Equality and Good Relations Considerations**

The provision of an enhanced playground at the zoo will provide improved play facilities to a greater number of visitors, of a wider age and ability range than is currently available.

**5 Recommendations**

Members are asked to support the zoo's application to the NITB TDS for an enhanced playground facility at the zoo during the full economic appraisal phase of this application.

The Committee is asked to refer the project to the Strategic Policy and Resources Committee for inclusion in the Council's capital programme."

The Committee adopted the recommendation.

**Flooding at Orangefield Park**

The Committee considered the undernoted report:

**"1 Relevant Background Information**

Members will be aware of the heavy rain on the evening of Wednesday 27 June 2012 which caused severe flooding across the city. An initial report on the Council's response to the flooding was considered by the Health and Environmental Services Committee at its meeting on 1 August 2012.

Members will be aware that delivery of the Connswater Community Greenway (CCG) is a key project within the Investment Programme. This scheme involves the creation of a 16km walkway along the Knock, Loop and Connswater Rivers in East Belfast. This scheme also incorporates flood alleviation works. Funding of the scheme is provided by the Big Lottery, Belfast City Council, DSD and the Rivers Agency.

Orangefield Park, a street which runs adjacent to the Park itself has been badly affected by flooding on a number of occasions over the past five to six years and was once again badly affected during this recent episode.

The flood alleviation works planned for Orangefield Park as part of the CCG scheme will greatly reduce the risk of flooding to the houses in the vicinity. Members will be aware that the previous contract for the delivery of the project was mutually terminated earlier this year and that new contracts will be let for the completion of the scheme.

**2 Key Issues**

As a result of the extensive flooding in Orangefield and the ongoing risk to the houses in that vicinity the Rivers Agency and the Council are in discussion regarding a potential range of interim measures that might be taken to alleviate to some degree the risk in advance of the main scheme being delivered. These are likely to involve works in Orangefield Park including the possibility of removing a significant number of trees on the bank to the rear of the houses and the creation of a holding pond within the park.

All works that will be undertaken while disruptive in the first instant will assist in the delivery of the longer term CCG scheme.

Following the flooding in the city we are also currently reviewing our existing protocols for the clearance of gulleys within the Parks estate to ensure that surface water drainage systems operate to their maximum capacity in the event of any future incidents of heavy rain.

**3 Resource Implications**

At this time it is unclear what financial resources will be required to undertake these urgent interim works to Orangefield Park and what the Council's contribution to the costs will be. Work is underway to scope and cost the appropriate works and the Committee will be updated in due course.

Discussions with the Director of Finance and Resources have indicated that additional revenue funds would be made available to assist with the completion of the interim emergency measures.

**4 Equality and Good Relations Considerations**

None.

**5 Recommendations**

Committee are asked to authorise the Director of Parks and Leisure to undertake in conjunction with the Rivers Agency, interim flood alleviation works within Orangefield park subject to a full report being presented to the Parks and Leisure Committee in due course."

The Committee granted the authority sought and thanked staff for their efforts and work throughout the recent flooding.



**Maintenance Agreement for Pocket Park –  
380-390 Newtownards Road**

The Committee was advised that the East Belfast Partnership Board had requested that the Council, through the Parks and Leisure Department, undertake the maintenance of a proposed Pocket Park at 380-390 Newtownards Road. The Director stated that the project was part of a wider scheme of environmental improvements along the Newtownards Road and the Partnership had identified six derelict and unused sites within that area and was proposing that a small area of open space, appropriately landscaped with seeding and a small stage, be used for passive recreation and small scale events.

The Assistant Director reported that the site was owned, in part, by the Department for Regional Development Roads Service and the remainder of the site had been acquired by the East Belfast Partnership Board. She pointed out that funding for the project had been secured through the Alpha Programme which would be administered by Groundwork Northern Ireland and planning approval had been secured. Work was scheduled to commence during August with an anticipated completion date during October. The Roads Service had granted approval for the works and had agreed to make a maintenance contribution towards the upkeep of the grass area on the site. During preliminary discussions, officers had indicated that the Council could undertake the work within the context of an appropriate legal agreement, provided the costs were met by a third party, such as the Department for Regional Development. Officers had indicated that, as the land was not owned by the Council, it would be unable to meet the costs of the maintenance, therefore an agreement with the relevant landowner would be required.

The Assistant Director reported that legal advice had been obtained and it had been confirmed that the Council had the authority to enter into a legal agreement to undertake the work, providing the cost was incurred by the landowner. However, Legal Services had indicated also that, should an accident occur due to the Council's negligence in carrying out the maintenance function, it might be held liable and could incur damages. Legal Services had stressed that any policy shift in this direction should be undertaken with due diligence within the context of both the potential liability which could occur from injury on the site and the potential precedence set by taking on the responsibility. The Assistant Director stated that, owing to the short-time scales involved, discussions, without prejudice, were on-going with the Roads Service and the Partnership Board in relation to the detail of any proposed agreement and that those would require further discussion.

Accordingly, she recommended that Committee agreed to the Council undertaking the maintenance work in respect of the proposed Pocket Park at 380-390 Newtownards Road, subject to the completion an appropriate legal agreement.

The Committee adopted the recommendation.

### **Refurbishment of the Dunville and Woodvale Parks**

The Committee agreed to note the contents of report in relation to the progress achieved in respect of the proposals to refurbish the Dunville and Woodvale Parks.

### **Mary Peters' Track**

The Committee was reminded that, at its meeting on 15th September, 2011, it had requested that a monthly progress report be submitted in relation to the refurbishment of the Mary Peters' Track. The Director reported that steady progress continued to be made in relation to the upgrade of the facility. The earth work had been completed and the laying of the new track was scheduled to commence during August, subject to favourable weather conditions. Foundations had been laid also for the new spectators stand and the completion of the project remained on schedule for January, 2013.

The Director reported that, earlier this year, the Council had been approached on behalf of the Sculptor, Mr. John Sherlock, regarding the potential for a sculpture of Mary Peters at the Track as a means of recognising her achievement in the 1972 Munich Olympics to be recognised. In addition, he had indicated that he was prepared to 'gift' the original mould for the sculpture to the Council and would supervise and maintain, at no cost to the Council, all foundry work and cover his travel costs. The cost of casting the structure would be in the region of £8,000 - £10,000 and the cost of a suitable plinth to hold the sculpture would be approximately £10,000. It was proposed that, should the Committee agree to the erection of the sculpture, the cost be met from the existing capital budget, subject to the approval of the Strategic Policy and Resources Committee.

After discussion, during which the Director recommended that the Committee agree to the erection of the statue of Dame Mary Peters at the Track, the Committee adopted the recommendation, subject to the approval of the Strategic Policy and Resources Committee and costs not exceeding £20,000.

### **Friends of Grove Park - Four-Day Activity Programme**

The Committee was advised that the Friends of the Grove Park had contacted the Council to request support to hold a four-day activity programme at the Grove Park and the bowling pavilion during the period from 14th till 17th August. The Director reported that the Friends' Group had existed for the past five years and had been actively involved in working with the Council and a range of other organisations to develop the use of the site. The organisation had also been the catalyst behind the application to the Alpha Fund for £50,000, which had recently resulted in the development of the community garden to the rear of the bowling pavilion.

The Director reported that the Group had indicated that planned activities would be held in the newly opened community garden and the bowling pavilion and that activities would include 'Grow your Own' sessions, arts and crafts and dance workshops. The Group had partnered with Groundwork Northern Ireland and the Crescent Arts

Centre to deliver a four-day summer scheme and had worked previously with those organisations to deliver various projects, such as the community garden and the creation of a dance school. It was anticipated that the activities would run from 11.00 a.m. till 2.30 p.m. each day and would be available free of charge to children from the dance school and those adults attending the Grove Day Care Centre. The Group had requested free use of the park and bowling pavilion which would enable them to offer attendance free of charge. Volunteers from the Group had all been Access Northern Ireland verified and all activities delivered by Groundwork Northern Ireland and the Crescent Arts Centre would be risk assessed and both organisations would be responsible for their own insurance cover. The Friends Group had also obtained annual public liability insurance for the events at the Grove Park.

He stated that the bowling club and regular bowlers would need to share the space of the bowling pavilion for four days and that the programme of activities had been communicated to both clubs. Council officers were hoping to involve bowlers in “try it” sessions as part of the scheme, with the assistance of the Clarendon Bowling Club and the 58th Old Boys Bowling Club who played at the Grove bowling pavilion. The Group were made aware that, should the Committee refuse their request, it would be required to pay for the hire of facilities which would equate to approximately £216. The Director recommended that the Committee grant approval for the Friends of Grove Park to use the park and bowling pavilion during the period from 14th till 17th August free of charge.

The Committee adopted the recommendation.

### **Update on the Implementation of Dog Control Orders**

The Committee considered the undernoted report:

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

**Members are reminded that at its meeting in December 2011 an update was provided on the Clean Neighbourhood and Environment Act 2011 and the implications for the Parks and Leisure Department. The content of this report was also considered by the Health and Environmental Services Committee at its meeting on 1 August 2012.**

**The Clean Neighbourhoods and Environment Act (NI) 2011 strengthens the legislative powers available to district councils to deal more effectively with a range of local environmental quality problems, including dog fouling. The Act came into operation in April 2012.**

**Under part 5 of the Act (Dog Control), Councils may create up to 4 separate orders to help manage issues associated with dogs in their area. Dog Control Orders can be made in respect of any land in the district council area, subject to certain exemptions, and can relate to the following four matters:**

- (a) Dog Fouling (including determining levels of fines)
- (b) Requiring dogs to be kept on a lead in designated areas
- (c) Excluding dogs from designated areas and
- (d) Limiting the number of dogs a person can be in control of at any one time

At the Health and Environmental Services committee meeting in December 2011 a revised framework of Fixed Penalty Notices (FPNs) was agreed dealing with the full range of offences specified within the Clean Neighbourhoods Act. Under the section dealing with Dog Control Orders it was agreed that FPNs for offences arising under the 4 categories above should be set at £80 with a discount amount of £50 for prompt payment (within 10 days).

It was noted that offences under the Dog Control Orders contained within the Clean Neighbourhoods Act could only apply to specified areas of land that have been designated by Order of the Council. Until such an area(s) had been designated, dog fouling offences could only be dealt with by the issue of a £50 FPN under the current Litter (NI) Order 1994 regime.

In February 2012 the Health and Environmental Services committee further agreed that:

- (i) Implementation of actions relating to the new dog control powers would be undertaken on a phased basis.
- (ii) Initial activity would relate to section (a) of the Dog Control section of the Act (Fouling of Land by Dogs).
- (iii) Council would introduce a Dog Control Order whereby the entire area (to which the public has access) within the Council administrative boundary would be designated a Dog Control Area from September 2012.

A consultation exercise would be conducted to seek opinions from ratepayers and other interested parties regarding proposal (iii) above

## **2 Key Issues**

A consultation exercise commenced on 23 May which ran until 25 June. Notices (see appendix 1) were placed in all local daily and weekly community papers with communication supplemented by placing

- (i) A Public notice, map and details of the Order on the BCC website [www.belfastcity.gov.uk/dogfouling](http://www.belfastcity.gov.uk/dogfouling)
- (ii) A Public notice, map and details of the Order in City Hall

Comments were invited via email, in writing and via BCC social media channels.

Response levels to the exercise were extremely low. Four responses were forwarded by email and one comment received via the Council's social media network. Responses were unanimously supportive of the proposal to introduce a new Dog Control Order with one respondent taking an opportunity to criticise the Council for perceived inaction in relation to the problem of dog fouling in the city.

It is emphasised that this is an initial, though critically important, element of the Council's application of new dog control powers. Work is ongoing through the cross-departmental dog control officer group to devise further orders to address issues under the remaining 3 areas, [(b) to (d)], listed in paragraph 1.2. This will require additional consultation, changes to existing practices and procedures, the development of staff capacity and effective communication with the public on the implications of the new orders. A further report will be brought to both Health and Environmental Services and Parks and Leisure October Committee meetings outlining the proposals for the 3 remaining Dog Control Orders.

The Officer group established to plan and implement Dog Control Orders will also engage with the Dog Warden Service, Park Managers and Park Wardens to put measures in place to enforce the new order across the city.

### **3 Resource Implications**

Resources implications associated with the introduction of a new Dog Control Order can be met within existing budgets. Implementation of the orders impacts on the role of Park Rangers therefore education and enforcement of the orders is an integral part of the Park Warden pilot.

**4 Equality and Good Relations Considerations**

There are no Equality or Good Relations considerations associated with this report.

**5 Recommendations**

The Committee is asked to note

- (i) the results of the consultation exercise;
- (ii) that Belfast (areas to which the public have access) will be designated a Dog Control Area from September 2012; and
- (iii) that FPNs at the level agreed in December (£80, discounted to £50 for prompt payment) will be issued from 1 October following further public communication.”

The Committee adopted the recommendation.

**European Partnership on Sports –  
2012 Preparatory Action**

At the request of the Director, the Committee agreed to withdraw the above-mentioned report from the Agenda.

**European Heritage Open Day**

The Committee agreed to note the contents of a report in relation to the European Heritage Open Days which would be held during the period from 8th till 9th September and the Council's participation thereon.

**Proposed Community Funding Requirement - Grow**

The Committee considered the undernoted report:

**“1. Relevant Background Information**

Grow is a non- profit organisation which has a mission to build community partnerships by increasing and enhancing community gardening across Northern Ireland. Grow works to promote and support all aspects of community food and gardening to improve people's lives by providing a catalyst for neighbourhood and community development, stimulating social interaction, encouraging self-reliance, producing nutritious food, conserving resources and creating

opportunities for recreation, exercise, therapy and education. Independent evaluations have shown community gardens to be a very effective way of building community, sharing skills, transforming contested spaces and sharing space, particularly in traditionally divided communities.

The Council has an ongoing relationship with Grow and provides funding for the successful community gardens project at the Westlands end of the Waterworks Park.

In July last year Grow approached the Director of Parks and Leisure regarding an application to the Lottery for an Older people' growing project which involved programmes and the development of three new community gardens to support the project. The proposed community gardens are at sites in Camberwell Terrace Fold, Newington Day Centre and the Waterworks.

It was recognised at the time that this was a worthy project which the Council would be interested in. The Director wrote to the Director of Grow on 5 July 2011 and provided a letter of support to Grow to forward to the Lottery.

It was made clear at this time both in conversation and by letter that any financial commitment would be subject to a detailed assessment of the proposal and the subsequent agreement of the Parks and Leisure Committee.

2. Key Issues

The key issues for the Committee to note are:

- No proposal was submitted by Grow prior to the budget setting round for 2012/2013 and consequently no allowance has been made for it in the Department's Revenue Budget.
- In May 2012 Grow approached the Council seeking the match funding for the project and by that time the Council had agreed the approach to the Investment Strategy and had established the Area Working Group process. The bid document to the Lottery was provided by Grow at that time at the request to the Director.
- As part of this process the only projects that are now considered by the standing committees are revenue only projects or capital schemes on

- council land. These projects are referred to the Strategic Policy and Resources Committee for agreement or otherwise.
- In May 2012 Grow was directed to the Area Working Group process and the Local Investment Fund which seemed the most appropriate approach for the project given that it involves in addition to programme funding two capital developments on sites not owned by the Council.
- The information on the Area Working Group process was provided to Grow having taken advice from the Director of Finance and Resources. GROW were provided with details of the process and the time scales involved.
- Although Grow has been in contact with a number of elected members this project has not emerged from the Area Working Group process.
- Officers have been involved in discussions with other agencies such as the Northern Ireland Environment Agency (NIEA) in an effort to identify other revenue streams to support the project. These have been unsuccessful to date.
- The project requires the acquisition of Council land adjacent to the existing Grow garden. No formal request has been made regarding this.
- An assessment of the Lottery bid will be given by the Director to the meeting.

3. **Resource Implications**

**Finance**

The matched funding requirement is £36,000 i.e. is £12,000 per annum from year 2012/2013 to 2014/2015. Grow's bid to the Lottery is for £200k. £170k for revenue, £160k of which is for salaries, £24k for overheads and £4700 for capital Works.

**Human Resources**

No impact.



**Asset**

There is no impact as this project is not on Council property.

4. **Equality and good relations implications**

The project is aimed at engaging older people from all community backgrounds in healthy activity through getting involved in community gardens, healthy living and growing.

5. **Recommendations**

Committee is asked to consider this project and the request from Grow and give direction on the way forward.”

After a lengthy discussion, the Committee agreed not to accede to the request which had been received.

Chairman