

Document Pack

**Committee and Members' Services Section
Chief Executive's Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



14th September, 2009

MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE

Dear Councillor

The above-named Committee will meet in the The Lavery Room (Room G05), City Hall on Friday, 18th September, 2009 at 10.00 am, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully

PETER McNANEY

Chief Executive

AGENDA:

1. Routine Matters
 - (a) Apologies
2. Transition Committee Business
 - (a) Consultation on Local Government (Miscellaneous Provisions) Bill (To Follow)
 - (b) Consultation on Planning Reform (Pages 1 - 44)
3. Democratic Services and Governance
 - (a) Political Appointments to the District Policing Partnership Sub-Groups (Pages 45 - 46)
 - (b) Policy and Procedures for the Protection of Children and Vulnerable Adults - Training for Members (Pages 47 - 48)
 - (c) Requests for the Use of the City Hall and the Provision of Hospitality (Pages 49 - 52)

4. Finance

- (a) City Investment Framework (Pages 53 - 72)
- (b) Peace III Priority 2.1 (Pages 73 - 78)
- (c) Minutes of Meeting of Audit Panel of 2nd September (To Follow)
- (d) Authority to Seek Tenders (Pages 79 - 82)
- (e) Request for Funding - Be Your Best Foundation (Pages 83 - 88)

5. Human Resources

- (a) Standing Order 55 - Employment of Relatives (Pages 89 - 90)

6. Asset Management

- (a) Ormeau Business Park Lease - Gasworks Estate (Pages 91 - 100)
- (b) Connswater Community Greenway Update 1 (Pages 101 - 104)
- (c) Connswater Community Greenway Update 2 (Pages 105 - 110)
- (d) Suffolk Community Centre - Interactive Outdoor Play Area (Pages 111 - 114)

7. Good Relations and Equality

- (a) Minutes of Meeting of Good Relations Partnership of 11th September (To Follow)
- (b) Minutes of Meeting of Memorabilia Working Group of 15th September (To Follow)
- (c) Notice of Motion - Re Racist Attacks (Pages 115 - 116)

8. Cross-Cutting Issues

- (a) Consultation on the Use of Sustainable Drainage Systems within Northern Ireland (Pages 117 - 122)
- (b) Consultation on Draft Strategic Energy Framework for Northern Ireland (Pages 123 - 128)

**Belfast City Council**

Report to:	Strategic Policy & Resources Committee
Subject:	Planning Reform Consultation
Date:	18 th September 2009
Reporting Officer:	Gerry Millar, Director of Improvement
Contact Officer:	Kevin Heaney, Transition Manager Keith Sutherland, Planning & Transport Policy Manager

Relevant Background Information

Committee will recall that in July 2009, DoE, published “Reform of the Planning System in Northern Ireland” consultation paper which set out proposals to reform the planning system in Northern Ireland. In addition to the full consultation document Planning Service produced and executive summary outlining the main elements of the consultation which has been appended for information (**Appendix 2**).

The closing date for consultation responses to the Planning Reform consultation is 2nd October 2009. The purpose of this report is to seek Committee approval for a formal Council response. A draft response addressing the specific queries raised in the consultation document and broader issues arising from the proposals is appended to this report for consideration by Committee (**Appendix 1**).

Key Issues

The reform proposals have been developed by Planning Service as the mechanisms to establish a new planning system whereby responsibility for the majority of planning functions will transfer to new councils as part of the Review of Public Administration (RPA). The transfer of the planning functions is an important element of basic RPA objectives which seek to create ‘strong, dynamic and responsive local government’.

The implementation of the reform proposals will see the establishment of a new planning system through the introduction of new processes and changes in the general approach to development. The draft response has been developed to support the broader objectives established as part of the Councils ongoing engagement in the Review of Public Administration.

The specific principles underlying the appended draft response are:

- **full transfer** of the suite of local planning functions to enable the Council to

effectively develop and implement the new statutory responsibility in a coordinated and effective manner;

- **clarity of roles and responsibilities** through the development of a streamlined planning led system with the clear emphasis on the local delivery and responsibility supported by a coordinated regional planning body;
- **functional integration** in terms of the potential for the new local authority responsibilities to contribute to the effective delivery of the proposed place shaping and community planning responsibilities; and
- **adequate resources** that reflect the level of transformation and additional responsibilities or requirements embodied in the reform proposals.

In providing the detailed response set out in Appendix 1 the objective is to secure a reformed mutually supportive planning system in which central government enables the new councils to deliver the local planning functions in support of the continued development of the region.

Whilst the consultation document poses a detailed set of eighty questions, there are a number of strategic issues which are not covered and a number of the issues suffer from an absence of detail or clarity. The draft response in addition to addressing the specific consultation questions seeks secure clarification of the strategic issues which may need to be addressed as part of an ongoing dialogue as part of the transitional and implementation arrangements.

The return of planning powers to local government is in many ways fundamental to the creation of a modern, effective and relevant local government sector in Northern Ireland, touching as it does practically every aspect of quality of life in terms of economic well-being, environmental sustainability and the creation of sustainable and successful communities.

The detailed comments set out within the draft response re-iterate issues previously raised in seeking the return of planning powers as part of the responses to the RPA consultation process. Through this previous engagement the Council outlined potential for the transfer of planning to bring to contribute to the new community planning role of councils, enabling a much more strategic and integrated approach to be taken to improving quality of life and well being.

The comments set out in the draft response should be considered in the context of this previous engagement and with the acknowledgment that all facets of public administration need to improve their abilities, through the reform process, to enhance the experience of the citizen and the future development of the city and region. The draft response, appended for the consideration of Committee, seeks to ensure clarity and maximise the potential benefits to be derived from the proposed reforms. The aspirations reflect the underlying RPA reform objective of minimising the future rates impact impacts of enhanced service delivery.

Resource Implications

The HR and financial implications will be resolved as part of the ongoing negotiations on the transfer of functions.

Recommendations

Members are requested to:

- consider the content of the proposed draft response to the Planning Reform consultation, as set out in **Appendix 1**, and if appropriate endorse this as the formal response for submission to the Department of the Environment;

Decision Tracking

Director of Improvement to ensure Submission of agreed Council response by 2nd October 2009 following consideration and agreement by the Committee

Attachments

Appendix 1: Draft Council Response

Appendix 2: Summary of Planning Reform consultation document

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Appendix 1

**Draft Response to the
“Reform of the Planning System in
Northern Ireland”**

APPENDIX 1

Response to the 'Reform of the Planning System in Northern Ireland'

Summary

The Council is supportive of the need to reform the Planning System within Northern Ireland and welcomes the opportunity to submit its views on the '*Reform of the Planning System in Northern Ireland: Your chance to influence change*' consultation document.

The broad principles underlying the appended response are:

- full transfer of the suite of local planning functions;
- clarity of roles and responsibilities between central and local government;
- functional integration with proposed council functions ; and
- adequate resources for development and implementation

The response seeks to ensure that the opportunities arising from the reform proposals are maximised in the interests of enhancing the customer experience, improving social outcomes for the citizen and achieving an efficient public service.

General Issues and Omissions

There are a number of broad concerns on which the Council would welcome the opportunity to engage with the Department. The areas of concerns are listed below and the basis for the proposed engagement would be for the development and refinement of the transformation proposals, to ensure that the final proposals offer the opportunity secure the potential for effective integration and longer term sustainability.

It should be noted that the Department in bringing forward the reform proposals has failed to adequately address a number of areas of responsibility outlined in the proposed functions split between the new councils and the Department or new regional planning body (Appendix 2 of the Consultation Document). The Council would also seek early engagement in relation to the proposals for both these omitted processes and additional responsibilities within the Planning Order not currently addressed.

The Council would highlight, in particular, the potential weaknesses in the current reform proposals in relation to the general issues of:

- Civic Leadership;
- Place-Shaping/ Community Planning/ Regeneration;
- Clarity of Processes and Customer Focus;
- The Role of Stakeholders / Consultees;
- Resources;
- Processes and Timescales;
- Transition arrangements;
- Enabling Measure

Specific Issues

The main changes proposed in the reform document relate to the: Regional Planning Policy; Development Plan System; Development Management (Development Control); Appeals processes; Enforcement and Criminalisation; Developer

Contributions and Enabling Measures. The Department in outlining the reform consultation proposals seeks detailed comments in respect of these issues through eighty two questions incorporated within the document. The responses to the specific questions are included within the draft response.

In general terms the proposed reforms to Regional Planning Policy; Development Planning and Enforcement and Criminalisation would be supported. It should, however be noted that there would be caveats to this general support in relation to the detail of the proposed process; the potential relationships between the new councils and the future regional planning body; resources and the need for clarity of responsibility.

There would be significant reservations in relation to the remaining elements of the reform proposals. These concerns relate to a range of specific matters, in addition to the general issues outlined above, and are summarised below:

Development Management: Whilst the approach of Development Management and proportionate decision making is welcomed the proposal for a “Three Tier” system as outlined in the consultation is considered to be fundamentally flawed and would introduce uncertainty to the planning new system. Whilst the ability for the regional body to intervene in matters of regional significance is accepted the proposals that categories of planning applications are submitted to the regional body directly introduces an unnecessary element of uncertainty. It is suggested that all applications are submitted to the appropriate council with the new pre-application processes being used to identify the applications over which the minister may wish to exercise a power of call-in or scrutiny – this intervention could then take place early in the formal application process with the Department then taking responsibility for the individual application and the Council becoming a statutory consultee.

Appeal Processes: The majority of the proposals in relation to the appeals processes could be supported to improve the quality of decision making and the performance of the processes. There are concerns in relation to the potential legal implication of the proposed Local Member Review bodies and the potential for the introduction of third party appeals. It is suggested that both matters be kept under review to allow the introduction and establishment of the new planning system with the establishment of Local Member review bodies being at the discretion of councils.

Developer Contributions: There are concerns both in relation to the approach to developer contributions and the elements to which such potential resources would be applied. The emphasis should focus on local impacts and the provision of appropriate local infrastructure linked to the scale / impact of the proposal with the contributions managed by the new councils. Any contribution to broader infrastructure should be related to the provisions with the new Development Plan and provided in consultation with the appropriate statutory agency.

Enabling Measures: The reform proposals for the transition arrangements and the future status of the current development plans raise a number of issues. The need for capacity building and culture changes needs to be acknowledged, assessed, adequately resourced and incorporated into the transition process.

Conclusion

The Council reiterates its support for the reform of the planning system in Northern Ireland; however, the lack of detail in key areas in the consultation document makes

it difficult to undertake an informed assessment of the likely impact of the proposals and the potential consequences for councils and citizens.

The Council therefore advocates the need for a closer working relationship with the Department to take forward the reform proposals and in order to facilitate this process, it is recommended that Belfast is selected as one of the pilot areas for transition working as referred to in para, 3.59.

In addition, the Council would seek clarification on how the Department intends to incorporate the detailed comments as well as those received from other stakeholders taking cognisance of the proposed role for the new councils as the statutory planning authorities.

**Belfast City Council Draft Response to
'Reform of the Planning System in Northern Ireland'**

1.0	Introduction
1.1	The Council is supportive of the need to reform the Planning System within Northern Ireland and welcomes the opportunity to submit its views on the <i>'Reform of the Planning System in Northern Ireland: Your chance to influence change'</i> consultation document. The comments outlined within this response seek to add value to the proposed reform programme through the consideration of both strategic and specific operational issues which could usefully be addressed through a constructive transitional process.
1.2	Through the response the Council seeks to outline a number of strategic comments in respect of the consultation proposals and the broader process. These strategic elements supplement the specific commentary in relation to the questions set out within the consultation document.
1.3	<p>The broad principles underlying the appended response are:</p> <ul style="list-style-type: none"> ▪ full transfer of the suite of local planning functions to enable the Council to effectively develop and implement the new statutory responsibility in a coordinated and effective manner; ▪ clarity of roles and responsibilities through the development of a streamlined planning led system with the clear emphasis on the local delivery and responsibility supported by a coordinated regional planning body; ▪ functional integration in terms of the potential for the new local authority responsibilities to contribute to the effective delivery of the enhanced Council responsibilities in respect of regeneration, place shaping and community planning; and ▪ adequate resources that reflect the level of transformation and proposed additional responsibilities, processes and requirements that are embodied in the reform proposals.
1.4	The council recognises the fundamental importance of developing an effective planning system and the associated benefits this can bring to both the city and region in terms of improving quality of life now and for future generations.
1.5	The return of planning powers to local government is in many ways fundamental to the creation of a modern, effective and relevant local government sector in Northern Ireland, touching as it does practically every aspect of quality of life in terms of economic well-being, environmental sustainability and the creation of sustainable and successful communities.
1.6	Many of the comments set out in this response reflect the issues previously raised in seeking the return of planning powers as part of the Council's ongoing engagement in the Review of public Administration. The Council considers that an effective local planning function offers the potential to bring to fruition the new community planning role for the new councils, enabling a much more strategic and integrated approach to be taken to improving quality of life.
1.7	The comments in this response should be considered within the context of the broader Council objectives and in the acknowledgment that all aspects of public administration need to improve their ability, through the reform process, to enhance

	the experience of the citizen and the future development of the city and region. The response seeks to ensure that the opportunities arising from the reform proposals are maximised in the interests of enhancing the customer experience, improving social outcomes for the citizen and achieving an efficient public service.
1.8	The comments detailed in section 2 below should be read in conjunction with the detailed response to the consultation questions set out in section 3.
2.0	General Issues and Omissions
2.1	In progressing the proposed reform agenda through to the transition stages the Council would highlight the potential for the processes to be seriously undermined by the limited involvement of local government in the developmental stages of reform proposals. As previously stated the Council would welcome the opportunity to engage with the Department in the development and refinement of the transformation proposals to ensure that the final proposals offer the opportunity to secure the potential for effective integration and longer term sustainability. This engagement with the local government sector, as the organisations with the statutory responsibility under the proposed reforms, could ensure that the basic principle of the Review of Public Administration to create ' <i>strong, dynamic and responsive local government</i> ' is effectively integrated.
2.2	There are a number of areas of responsibility outlined in the proposed functions split between the new councils and the Department or regional planning body (Appendix 2 of the Consultation Document) that have not addressed within the detail of the reform proposals. The Council would seek early engagement in relation to the proposals for these omitted processes and responsibilities in addition to any elements of the current Planning Order not addressed.
2.3	<p>The Council would highlight, in particular, the potential weaknesses of the current reform proposals as set out within the consultation document in respect of:</p> <p>a. Civic Leadership: The Council and individual Councillors are accountable to the areas they represent and have enhanced responsibilities for the longer term well being and sustainability within the district. In exercising the statutory functions the new councils should therefore be afforded the necessary autonomy to address local priorities with the role of any complementary functions, retained by central government, clearly focused on issues of regional significance or scope.</p> <p>The Council is concerned that the reform proposals could increase uncertainty and result in a situation where there could be increased central government intervention within a local government function. This could undermine the potential for the proposed reform objective of '<i>enhanced local political accountability</i>'.</p> <p>b. Place-Shaping/ Community Planning/ Regeneration: Whilst the consultation document makes limited reference to the community planning role of Councils, the potential synergies between the reform process and the other functions to be delivered by local government has not currently been captured in the reform document. The reform proposals offer the opportunity for councils to more effectively integrate the delivery of this range of functions at the local level to an extent that is not recognised in the consultation document.</p> <p>The reference to delivery agreements and master plans (3.45) highlights an area of omission in relation to clarification of planning related regeneration powers</p>

such as embodied within the current development scheme process. Clarification is required around the flexibility for the new councils to modify or refine adopted development plans (existing and proposed) to align with emerging or changing regeneration objectives. The potential for such plans or formal supplementary planning guidance although highlighted in paragraph 3.31 is addressed in the consultation document.

The opportunity also exists to clarify the position with regard to the status of consultations that will be required for Community Planning and their relationship to the formal development plan processes. There are significant opportunities to address the option for the proposed new plans and the first strategic documents through the Community Planning process.

It should be noted that Councils already have a duty to engage under Equality Legislation combined with the wellbeing and community planning responsibilities. There may be operational merit in combining community consultation on the local development plans with the Council's community planning function which would allow for resources to be shared and reduces the possibility of consultation fatigue in relation to the strategic element of the proposed plans.

- c. **Clarity of Processes and Customer Focus:** The Council is concerned that the current proposals have not fully addressed the 'customer journey' through the processes and how the procedures could be simplified and enhanced to deliver the '*modern, streamlined planning process*' as aspired to within the reform objectives.

The reform proposals leave the regional planning function split across the two departments (i.e. DRD and DoE) with the majority of local planning responsibilities returning to local councils with the exception of regionally significant applications and a range of potential call-in powers that could be exercised by the Minister. This could lead to the system becoming more fragmented and increase uncertainty regarding the responsibility for leadership in relation to different elements of planning. The emphasis on a rationalised and streamlined planning system should translate into a clear separation of functions with a single regional planning body supporting the delivery of the proposed local planning system by the new councils.

- d. **The Role of Stakeholders / Consultees:** Whilst the emphasis on the importance of the role of the statutory consultees in the development plan and development management processes is welcomed the Council would seek early engagement around the development of a framework that seeks to ensure the process is proportionate and manageable. The framework would also have to ensure the ongoing participation of the appropriate agencies in the development and review of the proposed new development plans.

The delivery of a robust and streamlined system is dependent on the development of a more balanced front loaded system that seeks to ensure that the issues are addressed at an early stage of the process. The integration of this change in emphasis will require the development of effective partnerships and relationships with stakeholders/ consultees that may usefully be informed by existing multi disciplinary activity and the Council on the basis of existing experience would welcome the opportunity to participate in the formulation of any new framework. A critical element of the work will be to establish processes for the management of performance and to address the balancing of potentially conflicting responses.

- e. **Resources:** The stated objectives of the reform proposals are to support a more 'streamlined and enhanced planning system', will through the Development Plan,

Development Management and associated proposals introduce increased front-end costs to the system (e.g. administrative and expert support costs) beyond those currently resourced. This deficit in resources also needs to be set within the context of the shrinking planning applications receipts linked to the broader economic downturn impacts on development.

The recognition of broad benefits of the proposed reforms, subject to the caveats set out in the response, necessitates early recognition, consideration and quantification of the additional resource implications. In the context of the broader RPA proposals these requirements need to be highlighted as part of the Comprehensive Spending Review a processes in which the Council would seek early engagement to ensure that the costs reflect the transitional impacts on the existing and proposed councils.

- f. **Processes and Timescales:** The Council would have concerns in respect of the number of additional processes / procedures suggested as part of the reforms (Local member Review, the compulsory 'schemes of officer delegation', statements of community involvement, sustainability appraisal etc). These concerns relate to the number of processes proposed and the requirement for clarification of both their proposed scope and the associated mechanisms for the resolution of potential disputes or challenges.

The extent of the proposals for new processes needs to be set in the context of the comprehensive changes to the established development plan and development management and the initial complexity associated with the introduction and development of a completely new plan approach. The potential for discretion in the application of or the phased introduction of proposed processes should be considered and the Council would seek to explore the potential for the clarification and refinement of the proposals.

The Council would also wish to clarify the rationale for the level of additional scrutiny that is proposed to be introduced in the consultation document. Whilst the necessity for regional oversight is accepted the proposals include reserve powers that suggest the individual stages of process will be subject to central government scrutiny and/or call-in. The Council would suggest that this level of scrutiny and control be at odds with the principles behind the RPA and the objectives set out in the consultation document.

The issue of timing and the proposed timetables for the implementation of the reforms are critical omissions from the consultation document. Whilst the emphasis has been placed on the timescales for the new councils within the new system there are a number of initiatives that need to be initiated by the Department in advance of the transfer to the transition process to avoid a policy vacuum resulting in the inconsistent application of policy. The process for the reform of the planning policy statements will need to be initiated in advance of the planning reform implementation and the timescales for the completion of this activity and other ongoing processes required to support the introduction of the new system (baseline data collection, regional indicators etc) should be established alongside the requirement for the regional planning body to provide ongoing support as well as scrutiny.

- g. **Transition arrangements:** The reform proposal transition arrangements and the proposed utilisation of the current development plan documents raise a number of concerns. Further clarification is required in relation to the proposals for the adoption or utilisation of the current plans which are at different stages and may have different weight across the new council areas. This transition position raises concerns in relation to the potential for inconsistencies and challenges within the new council areas or where existing plans are being combined.

	<p>The new councils will have limited experience in statutory planning delivery requiring the development of significant capacity and expertise. There is an opportunity for the Department to prioritise the transition joint working from an early stage between council officers and planning officers. This approach could facilitate the exploration of potential synergies with the existing Council functions and the additional responsibilities proposed for transfer as part of the wider RPA process.</p> <p>h. Enabling Measures: The availability of adequate resources will be critical to the development and implementation of the new system. The implications arising from the transition to the new councils and the fundamental changes in approach across all the elements of the proposed new system necessitates early and full engagement with the new councils.</p> <p>The successful integration of the system into local governance both in relation to the administrative and political process will require new means of working on the part of both the new councils and the Department. In order for the transition to be possible the enabling measures need to focus on the identification of the additional resource implications and early approval for the formal engagement. The scope of this longer term partnership should also include the formal participation of the councils in the reform process and the remaining work streams that will shape the system for which they will have ultimate responsibility.</p> <p>This approach could offer the opportunity to address the practicality of the proposals and the potential for the integration of elements of the new system within the broader community planning responsibilities, as highlighted above.</p>
2.4	The above comments should be read in conjunction with the more specific issues outlined in the section below and in the detailed response to the series of questions set out in the formal consultation document.
3.0	Planning Reform Document Comments
3.1	In general terms the proposed reforms to Regional Planning Policy; Development Planning and Enforcement and Criminalisation would be supported. It should, however be noted that there are significant caveats to this general support in relation to the detail of the proposed process; the potential relationships between the new councils and the future regional planning body; resources and the need for clarity of responsibility.
3.2	There would be significant reservations in relation to the remaining elements of the reform proposals. These concerns relate to a range of specific matters, in addition to the general issues outlined above. The specific comments are set out both in the text below and in the more detailed responses to the specific questions posed in the consultation document.
3.3	<p>The broader comments in relation to the relevant chapter headings are outlined below:</p> <ul style="list-style-type: none"> • Development Management: Whilst the approach of Development Management and proportionate decision making is welcomed the proposal for a “Three Tier” system as outlined in the consultation is consider to be fundamentally flawed and would introduce uncertainty to the planning new system. <p>Whilst the ability for the regional body to intervene in matters of regional significance is accepted the proposals that categories of planning applications are submitted to the regional body directly introduces an unnecessary element</p>

	<p>of uncertainty. It is suggested that all applications are submitted to the appropriate council with the new pre-application processes being used to identify the applications over which the minister may wish to exercise a power of call-in or scrutiny – this intervention could then take place early in the formal application process with the Department then taking responsibility for the individual application and the Council becoming a statutory consultee.</p> <p>The introduction of the pre-application front loaded process for significant developments therefore provides an opportunity for the application of a simple screening process to determine whether or not an application is considered to be of regional significance or meet any of the additional criteria that may trigger the need for Ministerial intervention under article 31 / call-in provisions.</p>
	<ul style="list-style-type: none"> • Appeal Processes: The majority of the proposals in relation to the appeals processes could be supported to improve the quality of decision making and the performance of the processes. There are concerns in relation to the potential legal implication of the proposed Local Member Review bodies and the potential for the introduction of third party appeals. It is suggested that both matters be kept under review to allow the introduction and establishment of the new planning system with the establishment of Local Member review bodies being at the discretion of councils.
	<ul style="list-style-type: none"> • Developer Contributions: There are concerns both in relation to the approach to developer contributions and the elements to which such potential resources would be applied. The emphasis should focus on local impacts and the provision of appropriate local infrastructure linked to the scale / impact of the proposal with the contributions managed by the new councils. Any contribution to broader infrastructure should be related to the provisions with the new Development Plan and provided in consultation with the appropriate statutory agency.
	<ul style="list-style-type: none"> • Enabling Measures: The reform proposals for the transition arrangements and the future status of the current development plans raise a number of issues. The need for capacity building and culture changes needs to be acknowledged, assessed, adequately resourced and incorporated into the transition process.
3.4	The specific comments in respect of the consultation are set out in the table below reflecting the outline for responses set out in the 'Reform of the Planning System in Northern Ireland' consultation document.

QUESTION	YES / NO	BELFAST CITY COUNCIL RESPONSE COMMENTS
CHAPTER 2- PLANNING POLICY		
<i>Question 1 - Do you agree that, in future, Planning Policy Statements should provide strategic direction and regional policy advice only, which would then be interpreted locally in Development Plans?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council welcomes the proposal for more focused Planning Policy Statements produced in a shorter timescale. The Council considers the current system as lengthy and does not necessarily reflect the unique land use requirements of the different district Council areas for Northern Ireland. ▪ The move from providing detailed operational guidance to more strategic direction and regional policy advice would be supported as this can be interpreted by the local authority in the development plan and adapted to local circumstances. ▪ The Council would request further clarity in regards to the role of local authorities in the production of the revised PPS's, as well as the

		<p>anticipated timeframe for the overhaul of the documents as this will directly impact upon the local development plan process for the new councils. The Council would suggest a programme management scheme similar to that proposed for local development plans would be useful to show timescale and regular monitoring and review arrangements.</p> <ul style="list-style-type: none"> ▪ Further clarification is requested in regards to the link between the revised PPS's and the Regional Development Strategy and the role of the different government departments in regional planning. ▪ The proposals for reform appear to leave Regional planning split across the two departments (i.e. DRD and DOE) with the majority of local planning returning to local councils. This could lead to the system becoming more fragmented and increase uncertainty regarding the responsibility for leadership in relation to regional planning. The Council would suggest that efforts should be taken to rationalise and streamline the whole planning system within Northern Ireland with the emphasis on the regional function supporting the delivery of the proposed local planning system by the new Councils.
<p><i>Question 2 - Do you consider there are any elements of operational policy which should be retained in Planning Policy Statements?</i></p>	<p>Yes</p>	<ul style="list-style-type: none"> ▪ The Council agrees that the revised PPS format should provide strategic guidance which allows local authorities to develop local plans and policies which will address local circumstances. Detailed operational policies should be contained in the development plan and be determined by the local authorities. Operational policies should be evidence based and link to existing Council policies to complement the role of local authorities in relation to areas such as air quality, contaminated land etc. ▪ The Council would suggest that clear guidance must be given which will support greater consistency in interpretation across the local council areas to meet regional objectives. ▪ The Council would recommend that consideration should be given to including appropriate operational guidance in the revised PPS's in relation to large scale infrastructure projects such as waste facilities or wind farms which will have a regional impact and are unlikely to be the subject of local policies across all the future Council areas. ▪ The Council would also suggest that consideration should be given to changing the name once the PPS has been revised to avoid confusion.
<p>CHAPTER 3-</p>		<p>TOWARDS A MORE EFFECTIVE DEVELOPMENT PLAN SYSTEM</p>
<p><i>Question 3 - Do you think it appropriate to commence a 'plan led' system in advance of the transfer of the majority of planning functions to district councils under the Review of Public Administration?</i></p>		<ul style="list-style-type: none"> ▪ The Council would support a plan led system which gives certainty to developers but have concerns that difficulties may arise in introducing a plan led system across the region in circumstances where the new councils will have different administrative areas that could include existing plans that are at different stages of the local plan development process. The Council would also request clarification on procedures for modification or amendment in circumstances where future Councils who do not fully support the existing local plan for their area. The Council would suggest a caveat which puts a mechanism in place for such circumstances such as reverting back to the policy of the Regional Development Strategy or Planning Policy guidance pending adoption of a new or amended plan. ▪ The Council would request that guidelines are drawn up to clarify support to be offered from the new regional planning body in relation to the potential legal challenges that could arise from the

		<p>introduction of a completely new development plan system. There are likely to be significant challenges for a plan led system when it also is introduced with inconsistencies in up to date plan coverage.</p> <ul style="list-style-type: none"> ▪ The weight attached to the development plan in addition to the proposals for the accelerated plan production process will have significant resources issues beyond the current levels of provision. This needs to be recognised in the document and reflected in the requirement for contextual support and guidance from the Department in relation to the maintenance of any existing development plans and the introduction of new style plans. ▪ The transfer of responsibility to Councils will also require a commitment to the transfer of the evidential baseline information and support in relation to the defence of adopted plans developed by the predecessor authority.
<p><i>Question 4- Do you agree that the objectives contained in paragraph 3.6 are appropriate for local development plans?</i></p>	<p>Yes</p>	<ul style="list-style-type: none"> ▪ The Council would suggest that further clarification and guidance in respect of each objective is given to allow them to be accurately reflected in the development plan ▪ The Council would support the emphasis on the potential for local plans in the role of place shaping in addition to the importance of health and wellbeing. ▪ The Council would recommend that the objectives should outline the need to develop evidence based positive planning policies which address the main issues and use this background to manage change. ▪ The Council would emphasis the need for the objectives to outline the importance of collaborative and integrated working between the different agencies that impact on or interact with planning. ▪ The Council would seek to work with the Department to clarify and define the key stakeholders required in order to fully assess the implications. ▪ A significant element of the evidence required for the proposed local plan process would not be under the control of the future councils responsible for their development. The Council would recommend early involvement to ensure the contribution to and engagement in the different stages of the development plan process is binding on all appropriate government agencies ▪ The Council would suggest that transport and the sustainable development issues are included in the overall objectives to ensure the plans are comprehensive. ▪ The Council would also request reference / clarification in relation to the delivery of the RDS/PPS objectives.
<p><i>Question 5 - Do you agree that the functions contained in paragraph 3.7 are appropriate for local development plans?</i></p>	<p>Yes</p>	<ul style="list-style-type: none"> ▪ The Council would suggest that further guidance is given on the interpretation of each function to ensure they are appropriate and consistently reflected in the local development plans throughout the region. ▪ The Council welcomes the reference to the new powers of well being and community planning and this should also be reflected in the revised Planning Policy Statements. However, the Council would suggest that the ability to deliver sufficient land to meet society's needs should be an aspiration and its delivery cannot be guaranteed. ▪ The Council would propose that Infrastructure assessment is included in the functions and that transportation is a component of a local development plan

	<ul style="list-style-type: none"> ▪ The Council would recommend that new plans should be legally binding on the various government departments who may be required to provide the evidential base for plan elements related to their functions ▪ The Council would suggest further consideration is given to the resource issue ▪ The Council would request clarity in relation to the processes for securing evidence such as information on which to assess land supply for employment purposes which might be considered on a sub regional basis. The role of the appropriate Department, in this case DETI, is not clear from the consultation document. ▪ The Council seeks clarity in relation to the role of the assembly in the proposed process and the mechanism for the exercise of the proposed oversight powers.
<p><i>Question 6 - What are your views on the proposal that a district council's statement of community involvement must be in place before any public consultation on the local development plan?</i></p>	<ul style="list-style-type: none"> ▪ The Council would support the introduction of a statement of community involvement but would have concerns in respect of the proposed level of Departmental scrutiny in the process requiring Councils to seek prior approval from the Department on the statement. The Council would seek further discussion on the basis for the assessment on which approval may be agreed and the introduction of a mechanism or process for appeal or challenge if central government endorsement is not given. ▪ Local Councils already have a duty to engage under Equality Legislation and will have both wellbeing and community planning responsibilities. The Council would suggest that there may be operational merit in combining community consultation on the local development plans with the Council's community planning function which would allow for resources to be shared and reduces the possibility of consultation fatigue in relation to the strategic element of the proposed plans. ▪ The Council would support early engagement with the community in the local development plan process to ensure an inclusive and effective process and to build confidence and transparency in the way the plan is prepared. The transfer of functions to local councils already creates a strong element of community involvement with elected members reflecting the views of the local communities they represent. ▪ The Council in fulfilling the broader statutory responsibilities will be required to maintain and develop participation techniques to target groups who do not generally engage in planning and work towards the achievement of consensus where possible.
<p><i>Question 7 - What are your views on the proposal for a programme management scheme?</i></p>	<ul style="list-style-type: none"> ▪ The Council would support the principle of project management in relation to the development plan process however the main issues relate to the processes that lie outside the control of the councils. The Council will be dependent on a number of government agencies for evidence and input into the process but the document does not detail the mechanism to tie in the relevant government agencies to the programme delivery. The Council would advocate early discussion with the Department and the relevant government agencies to agree on an appropriate mechanism. ▪ The proposed local development plan process introduces a number of elements and functions that would lie outside the control of the new Councils making a rigid programme management scheme difficult to deliver.

		<ul style="list-style-type: none"> ▪ Before the principle of a rigid statutory programme management process could be supported, the Council would request further dialogue on the mechanism for approving the different stages of the plan development and which parts of central government would be responsible - the Department of the Environment or the Executive. ▪ The Council would have reservations in relation to the high levels of scrutiny proposed through a number of measures including requiring agreement on the programme management scheme prior to agreement on resource and capacity building implications. The proposals for the new local development plan system along with a number of other reforms which will have significant resource and capacity implications for the new Councils which have not been fully assessed. ▪ The various formal development plan processes will involve working with external agencies, including the Planning Appeals Commission, which are outside of direct local council responsibility. The Council would suggest that consideration must be given to ensuring their statutory engagement in order to facilitate the effective management and delivery of the process.
<p><i>Question 8 - Do you agree that a preferred options paper should replace the issues paper?</i></p>	<p>Yes</p>	<ul style="list-style-type: none"> ▪ The Council seeks clarification in relation to the role and benefit suggested for the preferred options paper - does evidence exist that it will lead to reduced representations at the public inquiry stage - the suggested benefits are not guaranteed as the preferred options paper at the outset of the process could still be vague and add another unnecessary stage to the programme. ▪ It may be difficult to gather an evidence base to support preferred options paper, in line with the proposed new council boundaries, in advance of the detailed work on the actual plan. ▪ In the absence of further clarification of the scope and extent of this pre-plan approach the Council has concerns in relation to the potential for this option paper element to become an additional plan stage and thereby lengthen the proposed formal plan timescales.
<p><i>Question 9 - Do you agree with the proposal to introduce a local development plan process that comprises two separate but related documents to be published, examined and adopted separately and in sequence?</i></p>	<p>Yes</p>	<p>Whilst the Council recognise the need for a faster, more flexible plan making process clarification is required on a number of issues:</p> <ul style="list-style-type: none"> ▪ The proposed status of the options paper and associated consultations as outlined above. ▪ Clarification or examples are needed on the strategic content of the document and the proposed evidential base to support the development. ▪ Clearer guidance is required on the engagement and role of the Department / Central Government generally, in respect of the public inquiry stage. ▪ The Council would seek to further explore the mechanisms for dealing with the Commissioners report following the public inquiry. The proposed option for the Department to issue the binding report that could direct the Council to adopt a plan, modified from that developed through participation in a full public inquiry process, is not considered appropriate. ▪ The Council would also have concerns in relation to the proposed robustness test of the inquiry evidence. Whilst the evidence may be provided by a number of government agencies that lie outside of local government control the Council will be required to assess and defend the robustness of this evidence.

<p><i>Question 10 - What are your views on the proposal to deal with amendments to the local development plan?</i></p>		<ul style="list-style-type: none"> ▪ The Council would support proposals to allow amendments to the local development plan but request further clarification on what would trigger a full review. Clarity is required as to whether examples such as regionally significant applications, approved by central government but contrary to the development plan, would trigger a review. The Council would suggest consideration is given to a development scheme inquiry process or supplementary planning guidance that could allow the modification of plans without a formal review.
<p><i>Question 11 - What are your views on the proposal that representations to a local development plan will be required to demonstrate how their proposed solution complies with robustness tests and makes the plan more robust?</i></p>		<ul style="list-style-type: none"> ▪ The Council would request more information on the scope and detail of the proposed robustness test especially in relation to the application at the site specific stage of the plan examination process. ▪ The Council has reservations in relation to the application of a test that it may be required to base decision on evidence supplied by outside bodies ▪ The Council would also seek clarification in relation to the inclusion of local factors such as the community plan and the strategic aspirations for the new councils in the robustness evaluations.
<p><i>Question 12 - What are your views on the proposal that representations to a local development plan will be required to demonstrate how their proposed solution meets the sustainability objectives of the local development plan?</i></p>		<ul style="list-style-type: none"> ▪ The Council agrees in principle but requires further information on the process and the mechanism proposed for the suggested application of the appraisal throughout the plan development process.
<p><i>Question 13 - Should the Department give the examiner(s) the power to determine the most appropriate procedures to be used in dealing with representations to the local development plan?</i></p>	<p>No</p>	<ul style="list-style-type: none"> ▪ The Council considers that the responsible authority should take the lead role in deciding the procedures used in dealing with representations to the local development plan in consultation with the appointed examiners. The Council would also request clarity on the proposed role of the Department/ Regional Planning organisation in the inquiry process, in respect of their provision of evidence and guidance in relation to regional targets, allocations or indicators. It is unlikely that regional planning will be independent from the local plan process that seeks to deliver the regional spatial aspirations and the relationship needs to be clearly recognised.
<p><i>Question 14 - Do you agree that the representations to the plan should be submitted in full within the statutory consultation period, with no further opportunity to add to, or expand on them, unless requested to do so by the independent examiner</i></p>	<p>Yes</p>	<ul style="list-style-type: none"> ▪ The Council agrees with this process in particular at the site specific stage although more detail or flexibility may be required for the core strategy and this should be at the discretion of the examiner. Representations on the core strategy may raise the need for further information or highlight areas of omission that require further consideration.

<i>Question 15 - What are your views on the proposals for counter representations</i>		<ul style="list-style-type: none"> ▪ The Council would support the view that no provision should be made for counter representations at the core strategy stage but it may be appropriate at site specific stage.
<i>Question 16 - Do you agree that the basis for examining plans should be changed from an objection-based approach to one which tests the 'robustness' of plans?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council request further information on how the robustness test will be used on site specific polices. More detail is required on the test as it is not clear how it could be applied to different stages of the plan or incorporate local aspirations such as those arising from the community planning process.
<i>Question 17 - What are your views on the recommended approach for examining local development plans?</i>		<ul style="list-style-type: none"> ▪ The Council has concerns in relation to the level of scrutiny proposed by the Department in the development plan process with the potential for this to contribute to delays. ▪ The Council considers that it is more appropriate for the local authority responsible for the plan development and the programme management to appoint and work with the examiner/ commissioner. ▪ The Council would request further exploration on the process for considering the inquiry advisory report. The Council considers the proposed process whereby the Department would have the option for issuing a binding report as inappropriate and suggests that the final step in advance of adoption should either be independent or carried out by Councils in consultation with the regional planning body.
<i>Question 18 - What are your views on the proposals to ensure regular monitoring and review of local development plans?</i>		<ul style="list-style-type: none"> ▪ The Council supports the need to regularly review and monitor local development plans to prevent the reoccurrence of the current situation with a large number of areas in Northern Ireland are without up to date coverage. However the Department must recognise the significant resources input this will require both by the new councils and those wider agencies involved in the process.
<i>Question 19 - Do you agree with the proposed content of local development plans as set out in paragraph 3.44?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council agrees with the proposed content but consider it appropriate that Council have flexibility to balance the contents to reflect local circumstances during the plan making process where appropriate.
<i>Question 20 - Do you consider that the topic areas contained in paragraph 3.46 are appropriate for inclusion in local development plans?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council agrees with the broad topic areas proposed but would request flexibility to adapt to local circumstances where necessary. ▪ As previously highlighted the Council would request further information on the processes to ensure the provision of the inputs from the various government departments responsible for specific plan elements, including baseline data and appropriate regional targets or priorities.
<i>Question 21 - Do you agree that district councils should be required to prepare sustainability appraisals as part of their local plan preparation process?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council agrees with the need to prepare sustainability appraisals (SA) but request further details in relation to the assessment of the SA and the potential impact on plan development timescales. ▪ The Council would highlight that the quantification of some of the issues identified will be challenging and the application of the approach may need to evolve as baseline evidence is developed, through other processes.
<i>Question 22 - What are your views on</i>		<ul style="list-style-type: none"> ▪ The Council has general concerns on the level of potential scrutiny or

<i>the proposal that the Department should have the powers to intervene in the making, alteration or replacement of a local development plan by the district council?</i>		<p>intervention proposed by the Department.</p> <ul style="list-style-type: none"> ▪ The emphasis and focus should be on a supportive role and approach to engagement with the new councils responsible for plan development and a more positive stance should be outlined on where the Department can assist local councils rather than emphasis on powers to intervene.
<p>Question 23</p> <p><i>a) Do you agree that district councils should be given the power to make joint local development plans if they so wish?</i></p> <p><i>b) Do you consider that such powers would adequately deal with instances where neighbouring district councils would consider it beneficial to work together?</i></p>	Yes	<ul style="list-style-type: none"> ▪ The Council considers that the power to make joint plans would be appropriate irrespective of whether they are statutory plans or supplementary guidance. ▪ Consideration should be given to the potential for supplementary guidance or plans such as sub regional plans which can address specific issues including the planning of key infrastructure elements across the new council areas, such as transport.
<p>Question 24- What are your views on the proposed transitional arrangements for development plans?</p>		<ul style="list-style-type: none"> ▪ The Council would request urgent clarification in relation to the progression of the draft BMAP plan which could be carried out jointly by the department and the Councils. ▪ The Council are concerned that the plan boundaries may not reflect the proposed new council boundaries increasing the uncertainty in relation to the development plan coverage for the new Council areas and any future adoption. It is not clear how the strategic elements of the plan will be disaggregated or the district allocations managed as part of the transitional arrangements. ▪ The Council would request information on the proposed processes to modify the existing plan to take account of changed governance boundaries or economic circumstances.
CHAPTER 4 - CREATING A STREAMLINED DEVELOPMENT MANAGEMENT SYSTEM		
<p>Question 25 - Do you agree with the proposed introduction of a new planning hierarchy to allow applications for the three proposed categories of development to be processed in proportion to their scale and complexity?</p>	No	<ul style="list-style-type: none"> ▪ The Council disagrees with the proposed new planning hierarchy as outlined in the document and does not support the thresholds or criteria outlined in Table 2 for major developments in respect of their use to define regionally significant applications. The Councils considers the thresholds are an unsuitable mechanism to determine the scale of potential applications to be considered across the different local authority areas. ▪ The proposed upper threshold for major development could be exceeded by a significant number of proposed developments in Belfast and potentially undermine the ability of the new Council to manage the process of development within the city. ▪ The Council would suggest that the hierarchy should be simplified and the call-in or article 31 process(s) clarified to reflect the very limited circumstances where it is proposed to reserve decision making to the Minister. ▪ As the reform proposals suggest that the Regional and Major

		<p>applications will be subject to the same processes it would be more appropriate to introduce a simpler two tier system with the addition of more limited guidance on an up front process that could be applied to provide information to support a determination as to whether an application would be considered by the Minister. This could be linked to guidance or thresholds that would also need to consider the potential for incremental development having regional implications.</p> <ul style="list-style-type: none"> ▪ The current proposals appear to mix a system of almost automatic referral, based on threshold, with a general power to call-in applications. This could undermine the proposed planning system through the introduction of uncertainty and run contrary to the aspiration for decision making to be exercised at the appropriate level of governance. ▪ The Council would support the power for the minister to call in regionally significant applications in limited circumstances and where proposals are contrary to the development plan where the local authorities affected retain the opportunity to influence the decision and content from an early stage. ▪ The recent Barker Review of Land Use Planning in England and Wales (December 2006) clearly stated that there is a case for keeping the ministerial role of calling in planning applications to a minimum. The review also states that under a plan led system where local government is accountable for planning decisions; there seems little justification for central government intervening unless what is proposed involves a significant breach of the plan. ▪ The Council have concerns in relation to arrangements for calling in projects centrally which has the potential to undermine the local authority and local democracy. The work of the retained regional planning functions should be focussed on the provision of a strategic framework for the development of the region and the consideration the very limited number of regionally significant projects or infrastructure. ▪ The proposal that central government may approve and impose conditions on consents determined by Councils raises significant issues in respect of a process to manage situations where the local authority may not agree with proposed conditions. ▪ Greater clarification is required in relation to the proposed role of councils in the process for determination of regionally significant developments which impact on their area.
<p><i>Question 26 - Do you agree with the 3 proposed categories of development (regionally significant, major and local) and their respective definitions?</i></p>	<p>No</p>	<ul style="list-style-type: none"> • The proposals for regionally significant development outlined in Para 4.14 in the report should not be considered as a separate tier. The basis for the system should be that all applications will be made to councils and the pre application processes initiated on that basis. The pre-application should determine whether the application -on submission- would be called-in for determination as regionally significant or by virtue of the other proposed provisions. • The threshold proposed for major developments do not reflect the potential for similar developments to have differing impacts that depend on the locality within the region rather than the scale of the individual proposal.
<p><i>Question 27 - In relation to applications for regionally</i></p>	<p>No</p>	<ul style="list-style-type: none"> • The Council would support the stated aspiration of minimising the role of central government in the determination of individual development proposals. In circumstances where a proposed

<p><i>significant development, do you consider that the 4 legislative criteria (see paragraph 4.14), in association with a pre-application screening requirement, are sufficient to identify relevant potential developments</i></p>		<p>development is not contrary to the development plan, irrespective of the scale in relation to any notional threshold, there seems little justification for central government intervening under a plan led system other than in exceptional circumstances.</p> <ul style="list-style-type: none"> ▪ The Council accepts that there will be circumstances that may merit the intervention of central government which could be considered as part of a screening process that relates to potential impact and the policy context rather than the simplistic threshold approach proposed.
<p><i>Question 28 - Do you have any comments on the proposed thresholds for the different types of development categories, particularly in relation to the classes of major development described in table 2?</i></p>		<ul style="list-style-type: none"> ▪ The Council disagrees with the thresholds and criteria outlined in Table 2 for major developments. The Councils considers the thresholds as unsuitable as the impacts arising from the scale of potential applications will vary dependent on the location within Northern Ireland. The proposed threshold for major development could potentially be exceeded for a significant number of proposed developments that may have little additional impact beyond an authority area and could comply with adopted development plans. ▪ The proposed thresholds suggests that a the concentration of the decision making role will remain within central government which is contrary to the desire to devolve responsibility to the appropriate local level. ▪ The level set for the threshold is also likely to create confusion with planning applications of similar scale being considered at both central and local levels, which are inconsistent with the overall aim of the reform process to simplify and speedup the planning process. ▪ The Council would request the opportunity for further exploration on the possible thresholds in particular in relation to functions such as waste facilities which are under local council's control.
<p><i>Question 29 - Do you agree with the proposed approach to urban/rural variation in setting the proposed housing thresholds for major development?</i></p>	<p>No</p>	<ul style="list-style-type: none"> ▪ The Council considers rationale for the urban rural difference is unclear. The variation suggests that Councils may have the capacity to make a decision on a 100 residential units in a town but that it may not be appropriate for the decision to be made by a council if the same scale of development is proposed for a village. The Council suggest that it may be more appropriate to consider whether or not such proposals would be in accordance with the local development plan. ▪ The introduction of any threshold system should be related to the potential impact and the justification for central government intervention linked to the consideration of broader issues or impacts beyond that of the local authority area.
<p><i>Question 30 - Do you agree that performance agreements should be in place before the submission of regionally significant applications?</i></p>	<p>Yes</p>	<ul style="list-style-type: none"> ▪ The Council considers the development and use of performance agreements would be a useful framework for the consideration of more complex applications.
<p><i>Question 31 - What are your views on the suggested</i></p>		<ul style="list-style-type: none"> ▪ The Council supports the principle of performance agreements and the need to improve the overall quality and speed of the process for regionally significant applications. In recognition of the potential

<i>elements contained within a performance agreement, and setting a timescale specific to each individual application?</i>		impacts for local authority areas from regionally significant applications local councils should be involved in the development of the agreements as well as participating as a consultee.
<i>Question 32 - Do you agree that this should be a voluntary (i.e. non-statutory) agreement?</i>	Yes	
<i>Question 33 -Do you agree that developers should hold pre-application consultation with the community on regionally significant developments?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council would support pre application consultation with communities subject to clarification in regard to the guidelines around consultation requirements and the processes for addressing additional consultation requirements that may arise from modifications to proposals that occur during the formal application process.
<i>Question 34 - Do you agree pre-application community consultation should be a statutory requirement?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council would agree that pre application consultation with communities should be a statutory requirement in respect of regionally significant applications to ensure the process is open and transparent and allow communities the opportunity to influence proposal at an early stage. ▪ The applicant should be responsible for the community consultation and further clarification of guidance in relation to the relationship with the formal statutory process including details on the statutory consultee is required.
<i>Question 35 - Do you have any views on what the form and process for verifying and reporting the adequacy of pre-application consultation with the community should involve, particularly in relation to the elements indicated above at paragraph 4.32</i>		<ul style="list-style-type: none"> ▪ The Council would recommend that provisions should ensure that the proposed options discussed at pre-application consultation stage mirror the submitted application to minimise the potential for uncertainty during the formal process. Information on the outcome of community involvement and the steps taken to address community concerns should be provided. ▪ Clarification should be provided in relation to the requirements and what is considered to constitute both the process and the definition of communities for the purposes of applications potentially broad areas of impact. Liaison with Councils in relation to the proposed arrangement may facilitate the development of effective consultation processes.
<i>Question 36 - Do you agree with introducing the power to decline to determine applications where pre-application community consultation has not been carried out or the applicant has not complied with the requirements of pre-application</i>	Yes	<ul style="list-style-type: none"> ▪ The Council considers that community consultation should be a pre-requisite but request further guidance/ criteria on what the process should encompass. The basis for declining application on lack of community involvement in the absence of clear criteria could provide an area of uncertainty that would be subject to challenge and could introduce delays into the process.

<i>community consultation?</i>		
<i>Question 37 - Do you agree that the Department should determine applications for regionally significant development in association with the proposed statutory screening mechanism?</i>	No	<ul style="list-style-type: none"> ▪ The Council would request further discussion and clarification in relation to the process for determining what constitutes a regionally significant application. Whilst the consultation response form does not seek views on the disjointed proposals set out in the document introduce greater uncertainty around the issue of regionally significant applications and article 31 processes. ▪ The maximum timescale for the Department to determine if an application is regionally significant should form part of the proposal to provide certainty to potential developers and Councils in relation to the timescale for proposals to move to formal application stages.
<i>Question 38 - Do you agree with the proposal to designate a district council as a statutory consultee where it is affected by an application for regionally significant development?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council considers that all local councils affected by a regionally significant project should be given special status in the planning application process with extra weight given to them in consultation process.
<i>Question 39 - Do you agree with the proposed notification and call-in mechanism, including the pre-application and application stages indicated in diagram 2, for applications for regionally significant development?</i>	No	<ul style="list-style-type: none"> ▪ As outlined above the Council considers that all applications should be determined by the local authority except in a limited number of cases and for clear reasons such as the application is contrary to the development plan; the local authority has an interest in the development or the application is of truly regional significance in terms of the potential impacts significantly affecting more than one local authority area. ▪ The Council would also request clarification on the proposed level of objection arising from a statutory consultee or government department that would result in an application being called in by the Department.
<i>Question 40 - Do you agree that if the Department decides not to call-in a notified application it should have the option to return the application to the district council, either with or without conditions, for the district council to grant permission subject to conditions that may be specified by the Department?</i>	No	<ul style="list-style-type: none"> ▪ The proposed imposition of conditions on applications which local councils have to determine and enforce could provide uncertainty in relation to potential enforcement or statutory responsibilities. Further clarification is required in relation to the processes for addressing the situations where Councils may not agree with the condition and any appeal or arbitration process.
<i>Question 41 - Do you agree with the proposal giving the Department the option to appoint independent examiners to hold a</i>	No	<ul style="list-style-type: none"> ▪ The Council requests that consideration is given to ensuring the Planning Appeals Commission is adequately resourced in order to progress with regionally significant applications and the other revised processes proposed as part of the reform agenda. It may be appropriate to consider the use of pool or part-time commissioners and consideration should only be given to using an independent

<i>hearing or inquiry into applications for regionally significant development?</i>		examiner for less controversial appeals or specialist advice.
<i>Question 42 - Do you agree that the Department should prepare hearing and inquiry procedure rules for use by independent examiners?</i>	No	<ul style="list-style-type: none"> ▪ See above
<i>Question 43 - Do you agree that the processes for performance agreements should also apply to applications for major development?</i>	No	<ul style="list-style-type: none"> ▪ The Council considers that voluntary performance agreements for major applications may require a different threshold depending on the circumstances and the nature of the proposed development.
<i>Question 44 - Do you agree that the processes for statutory pre-application community consultation should also apply to applications for major development?</i>	Yes	
<i>Question 45 - Do you support a power for district councils to hold pre-determination hearings, with discretion over how they will operate, where they consider it appropriate for major developments?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council suggests that the application of the process should be at the discretion of the local authority.
<i>Question 46 - Do you consider that there are other circumstances in which district councils should have the scope to hold such hearings?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council considers that circumstances may arise for local applications and should be left to the discretion of the local council.
<i>Question 47 - Where a performance agreement has not been reached, do you consider it appropriate to extend the non-determination appeal timescale for applications for</i>	Yes	<ul style="list-style-type: none"> ▪ The Council considers 16 weeks a more reasonable basis for turnover but request clarification on Article 31 timescales and options in respect of non-determination

<i>major development to 16 weeks?</i>		
<i>Question 48 - Do you agree that district councils, post-RPA, shall be required to introduce schemes of officer delegation for local applications?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council suggests that the decision as to the scope and extent of any scheme of delegation should be the responsibility of the new councils based on local circumstance and the views of the elected members in respect of the process for which they will have responsibility. The level and nature of objections to the proposed development should also be considerations.
<p><i>Question 49 - Do you agree that, post-RPA:</i></p> <p><i>a) the list of statutory consultees should be extended and</i></p> <p><i>b) categories of development, linked to the development hierarchy, that require consultation (including pre-application consultation) before applications are determined by the planning authority, should be introduced?</i></p>		<ul style="list-style-type: none"> ▪ The Council requests clarification in respect of the proposed list of statutory consultees and the expected commitments to service delivery in terms of their support/engagement in respect of the Development Management and Development plan processes. ▪ The Council suggests the approach to consultation with statutory consultees may require categorisation in relation to the type of application to ensure the consideration is relevant and proportionate. In order to be able to manage the application process the appropriate planning authority must have an opportunity to seek alternative source for the provision of appropriate specialist advice.
<i>Question 50 - Do you agree, post-RPA, that statutory consultees should be required to respond to the planning authority within a specified timeframe?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council recommends that this requirement should apply to both the Development Plan and Development Management processes. The responses within the timeframe should also be reasonable and avoid a scenario of repetitive requests for additional information unnecessarily extending the consultation stages. ▪ The Council would request further detail and clarification on the duty to respond to consultation and the proposals for the management of alternative actions where consultee response performance fails to meet the timeframes.
<i>Question 51 - If so, what do you consider the specified timeframe should be?</i>		<ul style="list-style-type: none"> ▪ The Council considers that the current service level agreements do not always perform to satisfactory levels and the additional processes proposed as part of the reforms could have additional implications for existing and new consultees.
<i>Question 52 - Do you agree that the existing legislation should be amended and clarified to ensure that anyone wishing to demolish any part of an unlisted building in a conservation area/ATC/AVC requires conservation area</i>	YES	<ul style="list-style-type: none"> ▪ The Council would support the amendment and clarification of arrangements to ensure anyone wishes to demolish any part of an unlisted building in a conservation area, ATC/AVC must require permission.

<i>consent or planning permission?</i>		
<i>Question 53 -Do you agree that the planning authority should be able to require that, where possible, proposed development should enhance the character of a conservation area?</i>	YES	<ul style="list-style-type: none"> ▪ The Council would support the promotion of high quality design for proposed developments and in particular to enhance the character of a conservation area. The resource implications and capacity to carry out this function and assessment must be also considered.
<i>Question 54- Do you agree that the normal duration of planning permission and consent should be reduced from five to three years?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council considers that there would be merit in reducing the duration of planning permission from five to three years. The Council would suggest that measures are introduced to address or counteract any potential increase in technical starts.
<i>Question 55 - Do you agree that a statutory provision should be introduced to allow minor amendments to be made to a planning permission?</i>		<ul style="list-style-type: none"> ▪ The Council suggests a more transparent and proportionate approach is required for minor amendments following planning approval, or for the level of detail required in order to achieve planning approval would be welcomed. The current system appears to require disproportionate levels of bureaucracy, effort and cost, for minor amendments.
<i>Question 56 - Do you have any comments on the details of such a provision as outlined at 4.101?</i>		<ul style="list-style-type: none"> ▪ Whilst the proposed process should ensure clarity in relation to the translation of the changes onto the planning register the “application” process suggested in the penultimate bullet point of 4.101 should be proportionate. The Council suggests that the process should ensure that there is no ambiguity between the original application and the modifications. It should be clear that the approved modifications have superseded the original consent rather than offering and the potential of an alternative option for implementation.
<i>Question 57 - Would you be in favour of enabling the planning authority to correct errors in its planning decision documents without the consent of the landowner or applicant?</i>	Yes	
CHAPTER 5 - APPEALS AND THIRD PARTY APPEALS		
<i>Question 58 - Do you agree that the time limit to submit appeals should be reduced? If so, what do you think the time limit should be reduced to - for example, 4, 3 or 2 months?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council considers that the time limit to submit appeals could be reduced from six months in order to ensure a balance between the timescale for the applicant to consider the potential for alternative courses of action and the potential to provide certainty and speed up the appeals process. A maximum period of 3 months could be appropriate although consideration would need to be given to the scale of the proposal and whether or not the timescales should be proportionate to the scale and complexity of application - linked to the hierarchy.
<i>Question 59 -Do you</i>	No	<ul style="list-style-type: none"> ▪ The Council considers that the planning authority (local

<p><i>agree:</i></p> <p><i>a) that the PAC should be given the powers that would allow it to determine the most appropriate method for processing the appeal; or</i></p> <p><i>b) that appellants should be allowed to choose the appeal method?</i></p>		<p>council/department) in conjunction with the appellant should be allowed to request the method preferred for the appeal and their views should be taken on board by the Planning Appeals Commission. The Planning Appeals Commission should consider guidance and criteria to advise on the most appropriate method.</p>
<p><i>Question 60 - Do you agree that parties to appeals should not be allowed to introduce new material beyond that which was before the planning authority when it made its original decision?</i></p>	<p>Yes</p>	<ul style="list-style-type: none"> ▪ The Council agrees with the position outlined in the consultation document. Parties involved in the appeal may not raise matters that were not in front of the planning authority when it made its original decision. However the Council would suggest that this would be subject to two caveats: the appeal body would still be required to have regard to the development plan and any other material consideration in reaching its decision; and parties to the appeal would be allowed to submit additional material if they could demonstrate that this could not have been submitted earlier. Clear guidance and strict criteria must be applied to the latter caveat.
<p><i>Question 61 - Do you agree with the proposal that the planning authority should be able to refuse to consider a planning application where a 'deemed application' associated with an appeal against an enforcement notice is pending?</i></p>	<p>Yes</p>	<ul style="list-style-type: none"> ▪ The Council considers this a more efficient approach in dealing with retrospective planning applications and enforcement notice appeals.
<p><i>Question 62 - Do you agree that the planning authority should have the power to decline repeat applications where, within the last two years, the PAC has refused a similar deemed application?</i></p>	<p>Yes</p>	<ul style="list-style-type: none"> ▪ The Council agrees with this approach however further clarification and guidance will be needed to determine what constitutes a similar application.
<p><i>Question 63 - Do you agree that a time limit of 2 months should be introduced for certificate of lawful use or development appeals?</i></p>	<p>Yes</p>	<ul style="list-style-type: none"> ▪ The Council agrees with this approach to align and simplify the appeals process
<p><i>Question 64 - Do you agree that the PAC should be given a power to award costs where it is</i></p>	<p>Yes</p>	<ul style="list-style-type: none"> • The Council would support the powers to introduce award of costs but only in exceptional cases where it can be proven that a party has acted in a vexatious or frivolous manner. The award of costs could be an appropriate measure to ensure that both planning

<i>established that one of the parties to an appeal has acted unreasonably and put another party to unnecessary expense?</i>		<p>authorities and applicants follow the correct procedures in making decisions in relation to applications and the appeal processes.</p> <ul style="list-style-type: none"> • The Council considers that power of the PAC to award costs should be carried out in consultation with central government to ensure consistency across the province
<i>Question 65 - Do you think the new district councils should be able to establish local member review bodies to determine certain local planning appeals?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council would support the establishment of Local Member Review bodies to determine certain minor planning appeals. However consideration should be given to the following issues: <ul style="list-style-type: none"> ○ Costs will be incurred convening meetings of the Local Review Body to consider appeals and there will also be an increase in workload for members involved. There may however be potentially reduced costs for the Planning Appeals Commission and the reallocation of resources should be considered. ○ Members and supporting officers will need training to participate in the proposed role and the requirements for cross councils participation. ○ The Council considers that the proposals for local development plan and development management should be allowed to bed in before consideration is given to local member review bodies ○ The Council would have concerns that the decision for recourse lies with the High Court this could have major resource issue. It may be more appropriate for the right of appeal to revert back to the PAC.
<i>Question 66 - If so, what types of applications should this apply to?</i>		<ul style="list-style-type: none"> ▪ The Council consider it would be appropriate for local member review bodies to cover minor planning appeals. Clarification on the definition of the minor applications will be required and this should be developed in consultation with local authorities.
<i>Question 67 - Should provision for third party appeals be an integral part of the NI planning system or not? Please outline the reasons for your support or opposition.</i>	No	<ul style="list-style-type: none"> ▪ The Council considers that the transition to a plan led system and the increased emphasis on formal consultation processes should provide the context for transparent decision making with the opportunity for the Department to intervene where proposals represent a significant departure from an adopted development plan or policy. ▪ Issues in relation to the decision making process could be dealt with through recourse to the local government ombudsman where authorities do not adhere to the processes stipulated within the act. ▪ The Council would suggest that the potential for the introduction of third party appeals should be kept under review until the introduction of the proposed processes and the transfer to local government.
<i>Question 68 - If you do support the introduction of some form of third party appeals, do you think it should have an unlimited right</i>		<ul style="list-style-type: none"> ▪ See comments above. The Council considers that any proposed system should be restricted in application to control the volume of appeals by the selection of categories. These could address where: the planning application is contrary to the development plan; the local authority has an interest or the decision goes against recommendations. However the issues of grounds of appeal; time

<i>of appeal, available to anyone in all circumstances or should it be restricted?</i>		limits; fees; costs and eligibility would all need to be considered in more detail.
<i>Question 69 - If you think it should be a restricted right of appeal, to what type of proposals or on what basis/circumstances do you think it should be made available?</i>		<ul style="list-style-type: none"> ▪ See comments above.
CHAPTER 6 - ENFORCEMENT AND CRIMINALISATION		
<i>Question 70 - Do you agree that a premium fee should be charged for retrospective planning applications and, if so, what multiple of the normal planning fee do you think it should be?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council would support the introduction of a premium fee for retrospective planning applications to act as a deterrent that focuses on the obligation to seek approval for proposals of clarification prior to the commencement of development. The fee should be proportionate to the level of the development and the level of uncertainty surrounding the form of development and associated provision for permitted development.
<i>Question 71 - Do you think the Department should consider developing firm proposals for introducing powers similar to those in Scotland, requiring developers to notify the planning authority when they commence development and complete agreed stages?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council supports proposals for introducing new powers requiring developers to notify the planning authority on commencement of development and key stages. The Council considers that this could be linked to existing local council functions such as building control and provide clearer timescales for the commencement of monitoring and enforcement.
<i>Question 72 - Do you think the Department should consider developing firm proposals for introducing Fixed Penalty Notice powers similar to those in Scotland?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council would support the proposal for introducing fixed penalty notices but discretion of use would lie with the Council and restricted to where a breach is considered minor. Further clarification will be needed on the thresholds set for receiving a FPN and level of the fine.
<i>Question 73 - Do you think the Department should give further consideration to making it an immediate criminal offence to commence any development</i>	Yes	<ul style="list-style-type: none"> ▪ The Council would support further consideration on making it an immediate criminal offence to commence any development without planning permission however the power to do so should be left to the discretion of the Council and judged against the seriousness of the offence. In conjunction the Council would also support increase priority given to enforcement.

<i>without planning permission?</i>		
CHAPTER 7 - DEVELOPER CONTRIBUTIONS		
<i>Question 74 - Do you agree that there is a case for seeking increased contributions from developers in Northern Ireland to support infrastructure provision?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council views it is as appropriate to seek contributions from developers based on certain scales of development however the Council considers that the definition of infrastructure needs to be broadened to reflect the local nature of development impacts and the opportunity for local mitigation measures of incremental benefit. ▪ Delivery of a majority of the infrastructure will lie outside the control of local authority however the Council reiterate the importance of a broaden definition of infrastructure provision that reflects the importance of local infrastructure and facilities including open spaces and public realm.
<i>Question 75 - If so, should any increase be secured on the basis of extending the use of individual Article 40 agreements with developers on a case by case basis?</i>		<ul style="list-style-type: none"> ▪ The Council considers that the Article 40 approach has been underused in Northern Ireland and it also presented an element of uncertainty to developers. The Council would support a revision to the method of obtaining developer contributions which would be linked to policies and infrastructure needs identified as part of the local development plan process.
<i>Question 76 - Alternatively, should a levy system of financial contributions from developers be investigated in Northern Ireland to supplement existing government funding for general infrastructure needs, e.g. road networks, motorways, water treatment works etc., in addition to the requirements already placed upon developers to mitigate the site-specific impact of their development?</i>		<ul style="list-style-type: none"> ▪ The Council would support further consideration given to a levy based system but its introduction may be dependent on the introduction of up to date local development plans. Priorities for infrastructure could be identified in the Investment Strategy for Northern Ireland 2008-18 or through a master planning approach for site specific issues. The levy approach should, however, focus on the potential for local actions to address the impacts on the affected neighbourhoods and services in parallel with the consideration of broader infrastructure issues.
<i>Question 77 - What types of infrastructure should be funded through increased developer contributions, e.g. should affordable housing be included in the definition?</i>		<ul style="list-style-type: none"> ▪ The Council considers that the definition of infrastructure should be broadened to include contributions to open space, play facilities and civic amenity centres. The provision of social housing and the development of mixed tenure communities is also a priority for many areas and should also be considered for inclusion.
<i>Question 78 - If such a levy system were to be introduced in</i>		<ul style="list-style-type: none"> ▪ The Council would consider that developer contributions should be used to improve the infrastructure on the basis of a sequential

<i>Northern Ireland should it be on a regional i.e. Northern Ireland-wide, or a sub-regional level?</i>		<p>consideration working up from consideration of the local area to the more strategic sub regional level.</p> <ul style="list-style-type: none"> ▪ Clarity would be required in relation to the mechanisms for the allocation of the levy or article 40 resources in respect of the agreed policies or infrastructure proposals.
<i>Question 79 - If such a levy system were to be introduced should all developments be liable to make a financial contribution or only certain types or levels of development e.g. residential, commercial, developments over a certain size?</i>		<ul style="list-style-type: none"> ▪ The Council would support a levy system which covers private residential and commercial developments triggered by a certain threshold. The level and threshold should be determined by the local councils as part of the Development plan processes.
CHAPTER 8 - ENABLING REFORM		
<i>Question 80 - The Department invites views on how we (and other stakeholders) might ensure that all those involved in the planning system have the necessary skills and competencies to effectively use and engage with a reformed planning system.</i>		<p>The Council recommends that the Department should work closely with the new councils and the relevant government departments to agree a way forward to deliver planning reform. The Council suggests that consideration should be given to:</p> <ul style="list-style-type: none"> ▪ resource and capacity issues; ▪ developing the skills and capacity of planning officers; ▪ developing the resources and capacity within local government to integrate the administrative and political processes; ▪ developing the context for effective relationships between elected members and planning staff; and ▪ the mechanism for the engagement and involvement of relevant government department in the planning process and developing working relationships with local councils.
<i>Question 81 - Post-RPA, do you agree that central government should continue to set planning fees centrally but that this should be reviewed after 3 years and consideration given to transferring fee setting powers to councils?</i>	Yes	<ul style="list-style-type: none"> ▪ The Council agrees that central government should continue to set planning fees but in conjunction with local council to take account of the new functions and resources required to carry out these functions.
<i>Question 82 - Do you agree that central government should have a statutory planning audit/inspection function covering general or function-specific</i>	Yes	<ul style="list-style-type: none"> ▪ The Council agrees that central government should have a planning audit/inspection function to help support the introduction and enhancement of the functions. However, this should be carried out in conjunction with monitoring of the statutory consultees performance involved in the development plan and development management process with the objective of enhancing performance and identifying areas for support.

<i>assessments?</i>		<ul style="list-style-type: none"> ▪ The Council would state that the emphasis from central government should be in providing assistance to local councils in areas of poor performance rather than highlighting poor performance.
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4.0	Conclusion
4.1	Belfast City Council reiterates its support for the reform of the planning system in Northern Ireland; however, the lack of detail in key areas in the consultation document makes it difficult for us to undertake an informed assessment of the likely impact of the proposals and the potential consequences for councils and citizens in the future.
4.2	The Council advocate the need for a closer working relationship with the Department to take forward the reform proposals and in order to facilitate this process, it is recommended that Belfast be considered as one of the pilot areas as referred to in paragraph 3.59.
4.3	The Council would seek clarification on how the Department intends to incorporate the comments detailed in this report, as well as those received from other stakeholders, into the final reform package and the implementation arrangements.

Appendix 2

**“Reform of the Planning System in
Northern Ireland”
Planning Service - Executive Summary**

Executive Summary

1. In November 2007, the then Minister of the Environment, Arlene Foster, announced that she intended to take forward a programme of planning reform, with the key aim of developing proposals that would enable the planning system to play its part in delivering the Executive's Programme for Government (PfG) priorities and, in particular, by contributing to growing a dynamic, innovative and sustainable economy, while promoting inclusion and equality of opportunity. Professor Greg Lloyd, an expert on planning, was appointed to provide the Minister with an independent opinion on the direction that planning reform would need to take to best achieve its aim and to work with officials to develop proposals for the key measures necessary to deliver an improved planning system.
2. This consultation paper sets out the measures the Department of the Environment (the Department) proposes to take to reform the planning system in Northern Ireland and to make the changes required to implement the decisions taken under the Review of Public Administration (RPA), which will see the majority of planning functions returning to local government. Together, these proposals represent the most fundamental change to the planning system in Northern Ireland in over 30 years.
3. The paper also sets out certain related issues on which the Department is seeking views, including criminalisation of development without planning permission, developer contributions and enhancing the capacity of the planning system.

Stakeholder Engagement

4. In order to fully inform the proposals the Department has been involved in a number of different engagement activities, including a major conference in November 2007, attended by approximately 200 delegates and addressed by the Environment Minister. A questionnaire developed for the conference was posted on the Planning Service website for 10 weeks, with over 240 responses submitted and considered. Officials have also been engaged in research and have been in liaison with their counterparts in planning throughout the UK and Ireland. In addition, a series of meetings, involving Professor Lloyd, have been held with internal and external stakeholders, including other government departments, the Planning Appeals Commission, representative bodies such as Community Places, Northern Ireland Environmental Link, the Construction Employers Federation, the Institute of Directors, the Confederation of British Industry, the Northern Ireland Local Government Association and others.
5. The planning system is fundamentally about ensuring the effective and efficient use of land in the public interest, contributing to achieving sustainable development in cities, towns and rural areas. Land use and development involves a complex interaction and analysis of economic, environmental and socio-economic issues and, with the return of devolved government in Northern Ireland, the Executive has made it clear that the top priority for the next three years is sustainable economic growth.
6. Reform is therefore needed to ensure that we have a modern, efficient and effective planning system, and is critical to supporting the Executive in delivering on its key priorities. The planning system needs to provide confidence to investors, developers and the public alike. It needs to be more responsive to the many and varied challenges we are facing today, including promotion of economic growth, enabling sustainable development, securing

environmental protection, addressing climate change and demands for more social and affordable housing and, of course, ensuring effective use of resources and improved service provision.

Aims and Objectives for Reform

7. The reform programme aims to bring about improvements in the planning system to ensure that it:
 - supports the future economic and social development needs of Northern Ireland and manages development in a sustainable way, particularly with regard to large, complex or strategic developments;
 - is delivered at the right level with the appropriate managed processes for regionally significant, major, local and minor applications;
 - has streamlined processes that are effective, efficient and improve the predictability and quality of service delivery; and
 - allows full and open consultation and actively engages communities.
8. The reforms are set in the context of the overall objective of improving the Northern Ireland economy, while promoting social inclusion, sustainable communities and personal health and well-being, as well as promoting viable and vital towns and city centres and helping to create shared spaces that are accessible to all and where people can live, work and socialise. We must also balance this with protecting the environment and heritage and contributing to sustainable development.

Scope of the Reforms

9. This reform of the planning system is intended to be comprehensive: it encompasses the development plan process, development control, enforcement and planning policy, together with other support-type functions. It also covers a significant time period, from the short-term through to 2011 and beyond. It is focused on the planning system, not just the Planning Service, and on the roles and responsibilities of all of the participants, including planners, developers, agents, consultees, representative bodies, elected representatives, communities and individuals. In addition, the major structural reform of the planning system required to deliver the RPA will see decision-making on planning applications and local development planning become the responsibility of the new district councils. This will make planning much more locally accountable, giving local politicians the opportunity to shape the areas within which they are elected. It will also improve the decision-making processes by bringing an enhanced understanding of the needs and aspirations of local communities.
10. In advance of these proposals, the Planning Service has been taking forward a series of projects, pilots and trials aimed at having an immediate impact on speeding up the planning process (e.g. new pre-application discussion arrangements with applicants, and a joint pilot scheme with Derry City Council to streamline non-contentious applications² which, by the end of March 2009, had been rolled-out to all district councils). In the medium to longer term, the reform proposals that will be brought forward will require more significant changes, in many cases underpinned by new or amended legislation.

11. Chapter 1 provides background to the reform programme: the purpose of the planning system; why we need to reform it; the impact the RPA will have; and the Department's vision for a reformed planning system. The remainder of the consultation paper covers the areas set out below.

Planning Policy

12. The Department is considering the need for a reform of its arrangements for planning policy, particularly in relation to the future role and status of planning policy statements (PPSs) in light of the proposed transfer of key planning functions to the new district councils in 2011. The Department is proposing that PPSs should move from providing operational guidance and advice to providing strategic direction and regional policy advice, which would then be interpreted locally in development plans, and that the content and process associated with PPS production should reflect the desire to produce shorter, more focused documents, in a shorter timescale.

Development Plan

13. Fundamental to reform is the provision of an effective, up-to-date development plan system. The Department proposes to introduce a new local development plan system which will operate within the two-tier planning system envisaged under the RPA, whereby planning functions will be administered by both district councils and the Department. The proposals are intended to:

- speed up the plan preparation process;
- ensure more effective participation from the community and other key stakeholders early in plan preparation; and
- ensure a more flexible approach that is responsive to change and capable of faster review.

The new local development plan system will provide more clarity and predictability for developers, the public and other stakeholders. It will also assist the new 11 district councils to target action to tackle social need and promote social inclusion.

Development Management

14. Enhancing the ability of the system to deal speedily with key planning applications that have real economic and social benefit is central to delivering the vision of a planning system that is fit for purpose and which will underpin a modern and prosperous Northern Ireland. The Department proposes to adopt a concept of development management for handling planning applications, with a greater emphasis on facilitating and shaping development and away from mainly controlling it.
15. As part of this new development management approach, the Department is proposing the creation of a 3-tier hierarchy of development (consisting of regionally significant, major and local) so that greater resources can be directed at those applications with economic and social significance, through more proportionate decision-making mechanisms, tailored according to the scale and complexity of the proposed development. In conjunction with this, the Department proposes to introduce new processing arrangements for types of applications within the 3-tier hierarchy. These will improve the predictability

of timescales and ensure effective engagement with the community and other stakeholders. Proposals are also included in relation to permitted development, the role of consultees, the partial demolition of unlisted buildings in conservation areas/areas of townscape or village character, and miscellaneous changes to planning permissions.

Permitted Development (including householder and small scale renewable energy generation)

16. Permitted development rights currently allow certain, often minor, non-contentious types of development to proceed without the need for a planning application as planning permission is deemed to be granted. The introduction of development management will include a rationalisation of how planning permission is given for such minor developments. The Department proposes to achieve this by simplifying and streamlining processes for applications for minor development, and by extending the range of minor developments for which planning permission is given without a planning application: for example, by extending permitted development rights within the curtilage of a dwelling house, and providing specific permitted development rights for small scale renewable energy generation.

Role of Consultees

17. The Department is re-examining the arrangements by which planning authorities (whether district councils or the Department) will consult other bodies on applications for planning permission, approval and consent and the process by which consultee bodies will be required to respond to such consultations.

Enhanced Development Management in Conservation Areas, Areas of Townscape or Village Character

18. Protecting those areas that have been identified as architecturally or historically important is a key role of the planning system. As part of this role, a number of conservation areas and areas of townscape or village character have been designated, or are proposed, across Northern Ireland. To ensure these areas are fully protected the Department is proposing to strengthen control over the partial demolition of unlisted buildings in conservation areas, areas of townscape or village character and to place greater emphasis on the enhancement of conservation areas.

Miscellaneous Changes to Planning Permissions

19. The Department is seeking views in relation to changing the duration of planning permission and some consents; enabling non-material changes to planning permissions (i.e. minor changes that do not significantly change a scheme that was originally granted planning permission) to be made; and allowing the planning authority to correct errors in planning decision documents without the consent of the applicant/landowner.

Appeals and Third Party Appeals

20. The Department is examining measures for improving the appeal system: for example, reducing the time limit for lodging an appeal from six months to two, giving the Planning Appeals Commission the legislative powers to determine the most appropriate appeal method, and establishing local member review bodies (comprised of councillors) to hear certain appeals.

The Department is also inviting views on the issue of third party planning appeals.

Enforcement and Criminalisation

21. The Department is reviewing enforcement provisions to ensure they are sufficiently robust and considering whether any new proposals, similar to those recently introduced in Scotland, should be developed for Northern Ireland. The arguments for and against introducing a criminal offence for commencing development without planning permission are also considered.

Developer Contributions

22. The Department is seeking views on the contribution that the development industry might make to the provision of infrastructure (such as roads, water and sewerage) necessary for Northern Ireland's economic and social improvement.

Enabling Reform

23. In order to properly reform the planning system there are a number of related areas which will need to be addressed: for example, culture change, capacity, funding, engaging communities, audit and inspection arrangements.

Culture

24. The reform proposals represent the most substantial changes to the planning system in over 30 years. For the full impact of these changes to be realised, and a new planning system created, it is clear that a change in culture for all those involved in the system is required. The development of a shared understanding amongst stakeholders on the role and nature of the planning system is extremely important, both in terms of what planning is expected to deliver and what it is not. A key element of such an approach is an enhanced appreciation and acceptance of both the rights and responsibilities of all stakeholders.

Capacity

25. Another key area will be building capacity, both within the existing Planning Service and working with stakeholder bodies, councils, consultees, developers, agents and the public to deliver reform, including the new roles and responsibilities emerging from RPA implementation. It is particularly important that all planning staff continue to develop and enhance the necessary skills and competences required to take forward planning reform.

Funding

26. The implementation of the RPA, in conjunction with the reform programme, will inevitably have implications for the funding of the planning system, and for the fee structure. We need to assess how these proposed reforms will impact on funding and what revisions may be required as a result. Consultants will be engaged to research and provide recommendations in relation to the future funding of the planning system in light of both the reform initiatives and the decisions made as a result of the RPA.

Engaging Communities

27. Ensuring that openness, transparency and the opportunity for effective engagement continues in the future planning system is at the core of the reforms being proposed and is critical to ensuring integrity and confidence in the planning system.

Audit/Inspection

28. The role of audit, inspection, performance management and monitoring of the planning system will be critical in ensuring that planning functions are carried out, and are seen to be carried out, in a clear, fair and consistent manner and that best practice is applied across the new district councils. The Department is proposing that central government should have a statutory audit/inspection function and that it should collate, analyse and possibly publish Northern Ireland-wide planning information on performance, application numbers, local development plan preparation etc.

Outcomes of Reform

29. The anticipated outcomes from the proposed reform programme are:

- a more responsive planning system delivered at a local level, with enhanced local political accountability;
- a streamlined development plan system, with a more meaningful level of community involvement;
- a more effective development management system, with a greater focus given to economically and socially important developments;
- a system more capable of discharging the statutory obligations to have due regard for the need to promote equality of opportunity;
- improved efficiency of processing and greater certainty about timescales;
- a change in the culture of the planning system: seeking to 'front load' the development plan consultation process, make plans more strategic in nature, and to facilitate and manage
- development, rather than mainly controlling undesirable forms of development;
- stronger collaborative working across a range of stakeholders; and
- a better match of resources and processes to priorities and improved value for money for all users of the planning system through more proportionate decision-making mechanisms.

30. These proposals lay the foundation for an improved planning system which the Department believes will encourage the investment Northern Ireland needs for economic growth, creating jobs and opportunities for all, while promoting fairness, inclusion, equality of opportunity, and protecting the best of our natural and built environment. They aim to improve confidence and trust in the system and move it from a system that is seen as reactive and bureaucratic to one that is more positive and dynamic.

31. Some of the proposals are at a more advanced stage of development than others. Some require legislative change and others require changes to policies, procedures and processes. The Department intends to work closely with all who have an interest in the planning system and welcomes your views and comments on the proposed measures. This consultation paper

provides anyone who wishes an opportunity to comment on the proposals, as well as on certain related issues where the Department is seeking views. The consultation process plays an important part in informing and framing the new planning system.

32. There are a number of consultation questions throughout the document and, for ease of response, these are summarised in a separate consultation response document. We would appreciate you taking the time to provide us with your comments. The consultation exercise runs until 2nd October 2009.

Assessments

33. Government bodies are required to screen the impact of new policies and legislation against a wide range of criteria, including equality and human rights. There are also requirements introduced either by the Executive or as a result of UK government or international obligations for environmental, rural, regulatory and health impact assessments. The results of the Department's initial screening exercises are highlighted below.

Equality Impact Assessment

34. A draft Equality Impact Assessment (EQIA) at a strategic level has been prepared as part of the Department's Section 75 statutory duties in response to the Programme for Government (PfG) proposals. It is intended that the draft EQIA at a strategic level will help establish a foundation for subsequent Section 75 activities that will continue to ensure that due regard for the need to promote equality of opportunity and regard for the desirability of good relations are mainstreamed within each stage of development and implementation of the reform programme up to and beyond 2011. The draft EQIA at a strategic level is being published at the same time as, and in conjunction with, this consultation paper and we would welcome your views on the draft assessment. A copy of the draft EQIA at a strategic level is available on our website at <http://www.planningni.gov.uk>.

Rural Proofing

35. Rural proofing is a process which ensures that government policies are examined carefully and objectively to determine whether or not they have a different impact in rural areas. The Department has considered the guidance on rural proofing provided by the Department of Agriculture and Rural Development and has completed the checklist developed by the Rural Development Council.

Regulatory Impact Assessment

36. Government procedures require that a Regulatory Impact Assessment must be prepared for all proposals (legislative and non-legislative) which are likely to have a direct or indirect impact (whether benefit or cost) on businesses, charities, social economy enterprises and the voluntary sector. This includes proposals which reduce costs on business and others, as well as those that increase them.

New Targeting Social Need

37. New Targeting Social Need (New TSN) requires all government departments and relevant agencies to tackle social need and social exclusion by targeting efforts and available resources on people, groups and areas in greatest objective social need. The proposed reforms of the planning system have been examined to determine the extent to which New TSN applies. The

proposals are intended to make the planning system more effective and efficient and thus ensure that it is fit for purpose in terms of playing its role on delivering on the Executive's Programme for Government commitments.

38. The proposals relating to planning policy, reflecting the desire to produce shorter, more focused planning policy statements, will help make them more accessible to all and will enable government policies to be applied more quickly on the ground through the development plan and development management systems.
39. It is proposed that district councils will be required to prepare a statement of community involvement which will set out procedures for involving local communities in the preparation and revision of local development plan documents and for consulting on planning applications.
40. In relation to development plans, the proposals for a more streamlined development plan system aim to ensure a more meaningful and effective approach to enabling interested parties and the local community to engage early in the plan process. These proposals, combined with the fact that responsibility for development plans will be transferred to local government under RPA, will enable district councils to target action to tackle social need and promote social inclusion.
41. Similarly, the development management proposals are designed to allow for more proportionate decision-making mechanisms and should therefore enable district councils to focus resources on those development proposals which are of the greatest economic and social benefit in their areas. The proposals also allow for increased community engagement at an earlier stage in the process and, as such, facilitate and encourage the inclusion and consideration of the views of communities with the greatest social need who might otherwise be excluded.

Other Assessments

42. The policy areas have also been screened in terms of their potential impacts on crime, community safety, health, human rights, state aid and environmental issues. At present, it would appear that the proposals will apply uniformly to all groups with no adverse impact in these areas.
43. The Department welcomes views on whether the conclusions contained in the above assessments are correct.

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Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Political Nominations to the Belfast District Policing Partnership Sub-Groups
Date:	18 th September, 2009
Reporting Officer:	Stephen McCrory, Principal Committee Administrator
Contact Officer:	Stephen McCrory, Principal Committee Administrator

Relevant Background Information

The Council was required, under Schedule 3 of the Police (Northern Ireland) Act 2000 as amended by the Police (Northern Ireland) Act 2003 and by the Northern Ireland (St Andrews Agreement) Bill, to establish the Belfast DPP and its 4 Sub-Groups before the expiration of a 3-month period following the Commencement Date for the legislation on 4th September, 2007. The Council was required to make the appointments so as to reflect the strength of the Parties on the Council.

Key Issues

Appointment of Political Members to the DPP Sub-Groups

A meeting was held with the Party Group leaders on 29th August, 2007 and the following political composition of the DPP Sub-Groups was agreed using the Council's system of proportionality:

Sub-Group Members - 6 Political Members on each of 4 Sub-Groups (24 places)

The breakdown of the total number of political places amongst the Party Groups was Sinn Féin Party 7, Democratic Unionist Party 6, Ulster Unionist Party 4, Social Democratic and Labour Party 4, Alliance Party 2, Progressive Unionist Party 1.

Since both Sinn Féin and the Democratic Unionist Parties had a proportionate figure of 6.59, it was agreed that the 24th place would be rotated between the two Groups with Sinn Féin having the additional place initially. The leaders agreed the undernoted distribution for the period from 1st October, 2007 till 30th September, 2009:

<u>North</u>	<u>South</u>	<u>East</u>	<u>West</u>
2 SF 1 DUP 1 UU 1 SDLP 1 All	2 SF 2 DUP 1 UU 1 SDLP	1 SF 2 DUP 1 UU 1 SDLP 1 All	2 SF 1 DUP 1 UU 1 SDLP 1 PUP

As the first two years of the DPP's term of office will end on 30th September, 2009 it is necessary to rerun the political choices for the Sub-Group membership with the Democratic Unionist Party having the 24th place instead of Sinn Féin.

A meeting of the Party Group Leaders was held on 4th September, 2009 and the undernoted membership of the Sub-Groups was agreed for the period from 1st October, 2009 till 30th September, 2011.

<u>North</u>	<u>South</u>	<u>East</u>	<u>West</u>
2 DUP 2 SF 1 UU 1 SDLP	2 DUP 1 SF 1 UU 1 SDLP 1 ALL	2 DUP 1 SF 1 UU 1 SDLP 1 All	1 DUP 2 SF 1 UU 1 SDLP 1 PUP

Resource Implications

Financial

There are no additional financial implications.

Human Resources

None.

Asset and Other Implications

None.

Recommendations

It is recommended that the Committee agree to the allocation of political places on the District Policing Partnership Sub-Groups for the period from 1st October, 2009 till 30th September, 2011.

Decision Tracking

The Head of Committee & Members' Services will arrange for the change in Membership to take effect from 1st October.

Due date – 2nd October, 2009.

Key to Abbreviations

DPP – District Policing Partnership



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Belfast City Council Policy and Procedures for the Protection of Children and Vulnerable Adults
Date:	18 th August, 2009
Reporting Officer:	Liam Steele, Head of Committee & Members' Services
Contact Officer:	Robin Boyd, Members' Support Officer Julie Lilley, Members' Liaison Officer

Relevant Background Information

The Strategic Policy Resources Committee, at its meeting on 7th August, adopted the Council's amended policy and procedures on the protection of children and vulnerable adults. In addition, it authorised the engagement of the Council in the Leisurewatch initiative which aims to raise the awareness of staff at an early stage to potential sex offenders who may come onto Council premises to gain access to children.

The Council, at its meeting on 1st September, agreed that consideration be given to the provision of appropriate training for Elected Members on the Council's revised policy and that a report thereon be submitted to a future meeting of the Strategic Policy and Resources Committee.

Proposed Actions

In accordance with the Council's decision, provision of awareness training on the protection of children and vulnerable adults will be included in the Members' Training Plan for 2010/2011.

I have been advised that the delivery of such sessions would best be undertaken early next year as, at this time, the awareness sessions could include details of the related Leisurewatch programme.

Staff training on these issues is the responsibility of the Community Services Section and is undertaken by staff who are accredited child protection trainers. The proposed Members' awareness sessions will be developed by the Members' Support Unit in consultation with the designated lead officer, Blanche Thompson, Play Development Officer, and will be undertaken by the aforementioned accredited staff.

Resource Implications

Financial

Minimal, since training will be provided by Council officers.

Human Resources

None.

Asset and Other Implications

None.

Recommendations

It is recommended that Members approve the inclusion in the Members Training Plan of awareness sessions on the protection of children and vulnerable adults as outlined in the report.

Decision Tracking

Mr Liam Steele, Head of Committee and Members' Services, will, by 31st January, 2010, make provision in the Members Training Plan 2010/2011 for awareness sessions on the protection of children and vulnerable adults.



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Requests for the use of the City Hall and the provision of Hospitality
Date:	Friday, 18 th September, 2009
Reporting Officer:	Mr. Liam Steele, Head of Committee and Members' Services (ext. 6325)
Contact Officer:	Mr. Gareth Quinn, Development Officer (ext. 6316)

Relevant Background Information

A schedule of applications, together with an indication as to whether they fall within the criteria approved by the Committee, is attached as Appendix 1.

Key Issues

To advise the Committee of applications which have been received for the Use of Accommodation in the City Hall and/or the Provision of Civic Hospitality.

Resource Implications

Provision has been made in the Revenue Estimates for hospitality.

Recommendations

The Committee is asked to approve the recommendations as set out in the Appendix.

Key to Abbreviations

Not applicable

Decision Tracking

If the Committee approves the recommendations, the organisations will be notified and the necessary arrangements put in place following ratification by the Council.

Officer responsible – Gareth Quinn.

Documents Attached

Appendix 1 – Schedule of Applications

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**SCHEDULE OF APPLICATIONS FOR THE USE OF THE CITY HALL AND
THE PROVISION OF HOSPITALITY**

Organisation / Body	Event / Date – Number of Delegates / Guests	Request	Comments	Recommendation
Regional Regulatory Peptide Laboratory	International Regulatory Peptide and Neuroendocrine Tumour Symposium 6 th September, 2010 Approximately 400 attending	The use of the City Hall and the provision of hospitality in the form of a pre-dinner drinks reception.	It is estimated that 400 delegates will be staying in accommodation in Belfast and the conference will take place within the city. This event would contribute to the Council's Key Theme of 'City Leadership – Strong, Fair, Together'.	The use of the City Hall and the provision of a pre-dinner drinks reception in the form of wine and soft drinks. Approximate cost £1,600
Institute of Chartered Secretaries and Administrators	75 th Anniversary Dinner 14 th November, 2009 Approximately 120 attending	The use of the City Hall and the provision of hospitality in the form of a pre-dinner drinks reception.	This event seeks to celebrate the 75 th Anniversary of the Institute of Chartered Secretaries and Administrators and to acknowledge its contribution to the general life and well-being of the city. This event would contribute to the Council's Key Theme of 'City Leadership – Strong, Fair, Together'.	The use of the City Hall and the provision of a pre-dinner drinks reception in the form of wine and soft drinks. Approximate cost £480
Chartered Institute of Building	175 th Anniversary Dinner 19 th February, 2010 Approximately 250 attending	The use of the City Hall and the provision of hospitality in the form of a pre-dinner drinks reception.	This event seeks to celebrate the 175 th Anniversary of the Chartered Institute of Building and to acknowledge its contribution to the general life and well-being of the city. This event would contribute to the Council's Key Theme of 'City Leadership – Strong, Fair, Together'.	The use of the City Hall and the provision of a pre-dinner drinks reception in the form of wine and soft drinks. Approximate cost £1,000

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**Belfast City Council**

Report to: Strategic Policy and Resources Committee

Subject: City Investment Framework
(Incorporating Capital Programme,
City Investment Strategy and N,S,E,W projects)

Date: 18 September 2009

Reporting Officer: Gerry Millar, Director of Improvement, Ext: 6217

Contact Officer: Gerry Millar, Director of Improvement, Ext: 6217

Purpose

The purpose of this report is to begin to establish a firm Council agenda in terms of what investment we can support within the limitations of budget, people and political constraints.

Background

The Council has stated ambitions of wanting to take a leadership role in the City to improve the quality of life of citizens through place shaping and a number of other measures as set out in our Corporate Plan 2008/11.

The physical aspects of place shaping are contained in some proposals within the Councils Capital Programme; the commitments by Council to a City Investment Strategy; the emerging priorities from the North, South, East, West debates and the various discussions ongoing with other agencies both within and outside of RPA discussions regarding assets and projects.

As always resources particularly money is in short supply and therefore a major limitation on what can be actually be delivered.

Key Issues – Ambitions – What does the City need or want

- **Capital Programme (see appendix 1 for list of schemes)**

The Councils Capital Programme is a mixture of basic facility replacement to enable service delivery e.g. depots or crematoria; people based facilities e.g. centres, pitches and health and safety or investment schemes e.g. Gasworks, North Foreshore, demolition of Grove, Maysfield etc

The current financial position is that:

Committee has committed projects which require loans up to £56m. In addition, there are a large number of uncommitted schemes which if they all went ahead would easily go beyond a further £70m - £100m of expenditure.

Some of these uncommitted projects can make strong business cases e.g. a heat recovery proposal on the North Foreshore with a short payback period; Woodvale and Dunville Parks which have a large percentage of grant funding or alley gates which are socially and politically viewed as value for money.

Regardless of the merits of each case the bald fact remains that our affordability limit in terms of borrowing is deemed by Financial Services as £45m and hence we have an £11m shortfall on committed projects already. Never mind any further expenditure.

The advice from Financial Services is that there should be a moratorium on further capital expenditure until finances recover.

Members however, have taken a different view in that they have asked for a review of our Capital Financing Strategy to test the £45m affordability limit and see if it can be stretched.

The bottom line on this means finding further revenue to support new loans from within existing resources.

Obviously this will raise a political dilemma should any savings be found of where and on what do the Members wish to allocate the ratepayers money.

- **City Investment Fund/Strategy**

The City Investment Fund/Strategy is a fund based on an annual % rate contribution and capital receipts from asset realisation that is aimed at supporting major iconic projects for the city. To date, commitment has been given to four projects – Titanic Signature Project; Lyric and Mac theatres and Connswater Community Greenway. The committed cost to Council for the next four years is £16.2m of which so far we have raised £4.4m. The total expenditure on the four projects is £153.5m but there is a Council funding gap of £11.8m.

Although we have recently received a £581,000 settlement for a land issue which should be added to the fund.

There are a number of other ideas that have been suggested for funding within the scheme but nothing is being moved forward until the current funding gap is addressed.

Details of asset realisation are considered below under resources.

- **N, S, E, W emerging Priorities**

N, S, E, W debates have occurred over the past few months with some clear preferences emerging where Council should expend its resources.

Appendix 2 contains details of a written response in regard to North Belfast relating to a range of projects within and external to the Council including the obvious potential of Girdwood and the North Foreshore.

East Belfast has a preference for a leisure/sport based complex with a private sector partner at Tommy Patten/Blanchflower and freeing up existing community and leisure space for inner city housing along with potentially vacant school sites.

South Belfast has a range of projects it would like to see moving forward including Mary Peters development, Shaftsbury Square enhancement, Lagan Canal, Maysfield and Gasworks Northern Fringe.

West Belfast has identified a number of projects but has yet to propose a definitive list but wants doable projects such as St Comgalls, Beechmount and the Gaeltacht quarter to go ahead while others are kept pending awaiting resources.

The N, S, E, W projects obviously need prioritised and there are some common themes such as tourism, sport, city gateways which could perhaps be built into a programme with other government departments.

Over and above the N, S, E, W debates there are also important proposals and ideas for the city and city centre which need to be at least considered. There are various proposals for private office developments, the Council will have more permanent office accommodation requirements post RPA which will also bring demand from new boundary areas. There are also some business tourism ideas such as a Convention Centre and new Welcome Centre and of course the Rapid Transit proposal is beginning to take shape while the stadia discussions remain ongoing.

The key action emerging from the above is to get an agreed City Investment Framework around what the Council can support relating to our key place shaping and quality of life objectives. The framework must also be sufficiently flexible to allow some projects to go ahead of others as finance, opportunity and other partners permit.

In other words we need an overall plan for the city but we also need to action those projects that are immediately doable. In the long run most new investment is rateable and so can build the city taxbase.

Key Issue – Resources – what can the Council bring

In broad terms the Council can bring a number of things to the table both now and post RPA as set out below

Council Contribution

Soft

- Political mandate for the city
- Planning Support/community gain
- Land assembly
- International city marketing/branding
- Community planning/convening role

Hard

- Money
- Land
- Skills and experience
- Long term commitment

The most pressing question at present is money and this is addressed below.

There are four basic sources of funding for investment – loan, capital receipt, grant and public private partnership.

(i) Loan

As mentioned above Council is currently over committed in terms of loan and unless the mini budget review can squeeze further revenue to support new loans the de facto position will be as advised by Financial Services of a moratorium on any loan based investment or capital programme.

Even if money is found there will be a hard choice of whether to allocate such monies to four key areas to **keep the rate down; renew reserves; invest in capital or service enhancement**. Any such decision will have to be mindful of potential medium term costs such as waste fines or penalties, requirements for carbon reduction, major building maintenance issues and of course RPA impact.

Until the budget review is complete in October it is difficult to move projects forward on a loan basis.

(ii) Capital Receipt

Realising assets is slow and difficult and the poor state of the economy and property market makes it difficult to get value for money. However, we are progressing a number of disposals as detailed in the tables below:

Agreed Disposals:

Asset	Disposal Sum
Land adj. Beechmount	Previously valued at £3.685m but awaiting an updated valuation from LPS on behalf of DENI (likely to be lower)
Loughside	£14m net £8m
Land at Glen Road adj. St Teresa's GAC	£647,000 (net receipt)
Primrose Street former CAS	£85,000
Seapark Drive former CAS	£70,500

Proposed Disposals – Negotiations/Discussions underway:

Asset	Total Value
Land at Glen Road (Large Site) Land at Colin Glen Land at Templemore Avenue	Total Circa £8/9m

Total: Approx £20m

Note: This assumes however that all above sales proceed at current values, but given the current economic conditions and volatile property market these sale prices and potential for all sales to complete at these figures must be treated with caution.

Further Potential Disposals Include:

Maysfield
Cathedral Gardens
Former Grove Leisure Centre
Ravenhill Road Former PCs and Rest Garden
Land at North Foreshore
Stranmillis Car Park
Seymour House
Old Zoo

The receipts from these sales are currently allocated to the City Investment Fund which as mentioned has a shortfall of £11.8m over the next few years.

Depending on what can be agreed on an overall city investment basis further consideration may need to be given to using such funds to capital programme schemes and/or other projects or indeed the other financing choices as stated.

(iii) **Grant**

Grants are a welcome source of income but they have specific criteria that may not suit

council projects or objectives; they often require match funding and are front loaded in that the Council must fund the expenditure upfront. A further complication is that they are process heavy in that they are often accompanied by a huge bureaucracy and the ratio of process expenditure to actual project delivery is often poor.

Having said that we must continue to seek out grant and tailor our proposals accordingly.

Grant aid may be a key factor in moving some projects ahead of others especially as we have limited loan options.

In a separate paper on today's agenda are proposals for a Peace III bid which is 100% grant aided and if successful could address some of the ideas coming from the N, S, E, W debates.

(iv) Public Private Partnerships (PPP)

Core Cities in GB are increasingly turning to PPP models to take forward capital investment. Included among these are Local Asset Backed Vehicles (LABV), Accelerated Development Zones (ADZ) and JESSICA Urban Development Funding. There are pros and cons to all of these but in essence they all involve matching Council assets (money or land) with private money to create investment opportunity or else are another way of Council borrowing money.

Council officers have been exploring these but they could be risky, difficult to set up, require new legislation and so on. However, they may be the only option for things like the North Foreshore.

The key to any of these schemes is knowing what you want to deliver before agreeing to any of these as delivery options.

Council officers will continue to keep abreast of these options as we further develop a City Investment Framework.

Recommendations

It is recommended that officers pull together an overall framework of investment projects based on Capital Programme proposals, City Investment Fund schemes and N, S, E, W outcomes and correlate that with a Capital Financing Strategy which is a piece of work Committee have authorised together with the mini budget review.

It is further proposed that officers prioritise the projects in terms of strategic fit to Council objectives; wholelife costs; funding; invest to save etc and then test that with the SP&R Committee to agree a way forward.

Decision Tracking

It is proposed to bring an overall affordable programme of work for consideration in October/November.

Documents Attached

Appendix 1: Capital Programme - List of Schemes

Appendix 2: North Belfast Projects

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Projects Requiring Loan Funding**Underway – operational but not yet finalised**

1	Ardoyne Community Centre - New Build/Equipment
2	Woodvale Community Centre - New Build/Equipment
3	Waterfront Hall - Front of House Carpet
4	Waterfront Hall - Chilled Water Plant Upgrade
5	Waterfront Hall - Main Auditorium Stage Elevators & Suspensions
9	Palmerston Road HRC : Demolition and Extension
16	Ormeau Park - Depot Office/Bothy (Linked to Park Road HRC)
11	Transfer Station at Dargan Road and Associated Infrastructure Development
12	Clara Street HRC Upgrade Phase 1
15	Recreation Grounds - Renovation of Pitches
17	Strangford Avenue PF - Changing Accommodation - Phase 1
18	Belfast Castle - Garden Wall
19	Olympia Pitch Replacement
21	Cavehill Path Restoration - Phase 1
25	St George's Market - Heating and Ventilation System
33	Grove Leisure Centre - New Well-Being Centre/Equipment
114	Falls LC
35	Belfast Castle Playground - Public Toilets/Office
36	Cremators at Roselawn - Upgrade for LPG
37	The Zoo Souvenir Shop
45	Accommodation: Adelaide Exchange Fit Out
55	WFH Fire Alarm System
101	Acquisition of Land at Stranmillis Embankment
102	Mary Peters Track - 2012 Elite Sports Facility
103	Blanchflower Playing Fields - 2012 Elite Sports Facility
54	Grosvenor Community Centre: Provision of Synthetic Pitch
24	Ulster Hall Major Works
26	WFH-Computerised Box Office System
32	Fitness Equipment/Lockers
43	City Hall Major Works
53	Alexandra Park Depot Development/Upgrade Refurbishment (including Parks Depot)
59a	Roselawn Extension/Development: Land Acquisition

Underway – work in progress

31	Computerised Leisure Management System
34	Strangford Avenue PF - Changing Accommodation - Phase 2
40	ISB - Ancillary Equipment - Computer Services for IS Strategy
(22)	Digitisation of Parks Records
41	ISB - Ancillary Equipment - Telecommunications Enhancement
42	ISB - Ancillary Equipment - Other Software Support
48	Development of staff Toilets and Changing Facilities at Recycling Centres
50	Broadway Roundabout Sculpture
63a	New Cemetery: Legal/Recognition Fees
63b	New Cemetery: Ground Investigations
69a	Gasworks Northern Fringe: Planning and Ground Investigations
62a	North Foreshore Development - Infrastructure - Business Park
52	Ballysillan Leisure Centre Refurbishment of Synthetic Pitch
47	Duncrue Industrial Estate In Ground Gas Extraction System

Underway – procurement commenced but not yet fully, contractually committed

49	Maysfield Demolition and Clearance
51	Replacement of Fuel Station - Duncrue Complex
59b	Roselawn Extension/Development; Site Development
66	Outdoor Skate Park Facility
113a	City Hall: Telecoms/IS System: Upgrade Cabling & Network Equipment
113b	City Hall: Telecoms/IS System: New Telephony System
113c	City Hall: Telecoms/IS System: Unified Communications System
60	Loop River - New Facilities
58	City of Belfast Crematorium - Mercury Abatement System
68	Replacement Floor for Shankill Leisure Centre

Uncommitted – but essential, future proposals

63c	New Cemetery: Acquisition and Site Development
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Uncommitted – but being actively progressed

90	Alleygates Phase 2
74	Andersonstown LC – Replacement Handball Court & Weight Training (replacement for Beechmount Facilities)
116*	Woodvale Park Refurb
83*	Dunville Park - Refurbishment
104	Eversleigh Street PG
117	Various Locations – 10 Nr New 3G Pitches
105	Sliabh Dubh PG

Projects Not Requiring Loan Funding**Underway – operational but not yet finalised**

7	Denmark Street CC - Extension and Refurbishment
10	Park Road HRC (linked to Ormeau Park Bothy)
20	Provision of Synthetic Pitch - Willowbank
99	Falls Park Refurbishment
100	McCorry Park Playground
38	Financial Systems Development
44	Time Attendance and Management System
46	Vehicle Rolling Replacement Programme - 2007/08
23	Dargan Road Landfill Gas Utilisation - Electric Cable Installation

Underway – work in progress

30	Dargan Road Closure Plan
56	Blythefield Playing Fields - New Sports Pitch
57a	Vehicles - 2008/09 Rolling Replacement Programme
57b	Vehicles - 2008/09 Additional Vehicles
86	New Chief Executive's Department Stand-by Car
87	New Lord Mayor's Vehicle
89	Vehicle Rolling Replacement Programme - 2009/10

Underway – procurement commenced but not yet fully, contractually committed

92	Springfield Avenue Site A Childrens' Playpark
118	ISB - IT Security - DLP Encrytion/Device Control
119	ISB - IT Security - Security Log Analyser
120	ISB - IT Security - Single Sign On
121	ISB - Virtualised Data

Development Proposal for Capital Receipt – Design Commenced

73	Loughside Recreation Centre - New Facilities
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PROJECT	ACTION	LEAD / SUPPORT
<u>North Belfast Leisure Centre</u>	<p>It was discussed that this development should be located on Girdwood site and could have physio connections with the Mater. To progress with this project would kick start the future development of the site?</p> <p>Agreed: To commence the community consultation about the proposal.</p> <p>10th August 2009 It was raised that there are too many Leisure Centres didn't like the idea of Catholic and Protestant Leisure Centres.</p>	Lead: Support:
<u>North Foreshore</u>	<p>Attract investment to the North Foreshore. Attempt to promote Green Industries on the site. Giants Park proposals were not felt to be well consulted upon.</p> <p>Agreed: To re-look at the whole site and proposals a.s.a.p.</p>	Lead:
<u>Old Zoo / Floral Hall</u>	<p>Consider selling of on lease the old Zoo for the development of a Hotel and incorporate the Floral Hall for a banqueting facility.</p> <p>Noted: To discuss as soon as possible</p>	Lead: Support:

PROJECT	ACTION	LEAD / SUPPORT
<u>Yorkgate Inter-section</u>	<p>It was felt that this project is essential for the completion of the West Link redevelopment. There are some proposals for housing and other developments on this location to maximise us of the land</p> <p>Agreed: To lobby for the development of the Inter-section</p>	<p>Lead:</p> <p>Support:</p>
<u>Rapid Transport</u>	<p>North Belfast was left out of the original proposals and it is felt that there is a need for the North of the City to be included in the proposed rapid transport system.</p> <p>Agreed: That BCC lobby for North Belfast to be included in the Rapid Transport proposals</p> <p>10th August 2009 It was felt that only Antrim Road and Shore Road would be suitable.</p>	<p>Lead:</p> <p>Support:</p>

PROJECT	ACTION	LEAD / SUPPORT
<p><u>Clifton Street / Crumlin Road</u> <u>(Cultural Route)</u></p>	<p>This arterial route was seen as a potential Key tourist area taking in St Patrick's, Clifton St Orange Hall, Clifton St Methodist Church, The Old Synagogue, The Mater Hospital, Clifton House, Clifton Street Graveyard, Old Courthouse, Crumlin Rd Gaol.</p> <p>Agreed: To build the tourist trail and support development of Clifton St and Crumlin Road</p>	<p>Lead: Support:</p>
<p><u>Girdwood</u></p>	<p>There is additional need for the development on this site especially Housing, Economic etc.</p> <p>It was suggested that this site and other surrounding plans could be discussed at a further meeting.</p> <p>Noted: To look at the whole area again</p> <p>10th August 2009 It was felt that the concept plans for this area was lost in the Executive but there is a need for further discussion</p>	<p>Lead:</p>

PROJECT	ACTION	LEAD/SUPPORT
<u>Crumlin Road Gaol</u>	Was not discussed	Lead:
<u>Clifton Street Methodist Church</u>	<p>A report is to be published soon about the proposed development of this site.</p> <p>Suggestion was made to consider a Banner Museum Loyal Orders, Hibernians. Trade Unions and others.</p> <p>Noted: To study this further</p> <p>10th August 2009 Look at including the Commercial Sector in this project.</p>	<p>Lead:</p> <p>Support:</p>

PROJECT	ACTION	LEAD / SUPPORT
<u>University of Ulster</u>	<p>University of Ulster has made proposals to redevelop their whole Campus and expand it. This will bring new life to this area.</p> <p>Agreed: To support the development</p> <p>10th August 2009 The UU development needs to be given qualified support especially with regards to student accommodation there will be a need for on campus accommodation otherwise it will meet concerted resistance from established communities given the lack of housing.</p>	<p>Lead: Support:</p>
<u>Central Library</u>	<p>There are proposals for the Central Library to be completely renovated and expanded by the Libraries Board NI.</p> <p>Noted: This should leave some space at the front for letting and it was suggested that the BVCB should lease this space long term.</p> <p>Currently the BVCB may not be interested in the Library location but when the regeneration of that area is complete it may have a different view. There is currently a preferred site in Donegall Place (Old Barratts Shop)</p>	<p>Lead: Support:</p>

PROJECT	ACTION	LEAD / SUPPORT
<i>City Quays</i>	<p>This is a development proposed by the Harbour Commissioners and it could be an opportunity for the North of the City to have a Maritime Project (Museum) as North Belfast was where the first ships were built in Belfast</p> <p>Noted: To lobby for the development of a Maritime Project on this development.</p>	<p>Lead: Support:</p>
<u><i>Collaborative Projects</i></u>	<p>A full evaluation of Community Facilities is required to look at the distribution of such facilities throughout the City and especially in the North of the City. Suggestion was made to look at the multi use of some facilities e.g. schools to help reduce the major investment costs.</p> <p>Noted: To look at these issues again.</p>	<p>Lead:</p>

PROJECT	ACTION	LEAD / SUPPORT
<u>Old Grove Swim Centre</u>	Disposal of this site	

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Belfast City Council

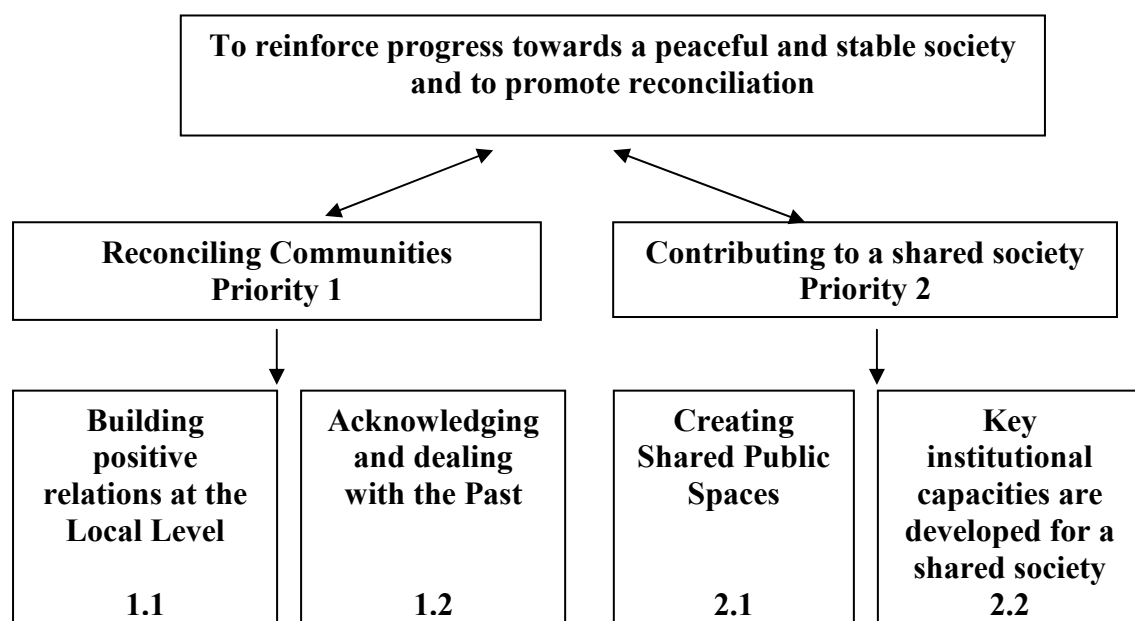
Report to:	Strategic Policy & Resources Committee
Subject:	Peace III Priority 2.1
Date:	18 September 2009
Reporting Officer:	Marie-Therese McGivern, Director of Development (Ext 3470)
Contact Officer:	Laura Leonard, European Manager (Ext 3577)

Relevant Background Information

Members will be aware that Belfast City Council has been participating in the Peace III programme through the Good Relations and EU unit officers. The Good Relations unit has managed the process to date to develop and secured funding under priority 1.1 of the Peace III programme to provide a multi annual programme of Peace initiatives 2008-2011.

The purpose of this report is to provide Members with an update regarding priority 2.1 of the Peace III programme and seek agreement with regard to current opportunities.

The framework of the Peace III programme 2007-2013 is represented as follows;



Members may be aware that in August 2007, the Special EU Programmes Body (SEUPB) opened a call under the Creating Shared Public Spaces Call of the Peace III programme. From the period August to October 2007 the European unit coordinated a process of identifying and submitting eight council proposals under this call. Following feedback from SEUPB the council later refined this submission and in December 2007 agreed to the re-submission of the North Foreshore Bridge proposal as well as the Skatepark project.

Members will be aware that since this time, the Skatepark project consequently succeeded in securing £375,000 and is underway and the North Foreshore Bridge project was rejected.

Current Situation

In line with the Good Relations Plan and the objective of 'Building Shared City Spaces' in the current Peace Plan, the 2.1 capital bids present real opportunities to realise this ambition. The Good Relations partnership recognises that high quality shared public spaces will be an economic benefit to the city, in terms of reputation, city attractiveness, reducing the costs of duplication and increased sharing across a range of facilities.

It is important the economic and social value of sharing is more explicitly promoted and 'designed in' when planning, delivering and managing shared spaces in the city. The SEUPB will rigorously test the 'shared' aspect of any bid. Based on initial discussions and relevant research, the Good Relations Partnership recently recommended to Council that a working definition for shared space is:

- **Welcoming** – where people feel secure to take part in unfamiliar interactions, and increase an overall sense of shared experience and community.
- **Accessible** – well-connected in terms of transport and pedestrian links within a network of similar spaces across the city and managed to promote maximum participation by all communities.
- **Good quality** – attractive, high quality unique services and well-designed buildings and spaces.
- **Safe** – for all persons and groups, trusted by both locals and visitors.

Importantly, it must be understood that 'shared space' is **not neutral**; it is a place where a diversity of identity, culture and heritage can be expressed and enjoyed in an environment of safety, tolerance and acceptance.

The Peace III network measure 2.1 has re-opened for a second call and will close on 13 November 2009. In order to identify Council Priorities for submitting proposals, the European unit has looked at the councils current "Place Shaping Projects" priorities and assessed these against the measure 2.1 criteria.

Priority 2.1 Creating Shared Public Spaces

Under 2.1 second call, the SEUPB is seeking strategic physical project submissions to meet the following criteria;

- To act as a catalyst for transforming the local community
- Be iconic with a capacity to provide a lasting legacy to the Peace III programme
- Incorporate high design and environmental quality
- Demonstrate long term sustainability
- Range in size from 1.5M to 10M euros

Under this measure the SEUPB wants to support 6-8 very large strategic and iconic

projects across the eligible Peace III programme area funded at between 2-10 million euros each. The idea of this measure is to produce iconic structures that can be easily recognised as a Peace III project long after the programme ends. For a project to be successful, it must achieve 70 or above in relation to the following listed criteria.

- Shared space potential
- Catalyst for transforming
- Capacity to be iconic
- Sustainable development
- Capacity to implement
- Financial competence (fund yourself up front and claim in arrears)

The weak areas for most projects submitted to date have been the capacity to be iconic and the catalyst for transforming.

SEUPB particularly wants to see physical projects that address some of the following;

- Segregated areas
- Sectarian graffiti, flags and emblems
- Peace walls and demarcation lines
- Sectarianism
- Under used and unwelcoming areas
- Creation of shared public spaces

Any bid to SEUPB would need to significantly contribute to the desired outcomes that they outline in the Peace III Programme, for example: the removal of interface barriers; a reduction in violence and tension; and increased levels of trust and tolerance.

In initial draft of a 'shared space' plan has been prepared for discussion with the Crusaders and Newington Football Clubs, outlining possible actions and a performance management framework. Similar 'shared space' plans would need to be prepared for each of the Council bids to underpin the capital expenditure, demonstrating the sustainability and integrity of the 'sharing'.

As a starter, it is suggested that a series of actions, with associated targets, are considered under each of the following headings, as part of each of the action plans:

<p>Welcoming</p> <ul style="list-style-type: none"> a. Branding and symbols b. Promotion and publicity c. Management and governance d. Volunteering e. Community engagement <p>Good quality</p> <ul style="list-style-type: none"> j. physical design k. programming events l. sharing high-quality resources m. Recruitment, development and progression of locally recruited volunteers and staff n. promoting unique cultural heritage 	<p>Safe</p> <ul style="list-style-type: none"> f. Physical design g. Policing/Stewarding h. Codes of conduct and enforcement i. Managing critical incidents <p>Accessible</p> <ul style="list-style-type: none"> o. Location p. well-served by public transport q. well-served by pedestrian and cycle links r. Affordability s. Involving under-represented groups e.g. disabled groups t. Youth programming u. monitoring participation of all groups and targeted campaigns/programmes
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Other actions may emerge and will be tailored to the particular objectives of each bid.

Additionally, many of these actions will also deliver outcomes for the Council in terms of other corporate strategic objectives, such as place-shaping, health and well-being, community safety and economic regeneration.

It is hoped that this multi-layered approach to delivering shared space, will amply demonstrate both the iconic nature of the bids to SEUPB but also the multiple transformative benefits for neighbouring communities and the city itself.

Having considered the Place Shaping projects, a number have been identified as possible contenders for this Peace III 2.1 funding. A shortlist of projects was developed by an officer working group led by the Director of Development. These may be summarised as follows;

- North Foreshore (N)
- Seaview Allotments (N)
- Floral Hall (N)
- Maysfield (WTC) (CC)
- CS. Lewis Project (E)
- Gasworks Northern Fringe (S)
- Gasworks Bridge (S)
- Cultural Quarter (SS/N)
- (Cathedral & Gaol)
- Public Service- Service Girdwood (N)
- Convention Centre (CC)
- Sports Village (N)
- Mary Peters Track (S)
- Green Corridor (NW)
- Gaeltacht Quarter (W)
- HMS Caroline (CC)

Having considered the list and examined it in the context of the Peace III criteria the projects outlined below led by Belfast City Council are deemed relevant for submission;

Projects that were considered potentially viable under Peace III 2.1 call are the following;

- i. Cultural Corridor (CC/N) - linking the Cathedral Quarter to Carlisle Circus, Crumlin Road Jail to Shankill and Conway Mills (environmental, cultural, tourist and physical developments as well as creating shared space and increased community mobility)
- ii. Public service centre at Girdwood (N) - this project will only be viable if key partners are willing and commit within the required November timescale
- iii. Peaceful Trail (N&W) - Peace Trail linking North and West Belfast green areas including the Seaview allotments
- iv. HMS Caroline (CC) - to add to the Belfast maritime heritage
- v. Gasworks Bridge (E/CC) - linking the Gasworks to the Ormeau Park

Members are required to consider the five project options and make recommendations on which proposals should be further developed bearing in the mind the closing date of 13 November for full applications to the SEUPB. Members should note that projects must be fully costed, accompanied with a business case and ready for delivery with no planning or implementation barriers or implications.

Recommendations

It is recommended that Members consider and select project proposals for submission under the anticipated Peace III 2.1 call for submission by 13 November 2009.
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Documents Attached

None

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Belfast City Council

Report to:	SP&R Committee
Subject:	Authority to Seek Tenders for: (i) the Supply and Delivery of Annual Supplies (ii) Supply and Delivery of Plumbing Supplies
Date:	Friday 18 September 2009
Reporting Officer:	Gerry Millar, Director of Core Improvement, Ext: 6217
Contact Officer:	Valerie Cupples, Procurement Manager, Ext: 3625 George Wright, Head of Facilities Management, Ext: 6232/5206

(i) Tenders for the Supply and Delivery of Annual Supplies

Relevant Background Information

The Terms of Reference of the Procurement Unit includes 'co-ordinating purchasing for the Council and that it will enter into contracts where the best price can be obtained by working from a central contract, with Departments purchasing from it'.

It is the Procurement Unit's intention to seek tenders for the following;

The supply and delivery of protective gloves for the period 1 April 2010 to 31 March 2011 with the option to renew for a further 2 years.

The supply and delivery of marquees for Belfast City Council events for the period 1 May 2010 to 30 April 2011 with the option to renew for a further 2 years.

The provision of portage services for the period 1 April 2010 to 31 March 2011 with the option to renew for a further 2 years.

The supply and delivery of broken stones for the period 1 April 2010 to 31 March 2011.

The supply and delivery of promotional items for the period 1 April 2010 to 31 March 2011 with the option to renew for a further 2 years.

The supply and delivery of protective footwear for the period 1 April 2010 to 31 March 2011 with the option to renew for a further 2 years.

Key Issues	
Categories	Indicative costs/ year
Broken Stones and Screenings	115,000
Protective Gloves	55,000
Marquees	115,000
Porterage	120,000
Promotional Items	130,000
Protective Footwear	35,000

Resource Implications
These co-ordinated contracts will provide the Council with a cost effective method of purchasing these supplies and services. The Procurement Unit will manage the co-ordinated tender process on behalf of the Council.

Recommendations
Committee is requested to approve seeking tenders for the above categories using pre-determined evaluation criteria including quality and cost. In addition, Committee approval is sought under the Scheme of Delegation for acceptance of successful tenders to be delegated to the Director of Improvement.

(ii) Tender for Supply and Delivery of Plumbing Supplies
Relevant background information
Members will be aware that, in the course of providing maintenance services at all Council properties, the Property Maintenance unit requires a number of supply contracts to be in place.
The contract for the supply and delivery of Plumbing Supplies requires renewal, and permission is now sought to seek tenders by public advert and to proceed with the procurement process.
Detailed technical specifications have been prepared in order to permit the contract to be let, and advertisements will be placed in the local press inviting applications for submission of Tenders.

Key Issues
The value of the proposed services is estimated to be £45,000 per year, and any resulting contract will run for one year with two optional extensions of one year at the Council's discretion, granted subject to satisfactory performance, to a maximum of 3 years. The tenders will be evaluated according to agreed criteria and in conjunction with the Procurement Section as appropriate.
It is essential that these important procurement exercises commence as soon as possible, in order to ensure value of money for the service and maximise the operational effectiveness of the unit.

Resources Implications

Financial

Regularly testing the market via competitive tendering ensures that we obtain the best possible value for money and standards of service from our external suppliers, which in turn assists us in driving down costs and minimising the rate burden.

Human Resources

There are no direct HR implications in respect of this report.

Asset & other implications

Having a range of material and fittings available is an important factor in delivering effective property maintenance to the Council.

Recommendations

The Committee is recommended to approve the invitation of Tenders in respect of the activities specified above.

Decision Tracking

If approved the tenders will be invited in November 2009.

Key to Abbreviations

None.

Documents attached

None.



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Request for Funding
Date:	18 September 2009
Reporting Officer:	Trevor Salmon, Director of Corporate Services Ext 6083
Contact Officer:	David Cartmill, Acting Head of Corporate Services Directorate Ext 6084

Relevant Background Information

This paper presents for consideration a request for funding by the Be Your Best Foundation towards the Belfast Rock Challenge 2010, to be staged in the Waterfront Hall. The Council provided £3,000 sponsorship towards the 2009 event also staged at the Waterfront Hall.

Under Section 115 of the Local Government Act (NI) 1972, the Council has discretion to consider exceptional requests for financial assistance. A Special Expenditure budget within the Corporate Services Department is available to provide support which may be made available providing:

- (i) The Council has statutory authority to make such payments
- (ii) Assistance is not available from the remit of another Committee.

The criteria for assessing requests for assistance which would fall within the Council's Special Expenditure budget is included at Appendix 1.

Key Issues

The Be Your Best Foundation is a UK registered charity. It organises an annual 'Rock Challenge' as a drug and crime prevention vehicle which takes the form of a performing arts challenge for schools. The scheme aims to increase the resilience of young people and development of their self-esteem while highlighting the negative influences of tobacco, alcohol or other drugs.

The organisation stages Rock Challenges in some 20 UK cities. Eight schools from Northern Ireland will participate in the 2010 Belfast Challenge, half of which are from the city. (Ashfield Girls, Belfast Model, Little Flower School and St Louise's College)

The Rock Challenge project is deemed to contribute to several Council agendas including Arts and Culture, Children and Young People, Good Relations and, in particular, Community Safety. Its overall impact across a range of Council priorities is deemed to make it a special case eligible for consideration by the SP&R committee.

In line with the Council's commitment to address anti-social behaviour and to create a safer city, the Belfast Rock Challenge offers an opportunity to encourage young people to make positive lifestyle choices.

Recent public consultation has highlighted that underage drinking and antisocial behaviour continue to be key concerns for residents of the city. A survey of Belfast participants in the 2009 Rock Challenge event indicated a higher percentage consumed alcohol, smoked or used drugs compared to participants across the UK. The vast majority of those questioned responded that they had either stopped or reduced consumption as a result of Rock Challenge. (See Appendix 2)

The Be Your Best Foundation has informed the Council that it has approached the Dept of Health, Social Services and Public Safety and the PSNI for contributions of £7k and £5k respectively, towards staging the Belfast event.

Although not exclusively for the benefit of Belfast it is considered that the project merits support from Belfast City Council. However, as this would be the third year the Council has supported the event, and in light of the financial pressures facing ratepayers, it is recommended that the committee considers a contribution of £3000, the amount provided last year, and not the figure of £4000 requested. Furthermore, the committee may wish to advise the promoters that it is unlikely further assistance will be offered.

Resource Implications

Resources are available from current budget.

Financial

The Committee may wish to consider a contribution of £3,000.
(based on last year's figures, the organisers are expected to pay approximately £11k to the Waterfront Hall to stage the event including hire, services and commissions)

Human Resources

None.

Asset and Other Implications

None.

Recommendations

It is recommended that the Committee considers a contribution of £3,000 towards the Belfast Rock Challenge 2010, a not for profit event, to be staged in the Waterfront Hall and passes the under-noted resolution:

That the expenditure in respect of the aforementioned event be approved under Section 115 of the Local Government Act (Northern Ireland) 1972, it being the opinion of the Committee that the expenditure would be in the interest of, and would bring direct benefit to the District, and inhabitants of the District, with the Committee being satisfied that the direct benefits so accruing would be commensurate with the payments to be made.

Documents Attached

Appendix 1 - Criteria for the assessment of requests for financial assistance.
Appendix 2 – Belfast Participants Survey – Results Summary

APPENDIX 1

B Policy and Resources Committee,

2772 Friday, 18th June, 2004

Special Expenditure Budget - criteria to be applied in the assessment of requests

- (1) whether there are sufficient funds remaining in the Council's Special Expenditure budget for the relevant financial year;
- (2) whether the application for financial assistance links to any of the Council's Corporate Objectives;
- (3) whether the direct benefit to be obtained is specific to the Council or its district or inhabitants;
- (4) whether the activity or initiative in respect of which assistance is being sought is being promoted by a person or organisation living or operating, or otherwise having a direct connection with, the City;
- (5) whether the request for financial assistance relates to an event or initiative which falls within the remit and statutory power of any other Committee of the Council (in which case it should be so referred);
- (6) whether the request relates to a specific event, activity or initiative as distinct from a request for a contribution to general funds;
- (7) whether the benefit to be obtained will be commensurate with the payment to be made.

Notwithstanding the foregoing, the Council would nevertheless reserve to itself the right to give special consideration to any particular request for financial assistance if the Members consider that special circumstances apply and legal advice has been sought where appropriate.

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BELFAST PARTICIPANTS SURVEY RESULTS SUMMARY

- Each participant in the 2009 Northern Ireland Health Development Policy Branch Downtown Radio Rock Challenge event in Belfast was asked to complete a questionnaire. These were anonymous and were completed during the day of the event **307** questionnaires were returned.
- **75%** said that they spent 3 or more months rehearsing their production outside of curriculum time whilst **75%** spent 1-3 hours rehearsing a week, some rehearsed for longer per week.
- **25%** of the respondents reported they smoked before becoming involved in the event, **78%** of those have stopped smoking or reduced the amount they smoke due to their involvement in the Rock Challenge.
- **22%** of the respondents reported they drank alcohol before becoming involved in the event **86%** have stopped or reduced their alcohol intake since becoming involved in the Rock Challenge.
- **6%** of the respondents reported they used drugs before involvement **90%** of those have stopped or reduced the amount they use as a result of participation in Rock Challenge.
- Of the respondents, **96%** felt their self-esteem had improved and **98%** felt the same of their teamwork skills.
- Of the respondents **32%** said they had played truant from school before. Of those **58%** have stopped playing truant due to their involvement in the Rock Challenge.
- **95%** of respondents reported they enjoy school more since becoming involved in the event.
- **99%** also reported they have better relationships with their teachers following their involvement.
- Of the respondents **96%** reported they have made new friends through the Rock Challenge.
- **99% of respondents described the initiative as excellent or good** when given the choice of excellent, good, average or poor.

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Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Standing Order 55 – Employment of Relatives
Date:	18 September 2009
Reporting Officer:	Trevor Salmon, Director of Corporate Services, ext 6083
Contact Officer:	Jill Minne, Head of Human Resources, ext 3220

Relevant Background Information

To inform the Committee of delegated authority exercised by the Director of Corporate Services to the employment of individuals who are related to existing officers of the Council.

The Director of Corporate Services has authorised the appointment of the following individuals who are related to existing officers of the Council in accordance with the authority delegated to him by the Policy and Resources (Personnel) Sub-Committee on 27 June, 2005. The Committee is asked to note the appointments authorised by the Director under Standing Order 55.

NAME OF NEW EMPLOYEE	POST APPOINTED TO	RELATIONSHIP TO EXISTING OFFICER	NAME OF EXISTING OFFICER	DEPARTMENT
Benjamin Darling	Casual Coach	Son	Ricky Darling	Parks and Leisure
Jonathan Groves	Casual Coach	Son	Lynda Groves	Parks and Leisure
Beverley Smith	Project Support Officer (Healthy Ageing) (Fixed Term Contract)	Partner	Alexander Sterrett	Health and Environmental Services

Resource Implications

<u>Financial</u>

Provision for these posts exist within the revenue budgets of the relevant departments.

<u>Human Resources</u>

There are no Human Resource considerations. All appointments have been made on the basis of merit in accordance with the Council's Recruitment Policies.
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<u>Asset and Other Implications</u>

There are no other implications.

Recommendations

Committee is asked to note the appointments authorised by the Director of Corporate Services in accordance with Standing Order 55.
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Key to Abbreviations

None

Documents Attached

None



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Ormeau Business Park Lease, Gasworks Estate
Date:	18 September 2009
Reporting Officer:	Gerry Millar, Director of Core Improvement, Ext 6217
Contact Officer:	Adrian Ferguson, Estates Surveyor, Core Improvement, Ext 3503

Relevant Background Information

At its meeting of 19th June 2009 the Strategic Policy and Resources Committee deferred consideration of a report in relation to rental payments due to Council from Ormeau Business Park (OBP) under the terms of their Lease for a development plot in the Gasworks Estate. For reference this report is attached at Appendix 1.

OBP have indicated that the impact of imposing an equity rent, effective from December 2009, would impact on their ability to deliver on the objectives of their organisation whilst located in the Gasworks Estate. They have requested that Council consider not charging OBP any rent to continue their occupation in the Estate.

Members wanted to obtain further legal advice and, following which, to receive if necessary representatives of the Board of Ormeau Business Park.

Key Issues

The Policy and Resources Committee (Economic Development Sub-Committee) of 29th January 1997 approved the Lease terms entered into with OBP (formerly Ormeau Enterprises Ltd) which provided for a capital payment in lieu of rent for the initial 10 years of the 125 year term. Thereafter the Leases provides for an equity rent of 10% of gross rental income received from OBP's occupational tenants. The equity rent provisions are similar to all other Leases in the Gasworks Estate. There is no obligation on OBP to pay an equity rent to Council on unlet and vacant accommodation. Currently the business park is 91% occupied with only two unlet units.

Legal Services have advised that it is doubtful if any successful legal challenge by OBP could be mounted against the existing Lease terms given the length of time they have

taken benefit under same and due to the fact they had legal representation at time of entering into the Lease

Legal Services have also advised that each of the four options contained in the previous report could legally be agreed between the Council and OBP. Some of these options will require approval from Department of Environment and be the subject of further conditions prescribed by Council's Economic Initiatives.

To recap the options that can be offered to OBP are as follows:

Options:

1. to maintain relativity with other tenants in the Estate and seek an income stream from this Plot through payment of an equity rent as provided for and agreed by both Council and OBP as set out in the existing Lease
2. extended "rent free" period for a further 10 years subject to payment of a further capital premium to be agreed
3. extended "rent free" period for a further 10 years without the requirement to pay any capital premium, this would require Council to seek approval from the Department of Environment to effectively dispose of this Plot at less than best value
4. accept a reduced level of equity rent (currently 10%) again this would require Council to seek approval from Department of Environment to effectively dispose of this Plot at less than best value

Options 3 & 4 would be subject to imposition of conditions prescribed by Council's Economic Initiatives aimed at supporting and promoting Council's wider economic development agenda.

At its meeting of 22nd May 2009 the Strategic Policy and Resources Committee approved a package of measures aimed at reducing the level of service charge in the Gasworks as part of Council's response to the economic downturn. The level of service charge paid by OBP fell from £41,107.50 (year ending 31/03/08) to £15,839.92 (year ending 31/03/09) These cost cutting measures were applied proportionally across the board to all Council tenants within the Gasworks Estate.

No measures to reduce or forgo rental income from any other Council tenants, either in the Gasworks Estate or other industrial estates (Balmoral, Duncrue) have been proposed. The Development Department have confirmed that no rental subsidy is given to Council tenants who occupy retail units in St George's and Smithfield markets.

There are 6 enterprise agencies within Belfast; furthermore Council's Economic Initiatives team has positive relations with each agency but has no formal relationship with any of them. Therefore any potential subsidy offered to OBP would have to be considered solely in the context of the landlord/tenant relationship rather than in the context of support for economic development since OBP does not provide a unique service.

The projected occupational rental income received by OBP (excluding the two vacant units) is £232,232.88 (excl service charge) which would produce an equity rental income for Council in 2009/10 of £23,223.29. This equity rent would increase to £25,545.62 for a commercial tenant (11% equity share) representing an effective subsidy to OBP of £2,322.33 (Appendix 2)

Resource Implications

Financial

Under Section 96(5)(a) of the Local Government Act (Northern Ireland) 1972 there is an obligation to achieve best value in any property transactions. Options 3 and 4 would require Council to seek approval from Department of Environment to effectively dispose of this Plot at less than best value.

Foregoing equity rental income from this plot, assessed at £23,233.29, would further reduce income from the Gasworks Estate over and above the assistance towards service charge costs already agreed to by Members at its meeting on 22nd May 2009.

Potential impact on income from Council's industrial estates and St George's & Smithfield Markets should tenants seek similar relief in respect of their rental payments.

Human Resources

No impact over the existing Council resources already committed to managing the Gasworks Estate.

Asset and Other Implications

Implication for other developers in the Gasworks Estate who continue to make equity rental payments under their agreed Lease terms.

Wider economic development responsibilities of Council through support of all the other enterprise agencies across Belfast where Council are not the landlords.

Recommendations

From an estate management prospective we would recommend Option 1 as that is the agreed legal position and we have already moved some way toward assisting all tenants in the Gasworks by reviewing the level of service charge.

Should Members wish to support any other options as outlined above to approve, where necessary, a submission seeking sanction from the Department of the Environment together with any subsequent conditions considered appropriate by Council's Economic Initiatives.

Given the advice from Legal Services it is not felt that Members would require to receive any further representation from the board of OBP.

Decision Tracking

Estates Surveyor to contact Ormeau Business Park to convey Committee's decision in September 2009 and agree any revision of present agreement necessary prior to December 2009 (date of equity rent liability)
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Key to Abbreviations

OBP – Ormeau Business Park

Documents Attached

Appendix 1 – SP&R report of 19 th June 2009 – Ormeau Business Park Lease, Gasworks Estate

Appendix 2 – Projected equity rental income



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Ormeau Business Park Lease, Gasworks Estate
Date:	19 June 2009
Reporting Officer:	Gerry Millar, Director of Core Improvement, Ext 6217
Contact Officer:	Adrian Ferguson, Estates Surveyor, Core Improvement Ext 3503

Relevant Background Information

Ormeau Business Park (OBP), formerly know as Ormeau Enterprises Limited (OEL) was established with support from Local Enterprise Development Unit (LEDU) under their Local Enterprise Organisation scheme. Their mission statement of the organisation is "To promote economic development and job creation in South Belfast through the provision of support to aid the start up and growth of business"

With a mixture of public capital grant aid assistance to establish an enterprise centre comprising both workspace units and office accommodation with common facilities and services Council were approached by OEL to locate their centre at the Gasworks Estate.

In 1998 Council entered into an Agreement for Lease with OEL for a 1.53 acre plot in the Gasworks to develop an enterprise centre. Upon completion of the development a Lease for 125 years was granted with effect from 20th December 1999.

Under the terms of the Lease with OEL there was a single payment made at commencement of the Lease of £38,000 in lieu of rent for the initial 10 years of occupation. Thereafter an equity ground rent, similar to all other development plots in the Gasworks, would become payable to Council based on rental income received by OEL from their occupational tenants.

In addition to the equity ground rent OEL are liable under their Lease for annual service charge contributions from the commencement of their Lease.

The Lease restricts OEL to permitting occupation of the centre for business, light industrial, storage and distribution use. However, the initial 10 years restricts occupation to activities consistent with manufacturing, service and craft industries which are eligible for LEDU funding. There is no restriction on LEDU backing after the initial 10 years.

OBP have provided background information on the work carried out at their centre in the Gasworks and is attached at Appendix 1, they have also sought a meeting with “the relevant Committee”

OBP have indicated that the increasing cost of the annual service charge coupled with the impending requirement to make equity rental payments would have a detrimental impact on their ability to deliver on the objectives of their organisation whilst remaining in the Gasworks Estate.

In response to the approach from OBP the Chief Executive has indicated that any decision regarding waiver of rent would require approval from the Strategic Policy & Resources Committee.

Key Issues

The Lease with OBP provides for an equity rent, payable to Council, based on 10% of the gross rental income from OBP’s tenants. Based on projected occupation of the units over the initial 10 years a premium of £38,000 was agreed in lieu of the annual equity rent entitlement. The relative success of OBP (Appendix 1) meant that 100% occupancy was achieved in advance of projections and has by and large been maintained at a consistently high level.

The Lease also provides for an increase in equity rent payable to Council from 10% to 11% in the event that OBP assigns the Lease to a company or body not established as a charity or non-profit making purposes.

Estates Management Unit wrote to OBP in March 2008 to advise that, under the terms of the Lease, an equity rent would become applicable with effect from 20th December 2009 (Appendix 2) This legal obligation was again pointed out at a meeting with OBP in December 2008.

In line with Councils Economic Downturn Action Plan the Strategic Policy & Resource Committee has at its meeting on 22nd May 2009 consented to a review of the current Gasworks Estate service charge and approved various measures aimed at reducing the annual cost faced by Council’s tenants. These measures will have a direct impact in reducing OBP’s occupational costs in line with all other tenants in the Estate.

As with all the other enterprise agencies in Belfast the Council support a range of activities to enhance small/start-up business growth in the City through its economic development responsibilities. Whilst the scale of this assistance is limited it comes generally in the form of funding for delivery of start-ups and growth initiatives by the various enterprise agencies. There is no direct intervention by subsidising the provision of suitable premises within which these enterprise agencies operate.

OBP feel that the cost of retaining a presence in the Gasworks Estate is prohibitive for their organisation which is run as a non-profit making business. However, Council is bound by Section 96(5)(a) of the Local Government Act (Northern Ireland) 1972 to achieve best value in their property transactions. The Lease currently recognises the non-profit motive of OBP in seeking an equity rent percentage of 10% rather than a higher commercial rate of 11%.

In addition to maintaining relativity of equity returns from the various development plots

in the Gasworks, Council have approximately 220 acres of land under lease to 127 individual tenants in Balmoral and Duncrue industrial estates who could equally seek reductions in their rents. Council's tenants in St George's & Smithfield Markets could also seek relief in respect of their rents.

Invest NI adopt a similar disposal policy to Council in their industrial estates where they acquire and develop land exclusively for development by its client companies. These sites are disposed of at current market value and restrictive covenants within the leases to ensure that they are retained for industrial development purposes.

Members will also be aware of the Council's wider economic role supporting other competing enterprise agencies in Belfast where commercial landlords are unlikely to have considered subsidising occupational costs.

OBP have lobbied for allocation of additional land on the Northern Fringe to further develop their business at this location.

Options:

1. to maintain relativity with other tenants in the Estate and seek an income stream from this Plot through payment of an equity rent as provided for and agreed by both Council and OBP as set out in the existing Lease
2. extended "rent free" period for a further 10 years subject to payment of a further capital premium to be agreed
3. extended "rent free" period for a further 10 years without the requirement to pay any capital premium, this would require Council to seek approval from the Department of Environment to effectively dispose of this Plot at less than best value
4. accept a reduced level of equity rent (currently 10%) again this would require Council to seek approval from Department of Environment to effectively dispose of this Plot at less than best value

Options 3 & 4 would be subject to imposition of conditions prescribed by Council's Economic Initiatives Service aimed at supporting and promoting Council's wider economic development agenda.

Resource Implications

Financial

Under Section 96(5)(a) of the Local Government Act (Northern Ireland) 1972 there is an obligation to achieve best value in any property transactions. Options 3 and 4 would require Council to seek approval from Department of Environment to effectively dispose of this Plot at less than best value.

Foregoing equity rental income from this plot would further reduce income from the Gasworks Estate over and above the assistance towards service charge costs already agreed to by Members at its meeting on 22nd May 2009.

Potential impact on income from Council's industrial estates and St George's & Smithfield Markets should tenants seek similar relief in respect of their rental payments.

Human Resources

No impact over the existing Council resources already committed to managing the Gasworks Estate.

Asset and Other Implications

Implication for other developers in the Gasworks Estate who continue to make equity rental payments under their agreed Lease terms.

Wider economic development responsibilities of Council through support of all the other enterprise agencies across Belfast where Council are not the landlords.

Recommendations

From an estate management prospective we would recommend Option 1 as that is the agreed legal position and we have already moved some way toward assisting all tenants in the Gasworks by reviewing the level of service charge.

Should Members wish to support any other options as outlined above to approve, where necessary, a submission seeking sanction from the Department of the Environment together with any subsequent conditions considered appropriate by Council's Economic Initiatives Service.

Members are requested to note the request from Ormeau Business Park to meet with the Committee and to indicate whether they wish to receive a presentation from OBP.

Decision Tracking

Estates Surveyor to contact Ormeau Business Park to convey Committee's decision in July 2009 and agree any revision of present agreement necessary prior to December 2009 (date of equity rent liability)

Key to Abbreviations

OBP – Ormeau Business Park
OEL – Ormeau Enterprises Limited
LEDU – Local Enterprise Development Unit

Documents Attached

Appendix 1 – Letter from Ormeau Business Park outlining work carried out in the Gasworks Estate
Appendix 2 – Letter to Ormeau Business Park, dated 19th March 2008

**Ormeau Business Park
Rental Schedule August 2009**

Appendix 2

OBP include £0.50 per sq metre in their rents which is deducted prior to equity rent calculated

Unit	Area sq ft	Price per sq ft	Rent incl Sev Chg	Rent excl Sev Chg	Status
1	850	£8.85	£7,522.50	£7,482.55	Let
2	840	£8.85	£7,434.00	£7,394.52	Let
3	850	£8.85	£7,522.50	£7,482.55	Let
4	370	£9.24	£3,418.80	£3,401.41	Let
5	460	£9.24	£4,250.40	£4,228.78	Let
6	655	£9.24	£6,052.20	£6,021.42	Let
7	425	£9.24	£3,927.00	£3,907.03	Let
8	525	£9.24	£4,851.00	£4,826.33	Let
9	665	£9.24	£6,144.60	£6,113.35	Let
10	510	£8.85	£4,513.50	£4,489.53	Let
11	845	£8.85	£7,478.25	£7,438.54	Let
12	1500	£8.85	£13,275.00	£13,204.50	Let
13	1050	£0.00	£0.00	£0.00	Vacant
14	900	£8.85	£7,965.00	£7,922.70	Let
15	900	£8.85	£7,965.00	£7,922.70	Let
16	900	£8.85	£7,965.00	£7,922.70	Let
17	900	£8.85	£7,965.00	£7,922.70	Let
18	1150	£8.85	£10,177.50	£10,123.45	Let
19	1750	£8.85	£15,487.50	£15,405.25	Let
20	1810	£0.00	£0.00	£0.00	Vacant
21	1450	£8.85	£12,832.50	£12,764.35	Let
22	1460	£8.85	£12,921.00	£12,852.38	Let
23	1720	£7.16	£12,315.20	£12,234.36	Let
24	1720	£7.16	£12,315.20	£12,234.36	Let
25	1720	£7.16	£12,315.20	£12,234.36	Let
26	1720	£7.16	£12,315.20	£12,234.36	Let
27	1720	£7.16	£12,315.20	£12,234.36	Let
28	1720	£7.16	£12,315.20	£12,234.36	Let
	31085		£233,559.45	£232,232.88	

vacant 2860
9.20%

**Equity Rent
Non-Profit 10% £23,223.29 pa excl**

**Equity Rent
Commercial 11% £25,545.62 pa excl**

Difference £2,322.33 pa excl



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Connswater Community Greenway Update 1
Date:	18 September 2009.
Reporting Officer:	Gerry Millar, Director of Improvement, Ext 6217
Contact Officer:	Celine Dunlop, Estates Surveyor, Core Improvement, Ext 3419

Relevant Background Information

Belfast City Council, as part of the City Investment Strategy, has agreed to coordinate the acquisition of lands to enable the Connswater Community Greenway Programme to proceed. The Council will secure rights over the land needed for the Greenway and shall be responsible for the management and maintenance of this land and any assets on the land. The Greenway must be accessible for 40 years to comply with the Big Lottery Fund letter of offer, although the intention is to secure rights for longer if possible.

Key Issues

1.227 acres of land stretching from the Beersbridge Rd through Elmgrove Hollow including the Conn O'Neill bridge, along the Knock River to Dunraven Ave and along the Loop River adjacent to Linen Gardens has been identified as being required to provide the Connswater Community Greenway route and associated landscaping. Council officials have agreed, subject to Committee approval, to purchase this area of land for £45900.

Resource Implications

Financial

The proposal requires an expenditure of £45900 plus legal and agents fees to purchase the land required. Land purchase costs are included within the Connswater Community Greenway budget included in the City Invest Fund and there will be no additional cost to Council.

Human Resources

No additional human resources required

Asset and Other Implications

The additional land will form part of the Connswater Community Greenway which when complete will be managed and maintained by the Council.

Recommendations

It is recommended that the Committee grant approval to the purchase of the lands outlined red on the plans attached at Appendix 1.

Decision Tracking

Action by Celine Dunlop to be completed by December 2009.

Key to Abbreviations

N/A

Documents Attached

Plan at Appendix 1



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Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Connswater Community Greenway Update 2
Date:	18 September 2009
Reporting Officer:	Gerry Millar, Director of Improvement, Ext 6217
Contact Officer:	Celine Dunlop, Estates Surveyor, Core Improvement, Ext 3419

Relevant Background Information

Belfast City Council, as part of the City Investment Strategy, has agreed to coordinate the acquisition of lands to enable the Connswater Community Greenway Programme to proceed. The Council will secure rights over the land needed for the Greenway and shall be responsible for the management and maintenance of this land and any assets on the land. The Greenway must be accessible for 40 years to comply with the Big Lottery Fund letter of offer, although the intention is to secure rights for longer if possible.

Key Issues

The proposed route of the section of the Connswater Community Greenway from the Castlereagh Road to the Council owned Loop River open space is along the west bank of the Loop River and adjacent to private houses at Looiland Court.

Council officials have agreed with the landowners subject to Committee approval, to purchase nine small plots of land at Looiland Court for £750 each and negotiations are ongoing to acquire plots 5 and 6 on the same terms. A schedule of landowners, addresses and plot numbers is attached at Appendix 2.

Resource Implications

Financial

The proposal requires a maximum expenditure of £8250 plus legal fees to purchase the

land required. Land purchase costs are included within the Connswater Community Greenway budget including in the City Investment Fund and there will be no additional cost to the Council.

Human Resources

No additional human resources required

Asset and Other Implications

The additional land will form part of the Connswater Community Greenway which when complete will be managed and maintained by the Council.

Recommendations

It is recommended that the Committee grant approval to the purchase of the plots of land outlined red on the plan attached at Appendix 2.

Decision Tracking

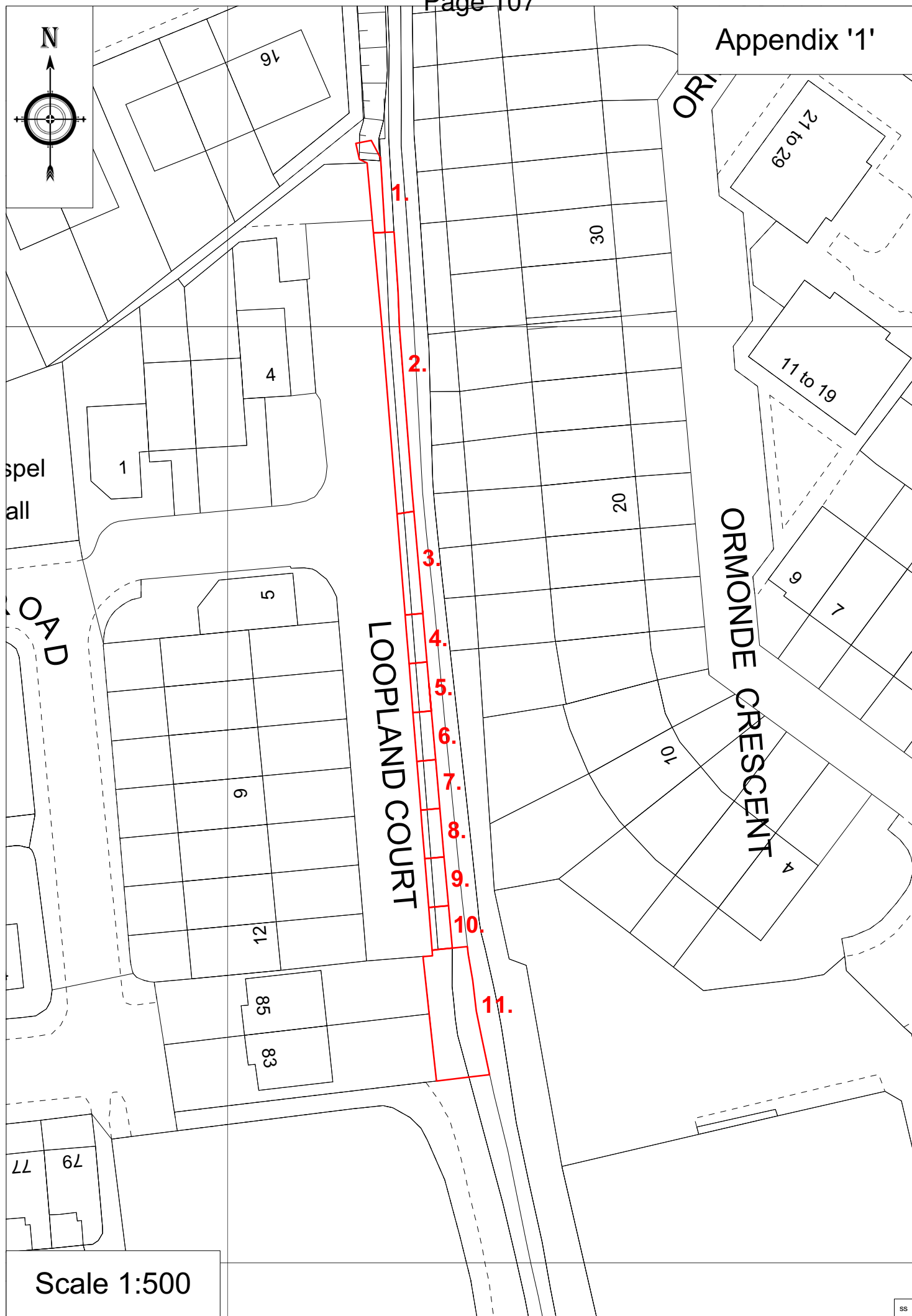
Action by Celine Dunlop to be completed by December 2009.

Key to Abbreviations

N/A.

Documents Attached

Plan at Appendix 1. Schedule at Appendix 2.



Scale 1:500

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Appendix '2'

Plot no.	Vendor
1	Noleen Audrey Roy & Amanda Noleen Roy
2	Caroline & William Burrows
3	Norman Robert Pollock
4	Caroline & William Burrows
5	Fu Hong Yuen
6	Joel Connolly
7	Adrian George Kelly & Joseph Martin Kelly
8	Brian Maguire & Gail Sampson
9	Glen Davidson
10	Sharon Dinsmore
11	C T Developments

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Belfast City Council

Report to:	Strategic Policy and Resources
Subject:	Suffolk Community Centre – Interactive Outdoor Play Area
Date:	18 September 2009
Reporting Officer:	Gerry Millar, Director of Improvement, Ext: 6217
Contact Officer:	Catherine Taggart, Community Development Manager, Ext: 3525

Relevant Background Information

Suffolk Community Centre is a directly managed facility. It was officially opened on 27th February 1999 and is the hub of community activity in the Suffolk area. The Suffolk Community Centre Committee has actively contributed to successful partnership approaches to provide a broad based programme of activities at the Centre. The Centre Committee in seeking to develop and improve services have been exploring possibilities to develop a vacant site to the rear of the Community Centre. The site is within the perimeter of the Community Centre and is owned by Belfast City Council.

The Community Centre Committee have now been awarded funding under the ALPHA Programme from Groundwork NI. £48,897.50 will finance all capital costs associated with the development of an interactive outdoor play facility (appendix 1).

The facility will be accessed via the Community Centre and will therefore be subject to supervised use at all times.

Key Issues

There will be no capital cost implications to Council. All capital costs associated with the project will be met by funding from Groundwork NI. However on completion the project will be owned by Council and therefore it will be Council responsibility to manage and maintain the project.

The proposal has asset implications and therefore requires the approval of the Strategic Policy & Resources Committee.

BCC Parks and Amenities are the lead Co-ordinator for all Groundwork schemes in Belfast. Parks and Amenities have no objection to the proposal, however, technical advice has been sought from Parks and Amenities and as a result the plan was subject to some refinement.

The project will have a positive environmental impact enhancing the visual quality of the site.

Resource Implications

There are no capital cost implications. Council will be responsible for maintenance of the site which will be undertaken by BCC Parks and Amenities at a cost of £4,000 per annum. This will not include replacement of damaged equipment.

The Committee is asked to be mindful that the community centre is located adjacent to a large council owned playground. It is noted that the proposed scheme is not intended to replicate the existing playground and will indeed complement it. However, Members will be increasingly cognisant of the pressure on resources, within this context it is proposed, that whilst not wishing to discourage local communities seeking to improve service provision, all such schemes in the future be discussed by the Asset Management Group prior to a decision being taken by the Principal Committee. This will enable a more robust discussion around the strategic fit of the proposal; existing provision and the financial implications of the proposal.

Recommendations

It is recommended that permission be granted for the construction of an interactive play area at Suffolk Community Centre. Permission is subject to all statutory approvals being obtained and Council having an acceptable input eg practical completion arrangements, handover/defects list.

It is further recommended that Committee commend the proposal to the Asset Management Group and the Strategic Policy and Resources Committee.

Documents Attached

Appendix 1 – drawing of proposed interactive play area at Suffolk Community Centre

SUFFOLK COMMUNITY CENTRE

Playground divided into 3 different areas with a central route for access, linking zones together with playground markings.



Possible theme: Animal prints getting larger towards the teenage zone:
 Preschool zone: birds - hedgehog - mouse
 Primary zone: Dog - gorilla - tiger
 Teenage zone: Bear - Elephant - Yeti

TEENAGE ZONE



1. Informal seating / social area: Curved shapes, mounds. Robust material suitable for sitting, standing, climbing, skating and graffiti art work

2. Ball games area: basketball / netball

- ★ Large musical feature
- ▤ Art board / chalk board

PRIMARY ZONE



SOUND TUBES



Separated from the Teenage Zone with sound and art installations:
 Sound tubes to climb on and listen through and art boards which also help to protect the area from ball games

4. Interactive play: Shadow poles, musical equipment



5. Quiet area with trees for shade and revolving disk seating

6. Sand pit area with rocks for imaginative play: climbing - hiding - sitting



COMMUNITY CENTRE



PRESCHOOL ZONE



7. Area of safety surfacing in brightly coloured designs for use of play equipment kept in storage containers

8. Area for summer BBQs, smoking shelter and seating for adults to supervise play. Decorate paving / art tiles placed into existing surface



Art boards for children to paint or chalk on and to screen storage units

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Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Notice of Motion Re: Racist Attacks
Date:	18th September, 2009
Reporting Officer:	Mr. S. McCrory, Principal Committee Administrator (extension 6314)
Contact Officer:	Mr. Jim Hanna (extension 6313)

Relevant Background Information

The Committee will recall that the Council, at its meeting on 1st September, had agreed, in accordance with Standing Order 11 (e), that the undernoted Notice of Motion, which had been proposed by Councillor Jones and seconded by Councillor B. Kelly, be referred to the Strategic Policy and Resources Committee without debate:

“That this Council unreservedly condemns the recent racially motivated attacks in the city of Belfast and agrees to join the European Coalition Against Racism to help publicly endorse the Council’s opposition to all forms of racism.”

Key Issues

The Council has established the Good Relations Partnership with the following terms of reference:

- to promote equality of opportunity in the discharge of the Council’s responsibilities, taking into account the needs of persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation, of men and women generally, of persons with a disability and persons without and of persons with dependants and persons without;
- to promote tolerance and understanding throughout the City by providing support, including the equitable use of available budgets, for appropriate initiatives which celebrate the cultural diversity of Belfast;
- to promote good relations between people of different religious and political beliefs and different racial groups in every aspect of Council activities; and
- to use the Council’s influence as a democratically elected body, providing civic leadership to the City, to promote good relations throughout society.

Key Issues (continued)

As the issue falls within its remit, it is felt that it would be appropriate for the matter to be referred to the Partnership in the first instance.

In addition, since the Partnership has been established as a Working Group of the Strategic Policy and Resources Committee all recommendations of the Partnership will be subject to the agreement of the Committee and ratification by the Council.

Resource Implications

There are no financial or Human Resource implications associated with this report.

Recommendations

The Committee is asked to refer the matter to the Good Relations Partnership, with a view to a report thereon being submitted to the Committee in due course.

Decision Tracking

If the Committee is minded to adopt the recommendation, the Good Relations Manager will be advised and the matter progressed through the Partnership.

Officer Responsible: Jim Hanna, Senior Committee Administrator (extension 6313)



Belfast City Council

Report to:	Strategic Policy and Resources Committee.
Subject:	Consultation on the NIEA Strategy for Promoting the Use of Sustainable Drainage Systems (SuDS) within Northern Ireland.
Date:	18 th September 2009
Reporting Officer:	Mr. William Francey, Director Health and Environmental Services (ext. 3260).
Contact Officer:	Alastair Curran, Sustainable Development Manager (ext. 3309)

Relevant Background Information

Across Northern Ireland, the historical approach to managing disposal of storm and foul water has been the combined sewer system, which has been used to transport both types of effluent to a treatment works. In recent years however, the practice has been to install separate drainage systems within new developments for each type of effluent. Accordingly, foul sewage is now typically collected in a dedicated sewer for transportation to a treatment works whereas storm water is normally channelled into a convenient watercourse with little or no treatment. A large number of combined sewers still remain in operation, particularly in built up urban areas where population growth and the loss of permeable surfaces has meant that these sewers are increasingly unable to cope with the volume of waste water being generated. This issue has been exacerbated further by both the legal requirement to comply with the provisions of the Water Framework and Floods Directives and the intermittent intense rainfall experienced across Northern Ireland over recent years.

In order to address these issues and in response to sustainable drainage system commitments articulated within the Northern Ireland Sustainable Development Strategy, government has developed a Strategy for Promoting the Use of Sustainable Drainage Systems (SuDS) within Northern Ireland. Sustainable Drainage Systems (SuDS) are hard and soft engineering solutions designed to mimic closely natural catchment processes in the management and treatment of stormwater. Source control SuDS seek to reduce stormwater discharge from developments by dealing with run-off close to source whereas permeable conveyance SuDS slow the velocity of run-off and then reduce its volume via filtration, infiltration and evaporation. An established benefit of SuDS is that the engineering techniques are easily scaled from for example, good housekeeping measures and soakaways for individual premises through to the use of infiltration devices, storage tanks, basins and wetlands for more significant developments.

In developing the Sustainable Drainage Systems Strategy, government convened a working group comprised of representatives from Northern Ireland Water, Department of Regional Development Roads Service, Department of the Environment Planning Service, Department of Agriculture and Rural Development Rivers Agency, Northern Ireland Housing Executive, DoE Planning and Environmental Policy Group, Department of Finance and Personnel Central Procurement Directorate, the Agri-Food & Biosciences Institute and Belfast City Council. Mr. Reg Maxwell (Area Manager) represented Belfast City Council on the working group with the Council's Sustainable Development Manager joining in the latter stages of the strategy development.

Key Issues.

In publishing the SuDS Strategy for consultation, the Northern Ireland Environment Agency has included a range of questions for consideration by consultees. The attached draft Council response addresses these questions where applicable.

Of particular relevance to Belfast City Council however, is a strategy recommendation that local authorities, post Review of Public Administration implementation, should be given responsibility for maintenance, subject to funding, of vegetative and soft-engineered SuDS features meeting the criteria for adoption into the public realm.

Arising from the Environment Minister's Statement in March 2008 on the future shape of local government, a Transfer of Functions Working Group was established under Policy Development Panel C. Following discussions between senior officials of transferring Departments and local government, the Strategic Leadership Board adopted a recommendation of Policy Development Panel C that the Minister be requested to seek early discussions with Ministerial colleagues on a number of

Key issues contd.

specified changes to the transfer of functions. These changes included a recommendation that a number of the 11 public realm roads functions should not transfer on grounds that included that there would be limited added value through their transfer without significant investment by local government. This recommendation has not yet been considered by the relevant Executive sub-Committee.

Furthermore, although the SuDS Strategy highlights that the maintenance obligation will require appropriate funding, it does not explicitly identify where this funding should be obtained, instead highlighting that the use of Article 40 agreements, under the Planning (Northern Ireland) Order 1991, or direct charging could be considered in order to secure financial contributions. Moreover, the consultation document asks respondents to consider whether a SuDS maintenance charge, instead of a charge for conventional drainage, should be introduced if water charges are eventually introduced.

In view of the Strategic Leadership Board recommendation, and since a source of funding has not been explicitly identified at this juncture, it is recommended that Belfast City Council opposes transfer of responsibility for maintenance of vegetative and soft-engineered SuDS features meeting the criteria for adoption into the public realm. It is recommended instead, that Belfast City Council proposes that appropriate funding should be provided directly to existing agencies to undertake maintenance. This approach would enable the immediate introduction and promotion of SuDS, as opposed to delaying until 2011 when the Review of Public Administration is scheduled to be completed.

Resource Implications

Financial

It is considered that the proposed maintenance obligation for vegetative and soft-engineered SuDS features meeting the criteria for adoption into the public realm would require significant additional funding, particularly as CIRIA (Construction Industry Research and Information Association) publication C697 'The SuDS Manual' indicates that 'soft' options for hydraulic control structures are the preferred approach. The SuDS working group has not however, attempted to quantify likely local authority maintenance costs prior to publication of the draft Strategy.

Human Resources

If Belfast City Council was required to provide maintenance for vegetative and soft-engineered SuDS, additional staff resources would likely be required.

Asset and Other Implications.

If Belfast City Council was required to provide maintenance for vegetative and soft-engineered SuDS, additional maintenance equipment and vehicles would likely be required.

Recommendations

The Committee is requested to consider the SuDS maintenance charging proposals as articulated in Appendix A questions 9 and 10 in light of the proposal that the Council should oppose transfer of the responsibility for maintenance of SuDS and to consider whether specific comment should be made.

The Committee is also recommended to endorse the attached draft Council response in respect of the Northern Ireland Environment Agency Strategy for Promoting the Use of Sustainable Drainage Systems (SuDS) within Northern Ireland consultation and to recommend that, taking account of Committee views concerning funding, it be submitted to the Northern Ireland Environment Agency by 16th October 2009.

Key to Abbreviations

CIRIA - Construction Industry Research and Information Association.
 SuDS - Sustainable Drainage Systems.

Documents Attached

Appendix A - Belfast City Council consultation response to the strategy for promoting the use of Sustainable Drainage Systems (SuDS) within Northern Ireland.

Belfast City Council Consultation response to the Strategy for Promoting the Use of Sustainable Drainage Systems (SuDS) within Northern Ireland.

Belfast City Council General Comments in Relation to the Provisions of the Building Regulations.

It is important to note that the Building Regulations control only drainage layouts, sizes, design etc., whether foul or storm, when within the confines of individual sites or when connected within individual buildings. Where two or more drainage lines join in a development, then that drain becomes a public drain, adoptable by Northern Ireland Water and subject to its legislation. Equally, once a drainage line leaves the confines of an individual site, it is also classified as a public drain.

Questions asked within the Consultation Document.

Question 1 - do you agree that traditional drainage systems are inadequate in dealing with the issue of storm drainage in new developments, especially the more intense and increasingly unpredictable rainfall arising from climate change?

It is accepted that in many cases, there may be inadequate storm drainage provision within new developments but it is considered an over-generalisation to state that this is always the case. The problem is that individual buildings are now designed on a twin system but that system could be merged at the main drain, which might be only a single combined system.

Question 2 - do you agree that the loss of permeable surfaces which can absorb rainfall is both exacerbating existing drainage problems and creating new flooding problems in the urban environment?

It is accepted that the loss of permeable surfaces that can absorb rainfall is exacerbating existing drainage problems and creating new flooding problems in the urban environment. This is particularly prevalent where large houses are 'harvested' and replaced by multi apartment buildings with large car parking spaces and little or no gardens. The reduction in urban green space is increasing but this loss of amenity needs to be balanced against governmental objectives of growing the population in urban areas in order to limit urban sprawl and reduce commuter travel.

Question 3 - Taking account of the increase in flood risk arising from climate change do you agree that alternative options to traditional drainage systems need to be considered and that SuDS should be considered as one such viable option?

It is considered that alternative options to traditional drainage systems do need to be considered and that SuDS should be considered as one such option, although it is probably more prudent to say that there need to be additional methods of dealing with storm water drainage to supplement or replace traditional systems. Preventing stormwater from entering combined sewerage systems will have a beneficial effect on the operation of sewage plants and, moreover, SuDs are also beneficial in conserving valuable water resources that would be otherwise used to irrigate gardens, etc.

Question 4: - Should the automatic right to connect to a public sewer be amended for new sites and redevelopments?

The general matter of connection rights is currently the subject of ongoing debate between Northern Ireland Water, Building Control and the Department of Finance and Personnel although no definitive position has been reached on the issue to date. Therefore, Belfast City Council offers no comment in relation to question 4.

Question 5: - do you agree that Sustainable Drainage Systems offer mitigation against the current flooding and water pollution problems caused by traditional drainage systems, and exacerbated by the intense and increasingly unpredictable rainfall arising from climate change?

It is considered that Sustainable Drainage Systems can offer mitigation against the current flooding and water pollution problems caused by traditional drainage systems although it is emphasised that care needs to be taken with design, especially in urban areas, where permeability of the ground is a critical factor. There is no point in preventing storm water from surging drains if this results in flooded gardens.

Question 6: - do you agree that a holistic approach involving developers working with a number of disciplines and agencies (planners, drainage engineers, architects, landscape architects, ecologists and hydrologists) from the earliest stage of the planning process can enable SuDS to be integrated into the design of the site thus maximising the flood alleviation and water pollution prevention benefits of SuDS?

Involving developers working with a number of disciplines and agencies from the earliest stage of the planning process is an eminently sensible approach but will require clear regulations setting out accountability, guidance on design, testing for permeability of soils, adequate geophysical mapping of watercourses and an identified agency with the necessary enforcement powers to ensure that any agreed design is properly implemented and maintained.

Question 7: – do you agree that the benefits of SuDS outweigh the constraints of the system?

It is not clear that this will be true in every case but it is accepted that with increasing flooding problems, particularly in Belfast, any efforts to address this problem are welcome. It is imperative however, that adequate information is available to ensure that local circumstances are properly considered so that sound design decisions are taken. Where SuDS systems have been introduced already, such as in Freiburg Germany, the installations do seem to be beneficial, but they must be brought forward through a co-ordinated approach.

Question 8: - do you agree that SuDS will be a useful tool in meeting the aims, objectives and requirements of the policy and legal drivers. If you have indicated no, please provide reasons.

It is agreed that SuDS will be a useful tool for meeting the aims of policy and legal drivers although it is difficult to imagine that economic factors will not be a barrier to full compliance, particularly within

the private sector. The present system assigns the responsibility for managing storm water to other bodies such as Northern Ireland Water and the Rivers Agency since the drainage system is principally designed to move water offsite. By employing SuDS, an extra though correct burden is imposed on the developer. This approach may prove particularly useful, in cases where developments would otherwise be refused because of inadequate main storm drainage provision.

Question 9: - do you consider that if SuDS are a replacement for existing traditional drainage systems that those who currently pay for the maintenance of those systems should continue to do so? Please state your reasons.

Question 10: - Do you consider that if water charges are introduced a SuDS maintenance charge, instead of a charge for conventional drainage, should be a component of the bill for those customers served by SuDS systems? Please state your reasons.

Question 11: - do you agree that the proposed recommendations are a realistic way forward in the promotion of SuDS as the preferred method of storm drainage in Northern Ireland? Please identify any important measures that we have missed.

As highlighted previously, it is difficult to see how SuDS will be successfully embraced within the private sector without some tangible advantages to the client. Previous experience has shown that unless there is a legal requirement to comply, there will be limited deployment of a system on a voluntary basis. Examples of reticence to adopt emerging provisions include access and facilities for people with disabilities. Few building developers adopted these provisions, despite the fact that many people experience disabilities, until they became a Building Regulation. Moreover, most buildings still only comply with basic thermal and sound insulation standards despite the obvious financial advantages to owners and the environmental benefits of making additional provisions. Consequently, it is considered that some form of financial incentive could be considered as a way of encouraging greater uptake and awareness of SuDS.

However, a more effective method to ensure success would be to ensure that appropriate enforcement powers are provided for the Planning Service and local authority Building Control to be exercised in liaison with statutory agencies such as the Rivers Agency and Northern Ireland Water. This would entail amending the current Planning Order and Building Regulations to make it mandatory to consider incorporating SuDS into the design and construction of all building work.

In terms of Building Regulations, recent amendments to the governing Order have introduced the provision to make Regulations in this regard and it is strongly recommended therefore that the Building Regulations Unit of the Department of Finance and Personnel be involved in further development work on the strategy.

In addition, with planning and development control responsibility scheduled to be transferred to local authorities in 2011, the opportunity potentially exists for closer links to be established with Building

Control in order to ensure that planning conditions regarding sustainable drainage are properly implemented at the construction stage.

Question 12 - do you consider that we identified the correct organisations responsible for each recommendation? Please give your reasons.

Within the recommendations section of the strategy, it has been proposed that local councils, post Review of Public Administration implementation, should be given responsibility for maintenance, subject to funding, of vegetative and soft engineered SuDS features meeting the criteria for adoption into the public realm.

Arising from the Environment Minister's statement in March 2008 on the future shape of local government, a Transfer of Functions Working Group was established under Policy Development Panel C. Following discussions between senior officials of transferring Departments and local government, the Strategic Leadership Board adopted a recommendation of Policy Development Panel C that the Minister be requested to seek early discussions with Ministerial colleagues on a number of specified changes to the transfer of functions. These changes included a recommendation that a number of the 11 public realm roads functions should not transfer on grounds that included that there would be limited added value through their transfer without significant investment by local government. This recommendation has not yet been considered, however, by the relevant Executive sub-Committee.

Belfast City Council considers therefore, that responsibility for the maintenance of public realm aspects of soft-engineered SuDS should not be assigned to local authorities. The Council recommends instead that appropriate funding should be provided directly to relevant existing agencies to undertake maintenance. Such an approach would enable the timely introduction and promotion of SuDS as opposed to delaying until 2011 when the Review of Public Administration is scheduled to be concluded.

Question 13 - what suggestions do you have to develop further SuDS in Northern Ireland?

Suggestions have been included within the response to question 11.

Question 14 - can you suggest how SUDS features can be regulated so that they remain effective?

Once installed, a form of continuing control will be required to ensure that designed and constructed SuDS remain viable. This provision does not exist currently within the Building Regulations, although there is scope to include continuing control within that Order. It must be stressed however, that the practicalities of administering and enforcing the systematic control of SuDS would be problematic.



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Consultation on DETI Draft Strategic Energy Framework for Northern Ireland 2009.
Date:	18 th September 2009.
Reporting Officer:	Mr. William Francey, Director Health and Environmental Services (ext. 3260).
Contact Officer:	Alastair Curran, Sustainable Development Manager (ext. 3309)

Relevant Background Information

In 2004, the Department of Enterprise, Trade and Investment published its first Strategic Energy Framework, which tasked government with reducing Northern Ireland's energy costs relative to other UK/EU regions, building a competitive energy market, enhancing the sustainability of Northern Ireland's energy and maintaining a reliable energy supply.

A performance review of the 2004 Framework was completed during 2008 and concluded that the abovementioned four objectives should remain key priorities for Northern Ireland. DETI subsequently sought Assembly approval for the development of an updated Strategic Energy Framework, which would also take account of the increasing need to tackle climate change and ensure security of energy supply, set against a backdrop of supporting continuing economic development.

Key Issues.

The 2009 Strategic Energy Framework describes its main objectives under the four interrelated themes of competitiveness, security of supply, sustainability and infrastructure. Key actions under these themes are summarised as follows:-

Competitiveness - DETI will continue to promote the Single Energy Market with a view to securing the lowest wholesale electricity price and will encourage more companies to enter the energy supply market. DETI will also encourage greater links with other European regional energy markets. Within Northern Ireland, DETI will continue to extend the gas network, encourage investment in combined heat and power, improve 'smart' metering provision and promote greater energy efficiency within industrial and commercial sectors.

Security of supply – DETI will work with partners to strengthen the electricity grid and will maximise the consumption of indigenous renewable electricity and heat. DETI will also investigate the feasibility of establishing underground gas storage facilities, of utilising compressed air energy storage and of maintaining oil stock in Northern Ireland.

Sustainability – DETI will improve electricity grid infrastructure to enable 40% of electricity to be generated from renewable sources by 2020. DETI will also implement the Strategic Action Plan for offshore wind and marine-based renewables and will increase the amount of heat from renewable sources to at least 10% by 2020.

Infrastructure – DETI has committed to strengthening the electricity grid, identifying opportunities for installing district heating systems, investigating opportunities for distributed generation and encouraging a shift from oil to gas for domestic heating.

The Framework also outlines a range of actions for encouraging better engagement and for fostering collaborative working between government Departments and NIAUR. Finally, the Framework considers the financial implications of developing the electricity grid, generating renewable electricity and extending the gas network.

In publishing the draft Strategic Energy Framework for Northern Ireland 2009 for consultation, DETI has included a range of questions for consideration by consultees. The Council has sought to respond to questions where applicable by way of its consultation response. The draft response is detailed in Appendix A.

Resource Implications

Financial.

N/A

Human Resources.

N/A

Asset and Other Implications.

N/A

Recommendations

The Strategic Policy and Resources Committee is invited to endorse the attached consultation response in respect of the draft Strategic Energy Framework for Northern Ireland 2009 consultation and to recommend that it be submitted to the Department of Enterprise, Trade and Investment by 30th September 2009. At the time of submission, DETI will be advised that comments are subject to Council ratification at its meeting of 1st October 2009.

Key to Abbreviations

DETI - Department of Enterprise, Trade and Investment.

EU - European Union.

NIAUR - Northern Ireland Authority for Utility Regulation (responsibility for regulation of the electricity, gas and water and sewerage industries within Northern Ireland).

Documents Attached

Appendix A - Belfast City Council Consultation response to the draft Strategic Energy Framework for Northern Ireland 2009.

Belfast City Council Consultation response to the draft Strategic Energy Framework for Northern Ireland 2009.

Chapter 2 – Competitiveness.

Question 2 - Is greater availability of natural gas the most effective means of delivering greater fuel choice, security of supply and lower carbon emissions?

Although natural gas is one of the least polluting fossil fuels, it is recommended that the draft Strategic Energy Framework does not prioritise this fuel at the expense of incentivising the development of other more sustainable energy sources such as inshore and offshore wind and solar power, which have been identified as viable long-term energy sources.

Question 5 - How can the job creation potential of the renewable energy sector be maximised?

Northern Ireland is highly dependent upon fossil fuel for electricity and heat and virtually all of this fuel is currently imported, in the form of oil, coal, gas and electricity. Given that around 40% of Northern Ireland's electricity will have to be generated from indigenous renewable sources, if an appropriate regional contribution to the European Union 20:20:20 targets (a 20% cut in emissions of greenhouse gases by 2020, compared with 1990 levels; a 20% increase in the share of renewables in the energy mix; and a 20% cut in energy consumption by 2020) is to be made, Belfast City Council considers that delivering this contribution presents significant opportunities for new business creation, existing business development and the creation of significant value-added jobs. Given Northern Ireland's rich engineering heritage, it is evident that significant experience and skills exist already within the manufacturing sector, much of which can be relatively easily adapted to the development of the "clean technologies" required to help meet these stringent targets. However, given the current low level of renewables development, it is considered that a fresh approach to the stimulation of this market is required. The development of a consortium / cluster of expertise and experience may be one method of stimulating local industry in order to fulfil its potential.

Question 6 - Do you think that supporting businesses to increase their resource efficiency will lead to improved competitiveness?

Increasingly, businesses are becoming aware of the need to become more sustainable from both a financial and environmental standpoint. However, all too often businesses believe that these two areas are mutually exclusive, given the enduring perception that environmental improvement is associated with higher costs. Belfast City Council believes that there is considerable merit in working with the business community in order to educate them in the compatibility of these two areas. It is considered that any support that can be provided to businesses to make them more energy efficient, particularly in the challenging economic times we find ourselves in will provide a significant boost to their competitiveness. Increased energy efficiency can translate into cost savings and thus provide competitiveness improvements.

It is considered that a holistic approach to resource efficiency can help overcome the significant barriers to progress within the environmental improvement agenda. Support to help businesses truly understand the financial and environmental impacts of their waste and inefficiencies, the use of raw materials, water, consumables and energy throughout their business processes would be welcome. Indeed, it is estimated that the true cost of business inefficiencies can be up to 10 times more than the cost of providing support at the outset to tackle these inefficiencies. Successful national role models, as well as more locally relevant case studies, could be utilised to encourage the stimulation of this important area of business performance. Practically speaking, resource efficiency should equate to reducing or even eliminating wastage at source. Although a substantial amount of current and historical emphasis has been placed upon recycling, it is considered that significant savings can also be found in reducing or eliminating inefficiencies in the first instance.

Chapter 3 – Security of Supply.

Question 1 - Do the consultation document proposals sufficiently address security of supply issues? Are there other aspects to consider?

Section 3.6 of the draft Framework document highlights that increasing the amount of energy derived from indigenous renewable sources has a vital role to play in enhancing Northern Ireland's security of supply. Although the strategy acknowledges that onshore wind will continue to produce the majority of renewable electricity consumed in Northern Ireland, it is considered that there should be greater consideration within the strategy around the contribution from other non-wind based renewable energy sources. The costs associated with supply issues also need to be transparent.

Question 4 – How should research and development of new energy technologies be encouraged or supported?

It is considered that government and industry should seek to create opportunities and support the development of 'energy networks' where technological research can be nurtured towards a commercial outcome. Government will undoubtedly have the greatest obligation towards incentivisation.

Chapter 4 – Sustainability.

Question 2 - Is the proposed scenario for a renewable heat target to 2020 sound and achievable?

The draft Framework proposes that 10% of Northern Ireland's heat should be sourced from renewable sources by 2020 but although the draft strategy acknowledges that energy from waste offers a significant opportunity to diversify the energy mix and reduce reliance upon fossil fuels, DETI has highlighted that EFW projects need to be balanced with wider environmental and social considerations. Nonetheless, in order to make an appropriate contribution towards the 2020 target, it is considered, that where energy from waste plants are established, DETI should take appropriate steps to incentivise and support the utilisation of any associated heat energy.

Belfast City Council is currently utilising landfill gas at its North Foreshore site in order to generate a form of sustainable electricity, which in turn is to be exported to the electricity grid. The Council is also investigating the feasibility of a mini district heating system between the electricity generators on the North Foreshore site, and the Council's Duncrue Complex located some 350 metres away. The heat required for the complex is only a small percentage of what is available from the on-site generators however, and consequently, the distribution network could be extended to provide renewable heat to other nearby premises, if appropriate funding and incentives are made available.

Question 4 - Is a cross-departmental group the right mechanism to stimulate a joined up approach to sustainable energy across all NI departments? What would you expect a joined up mechanism to deliver over and above what is being delivered with the existing provisions across a number of departments as at present?

Within Annex A of the Framework document, DETI has detailed that its statutory duty in relation to electricity is to principally protect the interests of electricity consumers by promoting effective market competition and in relation to gas, DETI is required to promote the development and maintenance of an efficient, economic and co-ordinated gas industry in Northern Ireland. Given this relatively constrained remit, DETI has highlighted that an Inter-departmental Working Group on Sustainable Energy was convened in November 2008, to ensure a more coordinated approach across government to the promotion of sustainable energy.

Belfast City Council considers that an Inter-departmental Working Group on Sustainable energy is fundamental to stimulating a joined up approach to sustainable energy across NI departments. In terms of actions to be delivered over and above what is being delivered with existing provisions, Belfast City Council considers that the working group should seek to develop initially a coherent overarching sustainable energy policy for Northern Ireland with associated targets and then identify how individual sectors including for example energy from waste can contribute to the achievement of the targets.

Question 6 - Should energy efficiency interventions be on as broad a base as possible or should they only be targeted at specific sectors?

It is considered that energy efficiency interventions should be on as broad a base as possible. For example, energy efficiency could be promoted within the workplace and the techniques continued into the home.

Question 8 - Compliance with Part F of the Building Regulations is based on meeting a target CO₂ emissions rate for a building. Following this most, if not all, new buildings will incorporate some form of micro-generation as Building Regulations move towards zero-carbon standard. Do you agree with this approach, which is being adopted by the Department of Finance and Personnel in the Building Regulations, to mainstreaming micro-generation in new buildings?

It is recommended that the use of microgeneration be mainstreamed within in new buildings via the Department of Finance and Personnel Building Regulations. Indeed, if government wishes to achieve its stated energy targets, then the introduction of microgeneration also needs to be incentivised within existing domestic properties since they constitute the largest proportion of premises needing energy improvement. It is suggested that existing domestic properties need to achieve a Standard Assessment Procedure (SAP) rating of between 70-80 and therefore the challenge for government is to persuade owners to install renewable energy sources within existing properties.

Chapter 6 – Cross Cutting Themes and Engagement.

Question 2 - How can the contribution of other players in the energy arena be harnessed and maximised for the benefit of Northern Ireland plc?

Since 1993, Northern Ireland public sector organisations have been able to apply to the Department of Finance and Personnel managed Central Energy Efficiency Fund. The fund is well established within the public sector with organisations relying predominantly upon it to ‘pump prime’ their energy efficiency initiatives and renewable energy projects. Unfortunately, the financial support underpinning the fund has diminished substantially over recent years, forcing organisations to look elsewhere for financial assistance. Moreover, as the need to tackle the causes of climate change has become more widely accepted, so the fund has become more oversubscribed each year with the result that eminently viable projects are being turned down due to a lack of funding. Accordingly, Belfast City Council recommends that in order to ensure that the contribution from public sector players is harnessed and maximised, the Central Energy Efficiency Fund should be robustly supported by government and organisations should be encouraged to apply, since those projects that are implemented will deliver ongoing energy and carbon savings.

Question 3 - Do consultees agree with the approach of developing a unifying communications strategy that incorporates all stakeholders and Departments equally?

It is considered that since stakeholders and government departments are subject to common overarching energy efficiency objectives, all stakeholders will have a vital role to play in reaching a consensus as to how ongoing energy provision within Northern Ireland should be secured, supplied, regulated and tariffed. It is recommended therefore, that any communications strategy should be directed at stakeholders and government departments equally.