

# Strategic Policy and Resources Committee

Friday, 9th October, 2009

## MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE

Members present: Councillor Hartley (Chairman);  
the Deputy Lord Mayor (Councillor Lavery); and  
Councillors Adamson, Attwood, Austin, D. Browne,  
M. Browne, W. Browne, Convery, D. Dodds, Hendron,  
N. Kelly, C. Maskey, McCann, Newton, Rodgers and  
Stoker.

Also attended: Councillor McCarthy

In attendance: Mr. P. McNaney, Chief Executive;  
Mr. G. Millar, Director of Improvement;  
Mr. C. Quigley, Director of Legal Services;  
Mr. L. Steele, Head of Committee and  
Members' Services.

### Apologies

Apologies for inability to attend were reported from Councillors Crozier and Rodway.

### Minutes

The minutes of the meetings of 4th, 8th and 23rd September were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st October, subject to:

- (i) the amendment of the minute of the meeting of 18th September under the heading "Minutes of Memorabilia Working Group – Memorabilia in the City Hall" to provide that the matter be not referred back to the Memorabilia Working Group but rather that the summary of recommendations submitted to the Committee be approved and adopted; and
- (ii) the omission of the minute of the meeting of 18th September under the heading "Peace III Priority 2.1 Creating Shared Public Spaces" which, at the request of Councillor McCann, had been taken back to the Committee for further consideration.

**Peace III Priority 2.1 Creating Shared Public Spaces**

The Committee considered further the minute of the meeting of 18th September under the heading Peace III Priority 2.1 Creating Shared Public Spaces. A copy of the minute in that regard is set out hereunder:

*“Peace III Priority 2.1  
Creating Shared Public Spaces*

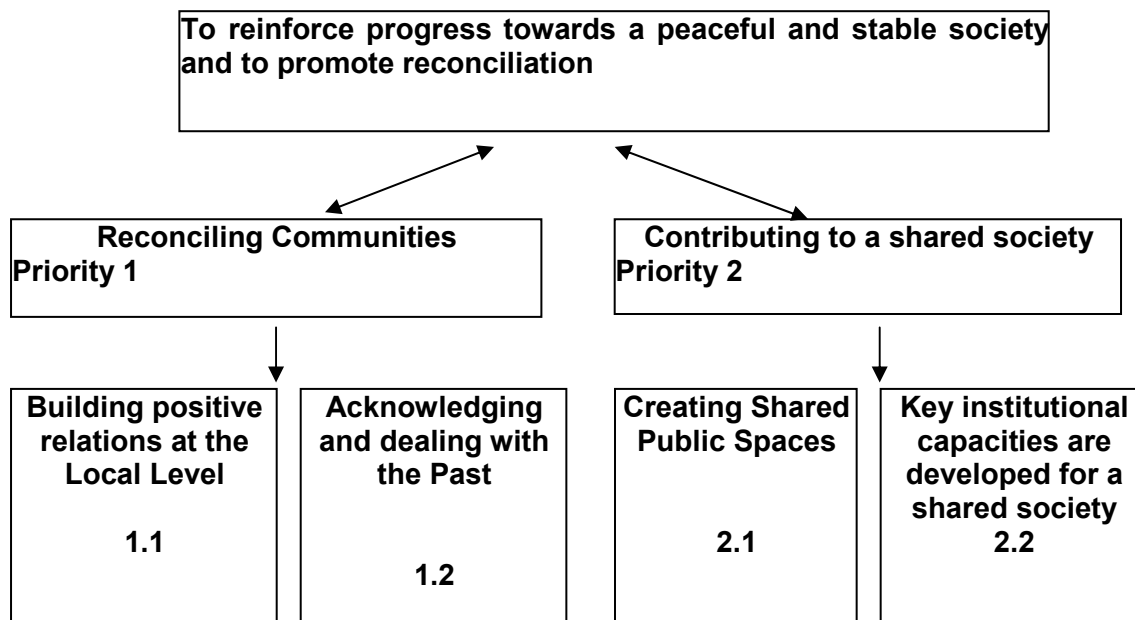
*The Committee considered the undernoted report in relation to the funding of projects under Priority 2.1 of the Peace III Programme:*

**‘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><b><u>Welcoming</u></b></p> <p>a. Branding and symbols</p> <p>b. Promotion and publicity</p> <p>c. Management and governance</p> <p>d. Volunteering</p> <p>e. Community engagement</p> <p><b><u>Good quality</u></b></p> <p>j. physical design</p> <p>k. programming events</p> <p>l. sharing high-quality resources</p> <p>m. Recruitment, development and progression of locally recruited volunteers and staff</p> <p>n. promoting unique cultural heritage</p>	<p><b><u>Safe</u></b></p> <p>f. Physical design</p> <p>g. Policing/Stewarding</p> <p>h. Codes of conduct and enforcement</p> <p>i. Managing critical incidents</p> <p><b><u>Accessible</u></b></p> <p>o. Location</p> <p>p. well-served by public transport</p> <p>q. well-served by pedestrian and cycle links</p> <p>r. Affordability</p> <p>s. Involving under-represented groups e.g. disabled groups</p> <p>t. Youth programming</p> <p>u. monitoring participation of all groups and targeted campaigns/programmes</p>
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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.'*

*In response to a number of questions, the Director of Improvement stated that any projects which were approved under the Peace III Programme would receive 100% funding. He stated that the five projects outlined were those which had been deemed to be most likely to be viable under the programme and meet the Peace III criteria.*

*The Committee agreed that projects (i) the Cultural Corridor and (ii) the Public Service Centre at Girdwood be further developed and submitted for funding under Priority 2.1 of Peace III. The Committee agreed also that further investigation be undertaken in relation to project (iv) the HMS Caroline and a report thereon be submitted to the next meeting of the Committee on the likelihood of it being successful in receiving funding under the Peace III Scheme."*

Councillor McCann, at whose request the matter had been referred back to the Committee, expressed concern in relation to how the shortlist of projects had been selected in so far as there had appeared to be no input from Elected Members in the process and he sought clarification in this regard. He requested that the Committee consider referring the matter to the Party Groupings on the Council in order that other proposals might be identified and that a further report thereon be submitted to the meeting of the Committee scheduled for 23rd October.

The Director of Improvement explained that a shortlist of projects had been developed by an Officer Working Group which had been led by the Director of Development. The Group had considered the list and examined it in the context of the Peace III criteria, which had resulted in five projects being recommended to the Committee for consideration as those identified as being the most likely to be viable for funding under the Programme. The Chief Executive pointed out that the list had been drawn up as a result of decisions which had been taken by the various Council Committees and during meetings with the Party Groups over a period of time in relation to which projects they would like to see being progressed in Belfast as part of the Capital Programme, the City Investment Strategy and the Place Shaping exercise.

With the permission of the Chairman, Councillor McCarthy addressed the Committee. He referred to the Gasworks Bridge Project, which had been included in the final list of five projects and which had been considered potentially viable for funding under Peace III. He requested that the Committee consider including it within the proposals which should be further developed and submitted for funding to the Special European Union Programmes Body.

Several Members expressed the view that it might be more appropriate if the Committee was to affirm its decision of 18th September and, following discussion with the Party Groups, if any further projects had been identified for funding that a report thereon be submitted to the Committee for consideration at its meeting on 23rd October.

Accordingly, the Committee agreed to affirm its decision of 18th September, that is, that Projects (i) the Cultural Corridor and (ii) the Public Service Centre at Girdwood be further developed and submitted for funding under Priority 2.1 of Peace III and that further investigation be undertaken in relation to Project (iv) the HMS Caroline. It was agreed also that, in the meantime, discussions be held with the Party Groups in order to identify any further projects which could be developed and submitted for funding and that a report thereon be presented to the next scheduled meeting of the Committee on 23rd October.

### **Transition Committee Business**

#### **Review of Public Administration - Visit by the Environment Minister**

The Committee was reminded that on 1st July Mr. Edwin Poots, MLA, had been appointed as Minister for the Environment and had been given responsibility for taking forward the Local Government Reform Programme aspect of the Review of Public Administration upon taking up his new post, Minister Poots had stated that he was fully aware that the Local Government Reform Programme was now moving into the critical implementation phase and had acknowledged the central role of Transition Committees in driving the process forward. He had given a commitment to engage with all 11 Transition Committees and had written to the Chief Executive with a request to meet with the Council's Transition Committee at its meeting scheduled to be held on 6th November at 12.30 p.m. in order to discuss the Review of Public Administration Programme.



The Chief Executive explained that the Environment Minister intended to provide an update on the overall Review of Public Administration Programme and to provide an opportunity for questions to be raised by the Members. Given the importance of such a Ministerial meeting, it was recommended that the Committee meeting on 6th November be a single agenda item meeting around the Review of Public Administration with a pre-meeting of the Committee scheduled for 11.30 a.m. to discuss relevant Review of Public Administration-related issues.

The Committee adopted the recommendation.

### **Review of Public Administration - Transfer of Functions Update**

The Committee considered the undernoted report:

#### **1.0 Relevant Background Information**

**1.1 Members will be aware that an RPA Transfer of Functions (ToF) Working Group was established to examine the package of functions proposed to transfer from central to local government and provide greater clarity in terms of the scope of the transferring functions; the resources (or otherwise) attached to the functions; and to identify those issues which needed to be addressed or required further clarification prior to transfer. The ToF Working Group was chaired by the Chief Executive of Belfast City Council, with senior officials from both central and local government.**

**1.4 As part of the discussions of the ToF Working Group consideration was given to potential proposals in regard to marginal changes to the transferring functions where this was justified on a service delivery basis and taking into account the principles of strong local government; the role of local government in supporting place shaping; the need for single point accountability at the local level; ensuring improved customer centric services; and value for money considerations.**

**1.5 The work of the ToF Working Group culminated in a series of recommendations on proposed marginal changes being put forward for consideration by the Environment Minister and Ministers represented on the Local Government Reform Executive Sub-Committee.**

#### **2.0 Key Issues**

**2.1 The Executive Sub-Committee met on 15th September to discuss the recommendations put forward by the ToF Working Group and had agreed to the final suite of functions to transfer from central to local government as part of the RPA reform process.**

2.2 Correspondence issued by the Environment Minister, Edwin Poots to the President of NILGA, Councillor John Mathews, setting out a brief summary of what had been agreed at the Executive Sub-Committee on 15<sup>th</sup> September in regards to the transfer of functions and the associated issues around transfer of staff, securing funding and taking forward community planning has been circulated.

### 2.3 Transfer of Functions

In terms of the transfer of functions to local government, the Environment Minister has confirmed that:

- Minister Connor Murphy has accepted local government's proposal that the following public realm functions should transfer:-pedestrian permits, alley gating, permitting local events on roads, off street car parking and on street car parking enforcement.
- Minister Connor Murphy has confirmed also that he is content for his Department to retain the following functions which local government advocated should not transfer:- maintenance of amenity areas, salting of footways, grass cutting/weed spraying, gully emptying and street lighting)
- Minister Margaret Ritchie has accepted the local government proposal that 'Living Over the Shop' grant scheme should transfer; and
- Minister Margaret Ritchie has not accepted the sector's recommendations that Travellers' Transit Sites function should remain with the NIHE and will transfer to local government.

Further detail on the final decisions in regard to the transfer of functions is set out at Appendix 1.

2.4 It has been agreed that the ToF Working Group would to be reconstituted and chaired by the Chief Executive. It will be tasked with examining and providing clarity on the detail of the revised suite of functions transferring to local government. As this detail emerges, further reports will be submitted for the consideration of the Committee.

2.5 Notwithstanding. It will be important that the Council now start to enhance its level of engagement with transferring departments to explore the potential options around the transfer of functions to Belfast City Council and the associated consequences which need to be considered by the Council's Transition Committee (i.e. SP&R).

### Community Planning

- 2.6 In his correspondence, the Environment Minister reaffirmed that the Executive Sub-Committee members do appreciate the importance of community planning and have expressed their full support to the required engagement between central and local government as the implementation of the programme is taken forward. The Minister stated also that he intends to write to all other Ministerial colleagues seeking their commitment to this engagement process.
- 2.7 This should be clearly welcomed as one of the key successes to the Community Planning process will be its ability to secure greater coherence and integration in delivery and providing responsive and value for money public services.

### Transfer of Staff

- 2.8 Reference is also made in the correspondence to possible models for the transfer of staff from central to local government. Transfer of staffing issues will be subject to consideration by the Local Government Reform Joint Forum which comprises of representatives from central and local government and trade unions. The Chair of the Council's Strategic Policy and Resources Committee and Head of Human Resources are both members of the Joint Forum. Again, as proposals emerge from the work of the Joint Forum they will be brought to Committee for consideration.

### Financial Challenges

- 2.9 Clearly there remains serious uncertainties around the future funding of the transferring functions which is further compounded by the fact that a range of functions remain subject to a bidding process as part of the Comprehensive Spending Review and the wider recession and fiscal challenges which will inevitably result in overall cuts in public sector expenditure and greater efficiencies targets being set.
- 2.10 The Chief Executive recently delivered a presentation at a joint NILGA and SOLACE RPA briefing session on 2nd October which examined some of the financial and implementation issues which local government face in moving forward with the RPA and this has been circulated to the Members. The Chief Executive will discuss this further at the Committee meeting.

#### **4.0 Resource Implications**

There are no Human Resource or financial implications contained within this report.

#### **5.0 Recommendations**

Members are asked to note the contents of this report.

### **Appendix 1**

#### **Transfer of Functions – Summary**

##### **Planning**

- Local development plan functions
- Development control and enforcement

##### **Public Realm Aspects of Local Roads**

- Streetscaping
- Off street parking / on street parking enforcement (Central Government retain policy ownership for this function)
- Pedestrian permits
- Alley gating (traffic regulation orders facilitating alley gating to avoid antisocial behaviour)
- Permitting local events to be held on roads

##### **Urban regeneration and Community Development**

- Functions associated with physical development (such as environmental improvement schemes, comprehensive development and urban development grant)
- Area based regeneration (such as neighbourhood renewal)
- Some community development programmes for the voluntary and community sectors

##### **Housing**

- Registration of houses in multiple occupation
- Housing unfitness responsibilities, including repair and demolition notices
- Energy conservation at a local level
- Responsibility for travellers transit sites
- Living over the Shop Scheme

**Local Economic Development (transfer from Invest NI)**

- Start a Business Programme and Enterprise Shows
- Youth Entrepreneurship (such as Princes Trust and Shell Livewire)
- Social Entrepreneurship
- Investing for Women
- Neighbourhood Renewal funding relating to enterprises initiatives

**Local Tourism**

- Small scale tourism accommodation development
- Local tourism marketing
- Local tourism product development
- Visitor servicing
- Providing business support including business start up advice along with training and delivery of customer care schemes
- Providing advice to developers on tourism policies and related issues
- Delivery of the EU Rural Development Programme
- Authority to Spot List to enable Councils to add a building to the statutory list on a temporary basis, subject to ratification by the DOE
- Authority to draw up local lists of buildings that are of architectural and/or historic interest
- Armagh County Museum
- Local water recreational facilities
- Local sports
- Functions of the NI Museum Council
- Local arts
- Local festivals
- Donaghadee Harbour

**Other**

- Arrangements will also be developed whereby local government will have formal input to the decisions in relation to a number of responsibilities that are remaining with central government.
- Community Planning and Power of Wellbeing”

During discussion in the matter, several Members emphasised the need for the Council to engage with the Northern Ireland Local Government Association and the Committees of the Northern Ireland Assembly regarding the proposed transfer of functions. The view was expressed also that Members had to lobby those bodies and ensure that there was sufficient finance set aside to support the functions which were transferring.

The Chief Executive pointed out that the Transfer of Functions Working Group, which he chaired, would develop a detailed report in relation to the cost of the transferring functions and he would submit it to the Committee for consideration in due course.

Noted.

**Review of Public Administration –  
Vacancy Control Procedure**

(Mrs. J. Minne, Head of Human Resources, attended in connection with this item.)

The Committee considered the undernoted report:

**“Relevant Background Information**

**This report: outlines the main provisions of the Vacancy Control Procedures which have been agreed by the Local Government Reform Joint Forum (LGRJF) and issued under the authority of the Local Government Staff Commission (LGSC) under Section 40(4) (f) of the Local Government Act (NI) 1972.**

**The procedure has been issued by the LGSC as a statutory recommendation for adoption by councils from 1st October 2009 and a copy has been circulated to the Members.**

**All 26 councils (including Environmental Health and Building Control Group Committees), arc21 and SWaMP 2008 will implement the Vacancy Control System uniformly across local government, on a phased basis, with effect from 1st October 2009**

**Key Issues**

- 1. The scheme seeks to safeguard the employment of existing council staff and mitigate against possible redundancies within local government sector and the RPA ‘at risk groups’.**
- 2. Essentially, the scheme means that where a Council has a vacancy it must seek to fill this from an appropriate ‘at risk’ group in the first instance.**

- 3. Councils must consider trawling vacancies to the appropriate at risk' pools in the following order**
  - a. 'At risk' staff in the individual council**
  - b. 'At risk' staff in the amalgamated council cluster**
  - c. 'At risk' staff across the 26 councils**
  - d. 'At risk' staff across all the sectors in the RPA Affected Group.**
  
- 4. The scheme is being phased in and from 01 October 2009 will apply to the posts of:**
  - Chief Executive**
  - Directors**
  - Heads of Service**
  - PAs to the above**
  - Member Services**
  
- 5. This means that if councils have a vacancy in any of the above areas they must seek to fill it from either their own council; the cluster; the 26 councils; or the RPA affected Group. This will therefore affect the filling of the Director of Property and Projects, the Director of Parks and Leisure, the Director of Health and Environmental Services; any vacancies that are heads of service or PA posts and any posts within the Member Services Section.**
  
- 6. Members should note that the practical implications of implementing this scheme within Belfast City Council are the subject of ongoing consideration and discussion with the Local Government Staff Commission (as Belfast will not have the same degree of risk as a direct result of RPA as the other councils). A report will be brought to committee in the very near future on the filling of these posts and the consequences for BCC following receipt of advice from the Local Government Staff Commission.**
  
- 7. It should also be noted that if BCC has to trawl affected posts in the first instance to an 'at risk' pool this will still be the subject of a merit based robust selection process in accordance with the LGSC Code on Recruitment and Selection. Should no candidate be deemed suitable to fill the vacancy as a result of the trawl to an 'at risk' pool the post can then be advertised externally.**

### **Resource Implications**

If the Council is required to trawl within an 'at risk' category in the first instance and no appointment is made the Council can then go to external advert. This however will mean two selection processes and therefore added cost. Consideration may therefore have to be given to ways in which the cost of assessment centres, adverts etc may be reduced.

### **Recommendations**

Members are asked to note the Vacancy Control Procedures and the potential impact on BCC.

### **Decision Tracking**

A further report will be made to Committee on the impact for forthcoming recruitment exercises once further advice has been received from the LGSC.

### **Key to Abbreviations**

LGSC - Local Government Staff Commission  
LGRJF - Local Government reform Joint Forum."

The Committee noted the contents of the report and noted also that a further report on specific advice in relation to the filling of Chief Officer posts would be submitted to the Committee in due course.

### **Northern Ireland Local Government Association - Request for Meeting**

The Director of Improvement reminded the Committee that ongoing discussions had taken place over the previous years in regards to the strengthening of the relationship between the Council and the Northern Ireland Local Government Association. The necessity for this had been reinforced further due to the fact that the Association was viewed as the voice of Local Government within the Review of Public Administration process. The Director pointed out that Members would accept that the future role and remit of the Association, post-Review of Public Administration, was somewhat uncertain at this stage. The Council had documented previously the need for a remodelled Local Government Association which was highly attuned, responsive and accountable to its constituent Councils and which provided a coherent single voice for the Local Government Sector within Northern Ireland.

Within the context of a smaller number of constituent Councils post 2011, there was a real opportunity to develop a more focused and effective role for the Association as a representative voice of Local Government. The Association themselves had indicated that it would be subject to review in the lead up to the new Local Government structures to be put in place in 2011.



The Committee was advised that the Association had submitted a request for a meeting between its Office Bearers and a delegation from the Council to take place on 16th November to discuss the Review of Public Administration and the ongoing work of the Association, with a view to ensuring that the Association could respond to the needs of the Council and add value to the overall Review of Public Administration process.

Accordingly, it was recommended that a Cross-Party delegation consisting of the Chairman and the Deputy Chairman of the Council's Transition Committee and the Party Group Leaders (or their nominees) meet with the Association's Office Bearers.

The Committee adopted the recommendation.

### **Democratic Services and Governance**

#### **National Association of Councillors Annual Conference**

The Committee was advised that the National Association of Councillors was holding its Annual Conference in Glasgow from Friday, 13th until Sunday, 15th November. The theme of this year's Conference was "Local Government – The Recession and Beyond". The Conference would consider the vast array of challenges which Local Government had faced and continued to face as a result of the current economic climate. Consideration would be given also to the key role which Local Government had to play to ensure that local people, communities and businesses were in a position to benefit when the economy began to recover.

The Council had been represented at the Conference in previous years and those Members who had attended had found that the event had provided a valuable opportunity to increase their awareness of Best Practice in Local Government and to discuss with other Councils issues of mutual interest and concern. The estimated cost of attendance at the Conference was £580 per delegate.

The Committee agreed to authorise the attendance at the National Association of Councillors Annual Conference of the Chairman, the Deputy Chairman, the Council's representatives on the National Association of Councillors (Northern Ireland Region), the Head of Committee and Members' Services (or their nominees) and a representative of each of the Party Groupings on the Council not represented by the aforementioned Members.

#### **VIP Visit to the City Hall**

The Committee was advised that the United States Secretary of State, Mrs. Hillary Clinton, would be paying a visit to Belfast on Monday, 12th October. Mrs. Clinton had fond memories of her previous visits to the City and had expressed a desire to once again visit the City Hall. Detailed arrangements for the visit were ongoing. However, it was felt that it might be appropriate, given the re-opening of the City Hall after a two-year closure period, to have Mrs. Clinton perform a simple ribbon-cutting opening ceremony on her arrival.

The Committee approved the use of the City Hall on Monday, 12th October for the hosting of a VIP visit by the United States Secretary of State, Mrs. Hillary Clinton, for the provision of hospitality in the form of a finger buffet reception and for the holding of a simple ceremony to mark the re-opening of the City Hall after closure for refurbishment.

## Finance

### Vacant Properties

The Committee was reminded that, during the current difficult financial times, it was vital for the Council to ensure that its rates income was maximised within the context of rating policy. Over the previous number of years, the Council had suffered significant losses from vacant properties. Under the current rating policy, vacant domestic properties were not charged rates and non-domestic vacant properties were charged only 50% rates. In order to manage the losses arising from vacant properties, the Council had used its Building Control Service to verify the actual status of all vacant properties included on the Land and Property Services Agency's databases. To date, that work had resulted in additional rates bills being issued totally £7.8 million.

Since the last vacant property exercise, 3,000 vacant properties had been added onto the Agency's database and a large number of rates bills had been returned to Land and Property Services by the Royal Mail as unopened. The Members were therefore requested to agree to use the Building Control Service to verify the status of the new vacant properties and to investigate the returned rates bills. The exercise would need to start immediately so that the information on the properties could be passed on to the Agency in time for inclusion in the calculation of the Estimated Penny Product which was used to set the rate. The exercise would cost approximately £40,000 and would be paid for using existing budgets.

During discussion, the Director of Improvement confirmed that the Land and Property Services had paid for the Council to undertake the previous exercise. However, it had indicated that it was not in a position to provide funding for the current exercise but he suggested that, if the Committee was minded to agree to commence the investigation of vacant properties, the Council could attempt to seek retrospective payment from the Agency.

After further discussion, the Committee agreed:

- (i) to use the Building Control Service to verify the status of the new vacant properties and to investigate the returned rates bills and that the exercise commence immediately upon Committee approval;
- (ii) to invite Mr. John Wilkinson, Chief Executive, Land and Property Services to a future meeting to discuss various concerns which the Council had in relation to rates issues; and
- (iii) that a letter be forwarded to the Minister of Finance and Personnel expressing concern that the Council had to pay for an exercise which should be undertaken by Land and Property Services.

**Request for a Special Committee Meeting  
on the Economic Downturn**

The Committee agreed to the holding of a special meeting of the Strategic Policy and Resources Committee, to which the Members of the Development Committee would be invited, to consider the effect of the economic downturn on the City.

**Procurement Workshop**

The Committee was reminded that, at its meeting on 18th September, some Members had raised general concerns regarding procurement policy. Recent reports relating to public procurement had prompted Members to raise questions also about the Council's Procurement Process. The scope and scale of the City Hall refurbishment specification had also been questioned by some Members. To ensure that Members were fully apprised of the Council's Procurement Process, it was intended that the Procurement Manager would facilitate a workshop for Members. Areas to be covered would include:

- Background;
- Control mechanisms in place to ensure accountability;
- Legislative requirements;
- Strategic Procurement;
- Procurement Process;
- Potential risks/safeguards;
- Ease of access/development and suppliers;
- Green Procurement; and
- the Role of Members.

The Committee approved the holding of the aforementioned Procurement Workshop.

**Human Resources**

**Industrial Relations Negotiations - Security Unit**

(Mr. G. Wright, Head of Facilities Management, attended in connection within this item.)

The Committee considered the undernoted report:

**“Relevant Background Information**

**Members will recall that, at its meeting of 21st August 2009, the Committee approved a package of operational changes and an associated financial settlement in respect of both Security Officer and Control Room staff within the Security Unit, and authorised the making of a formal offer to the various trades unions having members in the unit. The total one-off buyout cost associated with this offer is £248,686 and it was agreed that the Committee be updated on the ballot outcomes.**

Following the Committee's decision the offer was set out in a letter to all trades unions dated 28th August 2009 together with a request that they seek their members' views by way of secret ballot after full Council ratification on 1st September 2009. Each of the trades unions involved agreed to this request and the ballots were duly carried out. Notification has now been received that, with regard to the ballots conducted in respect of 29 Security Officer staff by the UNITE(AT&GWU), NIPSA and GMB trades unions, a very significant majority voted in favour of the proposals.

On foot of the authority granted by the Committee the new shift rostering arrangements, job descriptions, 37-hour working week, revised staffing establishment, rotation requirements and 'pool' cover will therefore commence with effect from 4th October 2009, and the long-standing contractual and 'compulsory' overtime arrangements will cease. The new rates and the agreed buyout amounts have also now been processed for this group of staff, and all of this represents a comprehensive and agreed solution to a whole range of long-standing and difficult issues for the unit.

However, NIPSA has also informed us that the separate ballot conducted in respect of the group of 8 Control Room Operatives has resulted in this group of staff rejecting the offer. This is a surprising result, but it was made clear to all staff and their trades union representatives throughout the consultative and negotiating discussions that there could be no 'cherry-picking' of the package nor any partial acceptance of individual elements of it: the proposals formed an integrated package of measures which must be addressed in the round.

This being so, the obvious consequence of the 'no' vote is that the package is removed from the table in its entirety while alternatives are considered.

The Head of Facilities Management informed the Branch Chair of NIPSA of this position in writing on 18th September 2009 and also asked that he liaise with the various staff in the Control Room (all of whom are NIPSA members) in order to 'try to summarise for me what elements of the overall package of proposals caused them to reject it in the ballot, as this will help inform our next steps'. To date no acknowledgement or response has been received, and consequently the offer has not been modified.

The overall effect of the two differing ballot results is that the Security Officer staff have received their re-grading and buyout payments while the Control Room Operatives have received neither, and the latter continue to work 40-hr weeks (which are not Single Status-compliant) on the basis of out-dated job descriptions and also to work the un-necessary and expensive contractual and 'compulsory' overtime built in to the old rosters.

The principles which underpin the offer rejected by the Control Room Operatives remain valid and will form the basis of any revised offer made by management, however if there are specific issues on which the staff require clarification or assurance – or if minor changes to the practicalities of the proposal are deemed to be helpful and feasible – these will of course be pursued in an attempt to secure agreement. We are aware that there was some initial concern around a very modest (2 mornings per month) lone-working requirement and a fairly minor issue around rostering but these would scarcely be significant enough to cause a rejection of the entire package, and it was made clear to the staff involved that - even after a 'yes' vote - we would still be willing to make improvements where these could be mutually agreed, so the rejection is all the more puzzling.

### **Key Issues**

It is essential that this matter be resolved during the current financial year, as no provision has been made in 2010/11. It is also essential that any new package does not involve additional costs over and above the amounts set out in the original proposal and also that it is compliant with the agreement on Single Status reached by management and trades unions in 2007.

It is therefore the intention of the Head of Facilities Management to seek to make one further and final offer in an attempt to deal with any concerns staff may have, however if this does not prove possible or is again rejected in a ballot then the categorization of the posts will take place in line with normal procedures.

### **Resource Implications**

As outlined above, if a resolution to these issues is to be found it must be found during the current financial year, as no provision has been made in the 2010/11 revenue estimates.

### **Recommendations**

It is recommended that:-

- (a) the Committee notes and endorses the agreement made and implemented in respect of Security Officers;
- (b) the Committee authorizes the Head of Facilities Management to make one further offer to Control Room staff on the basis that it will involve no additional cost; and

- (c) the Committee authorises the Head of Facilities Management to proceed to categorization if it becomes clear that agreement will not be reached during the current financial year.

#### **Decision Tracking**

A report will be presented to the Committee outlining the position in January 2010.”

In response to a Member’s question in relation to the condition of the control room, the Head of Facilities Management indicated that it was currently being upgraded and that a tender process had commenced for the upgrade and maintenance of the closed circuit television systems. He stated that the overall refurbishment of the area would result in a spend of approximately £250,000 over the next eighteen months.

The Committee adopted the recommendations.

#### **Cross-Cutting Issues**

##### **Council Subscription to Eurocities Declaration on Climate Change**

(Mr. W. Francey, Director of Health and Environmental Services, attended in connection with this item.)

The Committee considered the undernoted report:

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

In July 2009, government published the UK Low Carbon Transition Plan, which describes how the UK can fulfil its climate change obligations, secure its energy supply and achieve economic growth by moving towards a low carbon economy. The plan identifies a number of priority action areas including changing how we generate our energy, how we use energy in workplaces, in our homes and in our communities and how we use energy for transportation.

In developing the national plan, government has recognised that actions to address energy and climate change need to take place in all regions of the UK. The plan highlights therefore that the Northern Ireland Executive and Assembly have consented to extension of the Climate Change Act 2008 to Northern Ireland and have agreed to contribute towards UK carbon budgets and targets. In addressing these obligations, the Executive has committed initially to reduce greenhouse gas emissions by 25% on 1990 baseline levels by 2025 through the Programme for Government 2008-2011.

The UK Low Carbon Transition Plan also highlights the important convening and leadership role that local government has to play in achieving greenhouse gas reduction targets. Government has stated that people should be able increasingly to look to their local authority to co-ordinate, tailor and drive the development of a low carbon economy in a way that addresses local priorities whilst deriving maximum benefit.

Within Northern Ireland, carbon dioxide accounts for around 75% of all greenhouse gas emissions. A carbon dioxide sectoral analysis indicates that around 34% of CO<sub>2</sub> emissions come from energy generation, a further 33% from transportation, 18% from residential sources and the remainder from the commercial, public and agricultural sectors. If the Council chose to lead the transition towards a low carbon economy within Belfast therefore, it would have to foster partner working with government departments, including the Department for Regional Development, the Department for Finance and Personnel and the Department for Enterprise, Trade and Investment and the general public, within a recognised climate change performance management framework.

One such performance framework is provided by the Eurocities Declaration on Climate Change, launched in October 2008. Eurocities was founded in 1986 and is the network of major European cities. The network presently brings together local governments of more than 140 large cities in over 30 European countries by providing a platform for member cities to share knowledge and address pressing European and global issues. The Eurocities Declaration on Climate Change was developed with support and input from a range of member cities including Belfast and has already been subscribed to by around 62 cities.

Within the 2008-2011 Corporate Plan under Strategic Theme 3 - Better care for Belfast's environment - a clean, green city now and for the future, Council has already committed to reducing the city's impact on climate change and improving air quality. Moreover, a primary key performance indicator of '% reduction in greenhouse gas emissions from council premises' has also been adopted.

### Key Issues

#### Eurocities Declaration on Climate Change principal commitments

The Eurocities Declaration on Climate Change commits signatories to tackle climate change by adapting global and national objectives to a regional level, developing and implementing a climate change plan and by regularly measuring and reporting advances in greenhouse gas emission reductions.

### Working on urban planning and the quality of cities

Specific Declaration commitments to be addressed in relation to improving urban planning and the quality of our cities include limiting urban sprawl, constructing energy efficient buildings, supporting the adaptation of existing buildings and planting trees to develop an urban canopy.

The Review of Public Administration (RPA) has recommended that local development plan functions and development control and enforcement should be returned to local authorities from 2011, which will enable these Declaration objectives to be addressed directly. In the intervening time however, it is considered that the Council is already meeting many of the Declaration obligations via the implementation of its Belfast City Masterplan. This development framework advances the concept of the compact city and commits the Council to raising the quality of the built environment by co-ordinating and monitoring the quality of urban design and architecture and by promoting building conservation.

Building Control is responsible for enforcing the Building Regulations, which prescribe how buildings are constructed. Part F technical booklets explain how premises can be constructed in order to minimise carbon dioxide emissions. Moreover, Building Control is also charged with the statutory enforcement of Display Energy Certificates for larger public buildings, which promote greater energy efficiency and reduced carbon dioxide emissions.

Finally, in relation to developing an urban canopy, Belfast City Council already has an extensive planting programme across its various parks and premises but it is also responsible for maintaining 11,000 trees in urban streetscape locations. These functions are also in accordance with the Eurocities Declaration on Climate Change commitments.

### Working on transport and urban mobility

With regard to Declaration commitments to work on transportation and urban mobility, signatories are required to develop soft mobility modes including walking and cycling, to link public transport networks together, to encourage the use of new types of vehicles and fuels and to support the use of ICT to reduce the need for travel.



Although responsibility for transport planning is scheduled to remain with the Department for Regional Development post RPA, the Council has nonetheless recently adopted a new Transport Policy, which establishes its transportation vision for the City until 2015. The key message of the new policy is to support and promote the development of a modern, safe, accessible and integrated transportation system to enhance the connectivity for Belfast and its wider regions, which benefits the environment, supports sustainable development; and enhances the quality of life of all those who live, work, visit and do business in the City. It is anticipated that the Council will employ its Transport Policy to lobby and engage with the Department for Regional Development and Translink in order to secure the most sustainable transportation system for the City. Additionally, the Council will also continue to promote walking, cycling and other sustainable transport modes amongst its own employees and other organisations within the city.

In terms of encouraging the use of new types of vehicles and fuels, the Strategic Policy and Resources Committee recently adopted a recommendation that Council undertake research to enable the development of a carbon abatement strategy for its vehicle fleet. The opportunity to introduce new types of vehicles and low carbon fuels will be considered during the development of the strategy.

It is considered therefore, that the Council is already well placed to address many of the mobility components of the Eurocities Declaration on Climate Change.

**Working on renewable energy and diversifying energy production**

In terms of developing renewable energy and diversifying energy production, as previously highlighted, local development plan functions and development control and enforcement is scheduled to be returned to local authorities from 2011. The opportunity to formulate development plans and planning policy for Belfast will provide the Council with the opportunity to incentivise the uptake of renewable energy as part of a wider community-planning obligation.

A further obligation under the renewable energy and diversifying energy production theme involves reducing waste at source through sorting and recycling. Waste Management and Cleansing Services already provide wide-ranging education programmes and recycling services to both the domestic and commercial sectors across the city. Moreover, Waste Management has recently completed a survey of the commercial sector in order to identify barriers to addressing

the contributors to climate change and achieving sustainability. It is considered therefore, that the Council is already addressing the Declaration commitments in relation to waste reduction, reuse and recycling. Its community planning obligations post RPA will enable it to incentivise preferentially energy diversification and the uptake of renewable energy.

#### Implementing adaptation measures

In terms of adaptation, the Eurocities Climate Change Declaration requires that signatories regulate their urban climates via enhancement of green and wooded zones, build housing adaptable to climate change, prevent flooding via the use of permeable surfaces, alert inhabitants to the dangers of climate change and prepare for climate driven health impacts on human and animal populations.

In relation to enhancing green and wooded zones, the Council's Open Space Strategy has already identified the economic, health and wellbeing, heritage, educational and community development benefits of open space within the urban environment. Accordingly, the strategy commits the Council to provide parks that offer areas for informal recreation and community events and that provide semi-natural habitats. The strategy also includes provisions for playing fields and play areas, allotments, greenways and civic and amenity areas.

In terms of building housing that will be adaptable to the climate in the future, the transfer of local development plan functions will provide the Council with the opportunity to influence how domestic properties are constructed as part of a wider community planning obligation.

In relation to preventing flooding via the use of permeable surfaces, the Council has participated in the development of a Strategy for Promoting the Use of Sustainable Drainage Systems (SuDS) within Northern Ireland which proposes that Sustainable Drainage Systems (SuDS) are established as the preferred approach for managing storm water discharges from developed land. Permeable surfaces that slow the velocity of runoff thereby allowing storage, filtering, evaporation and infiltration before discharge are classified as a sustainable drainage technique.

In terms of alerting inhabitants to the potential danger of extreme climate change and preparing for the health impacts on human and animal populations, UK Climate Projections indicate that Northern Ireland is likely to experience hotter drier summers and warmer wetter winters, coupled with increased frequency of extreme weather

occurrences such as heatwaves, dry spells, heavy rain and flooding. It is considered that the Council will have an increasing opportunity to promote climate change mitigation and adaptation as a component of its forthcoming development control and community planning obligations.

**Establishing long-term policies and strengthening international action**

Finally, the Eurocities Declaration on Climate Change also requires that signatories commit to partnership working with cities and territories of developing nations in order to help limit their greenhouse gas emissions, to refining public policies related to greenhouse gas emissions in order to achieve the best outcome and to supporting climate change initiatives with appropriate human and financial resources. The Council's participation in the Eurocities network already provides a mechanism for knowledge dissemination and partnership working with cities and territories of developing nations.

**Subscribing to the Eurocities Climate Change Declaration**

Since its launch in October 2008, the Eurocities Climate Change Declaration has been signed by the political leaders of over 60 major European cities. Moreover, Eurocities has stated that as well as taking direct action to combat climate change, those subscribing to the Declaration are signifying the need for prompt action by national governments at events such as the United Nations Climate Change Conference 2009 where a successor to the Kyoto Protocol is scheduled to be agreed. It is considered that subscription to the Eurocities Climate Change Declaration will enable Council to demonstrate formal civic and political leadership in addressing climate change for the city.

The next formal opportunity to subscribe to the Declaration will be at the Eurocities Urban Challenges, Sustainable Solutions Conference to be held in Stockholm from 25th – 28th November 2009. The Declaration could be signed by the nominated political representative, usually the city mayor, in person at this conference or, alternatively, by returning a signed certificate to the Eurocities office. Members may wish to note that the Development Committee, in considering council representation at the November Eurocities Conference decided, having regard to cost considerations, to limit Development Committee representation to one of its Members and two officers.

### Resource Implications

#### Financial

There are no immediate financial implications associated with subscribing to the Eurocities Declaration on Climate Change however, as articulated within the Declaration text, signatories are required to support climate change initiatives with appropriate human and financial resources. Where specific projects are identified as a component of the Declaration commitments, proposals detailing financial, human resource and asset resource requirements will be presented to Elected Members for approval prior to inception.

If attendance of the Lord Mayor at the November Conference to sign the Declaration in person were to be authorised this would involve a cost of approximately £840.

#### Human Resources

It is proposed that the Council's Sustainable Development Steering Group and Sustainable Development Manager will lead implementation of the Climate Change Declaration for the Council. All Departments will, however, need to identify how they can individually contribute towards Declaration commitments through their everyday business activities.

#### Asset and Other Implications

N/A

### Recommendations

The Committee is requested to note the implications to the Council of subscribing to the Eurocities Declaration on Climate Change and to agree that the Council should subscribe to the Eurocities Declaration on Climate Change as a first step towards addressing climate change for the city and in order to promote the development of a low carbon economy.

The Committee is also requested to authorise the Lord Mayor, or other Council Member as appropriate, to sign the Eurocities Declaration on Climate Change on behalf of the city and to decide whether the decision is to be implemented by return of a signed certificate or through attendance at the Eurocities Urban Challenges, Sustainable Solutions Conference in Stockholm on 27th November 2009.

**If the attendance of the Lord Mayor is to be authorised the Committee is also requested to approve all associated costs as estimated above.**

**Key to Abbreviations**

**ICT - Information and communication technologies.**  
**RPA - Review of Public Administration.**  
**SuDS - Sustainable Drainage Systems.”**

After discussion, the Committee:

- (i) agreed that the Council subscribe to the Eurocities Declaration on Climate Change; and
- (ii) authorised the Lord Mayor to sign the Declaration on behalf of the City and that the Elected Representative who had been authorised to attend by the Development Committee submit the signed certificate during the holding of the Conference.

Chairman