

Strategic Policy and Resources Committee

Friday, 19th November, 2010

MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE

Members present: Councillor Crozier (Chairman); and
Councillors Adamson, Attwood, Austin, D. Browne,
M. Browne, W. Browne, Hartley, Hendron, N. Kelly,
Lavery, McCann, McCarthy, Newton, Robinson,
J. Rodgers, Rodway and Stoker.

In attendance: Mr. P. McNaney, Chief Executive;
Mr. G. Millar, Director of Property and Projects;
Mr. C. Quigley, Town Solicitor;
Mrs. J. Thompson, Director of Finance and Resources;
Mr. S. McCrory, Democratic Services Manager; and
Mr. J. Hanna, Senior Democratic Services Officer.

Chairing of Meeting

In the absence of the Chairman and the Deputy Chairman, it was agreed that Councillor Stoker take the Chair.

Apologies

Apologies for inability to attend were reported from Councillors Campbell and O'Reilly.

Minutes

The minutes of the meetings of 8th and 22nd October 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 November.

Democratic Services and Governance

Appointments to Outside Body

The Committee was advised that a request had been received from the Department of Culture, Arts and Leisure for the Council to nominate two Members to the Board of a Special Purpose Vehicle Company to be formed to oversee the delivery of the World Police and Fire Games in 2013.

The Democratic Services Manager reminded the Members that the Council, following the Local Government Elections on 5th May, 2005, had determined through the application of the d'Hondt system of proportionality its representation on 90 Outside Bodies. Those nominations had been approved formally at the Annual Council meeting on 26th May. He reminded the Committee further that, at its meeting on 19th August, 2005, in considering the nomination of a Member to make application to represent the Council on the Drainage Council for Northern Ireland, it had agreed to continue the application of the original d'Hondt process to determine the Party Groupings which would be entitled to appoint nominees to any subsequent invitations of a similar nature which might be received during the current Council term. Accordingly, that system had again been applied at the Committee's meeting on 23rd April, 2010, when appointments had been made to the Lyric Theatre Education Advisory Panel. He pointed out that, under the current system for determining appointments to Outside Bodies, the next two choices fell to the Sinn Féin and the Democratic Unionist Party Groupings.

The Committee approved the appointment of one Member from each of the Sinn Féin and the Democratic Unionist Party Groupings as the Council's two representatives on the Board of the Special Purpose Vehicle Company to be formed to oversee the delivery of the World Police and Fire Games in 2013.

Transitional Governance Arrangements for the Education Sector

The Committee was reminded that the issue of the appointment of elected Members to the Transitional Belfast Education and Library Board remained unresolved after almost a year of correspondence between the Council and the Minister for Education. In essence, the disagreement was centred on who should be entitled to nominate the elected representatives to be appointed to serve on the transitional Board.

The Democratic Services Manager reminded the Committee further that, in December, 2009, it had first considered a request from the Minister to nominate eight Members from whom four would be chosen to serve on the Board. The Committee, at its meeting on 11th December, had agreed to nominate only four Members, with the representatives being selected using a one-off d'Hondt process. That had resulted in the nominations falling to the Sinn Féin, Democratic Unionist, Ulster Unionist and Social Democratic and Labour Party Groupings. Throughout the subsequent correspondence, the Council had maintained the position that the four elected representatives should be appointed from the largest four political parties on the Council, thus reflecting on the transitional Board the wishes of the people of the City as expressed at the Local Council elections in 2005. However, the Minister's position was different in that she insisted that the Council submit eight names so that the principle of Ministerial choice was upheld.

The Democratic Services Manager explained that, at its meeting on 24th September, the Committee had again considered the matter and had agreed that it be left to each of the four main Party Groupings to decide whether to submit one or two names to the Minister. The Sinn Féin and Social Democratic and Labour Party Groupings had submitted two names each while the Democratic Unionist and Ulster Unionist Party Groupings had submitted one name only. A letter had been sent to the Department of Education on 11th October explaining the Council's position and urging the Minister to proceed to appoint the four elected Member representatives from that list of six names whilst ensuring that one elected Member from each of the four main Party Groupings was appointed.

He informed the Committee that a further letter had been received from the Department indicating that “conversations with a purpose” had been held with the Council’s six nominees but that they could not proceed to appoint Councillors to the transitional Belfast Board until the nomination and application process had been completed. The Department had made the points that Belfast was the only Council which had not submitted the requisite number of nominees to the Minister, that it had proceeded to make appointments of elected Members to several of the other Boards and that it could not proceed in Belfast until the Council submitted the names of an additional two candidates. The current situation meant that there was no political representation on the transitional Board in Belfast and the Committee was asked to consider the matter and take whatever action it considered to be appropriate.

In response to a question from a Member, the Democratic Services Manager explained that the Committee could if it so wished rescind its previous decision and run a one-off d’Hondt process to appoint the eight nominees required by the Department of Education. He explained that such a process would result in the following choices:

- Sinn Féin – Choices 1, 5 and 8
- Democratic Unionist – Choices 2 and 6
- Ulster Unionist – Choices 3 and 7
- Social Democratic and Labour – Choice 4

He explained further that the d’Hondt system provided that, should a Party refuse to accept its choice, then the choice would pass to the next available on the d’Hondt table. Accordingly, if the Democratic Unionist and Ulster Unionist Party Groups refused to nominate more than one candidate then, at choices 10 and 11, the Alliance and Social Democratic and Labour Party Groupings would be entitled to nominate candidates.

The Committee agreed that it be left to the Democratic Unionist and Ulster Unionist Party Groupings to decide if they wished to submit a further one name each prior to the meeting of the Council scheduled to be held on 1st December and if they failed to do so then the previous decision be rescinded and a one-off d’Hondt process be applied to the eight nominees to be provided to the Department of Education.

(The Chairman, Councillor Crozier, in the Chair.)

Requests for the Use of the City Hall and the Provision of Hospitality

The Committee was informed that the undernoted requests for the use of the City Hall and the provision of hospitality had been received:

Organisation / Body	Event / Date – Number of Guests	Request	Comments	Recommendation
The Pony Club	Pre-Conference Reception 7th March, 2011 Approximately 500 attending	The use of the City Hall and the provision of hospitality in the form of a drinks reception.	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 and Together'.	The use of the City Hall and the provision of hospitality in the form of red/white wine and soft drinks. Approximate cost £500
Volunteer Now	Pre-Conference Reception 23rd March, 2011 Approximately 125 attending	The use of the City Hall and the provision of hospitality in the form of a drinks reception.	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 Themes of 'City Leadership, Strong, Fair and Together' and 'Better support for people and communities'.	The use of the City Hall and the provision of hospitality in the form of red/white wine and soft drinks. Approximate cost £500
Queen's University Belfast	Society of Renaissance and Baroque Hispanic Poetry 10th Biennial International Conference Reception 6th September, 2011 Approximately 120 attending	The use of the City Hall and the provision of hospitality in the form of a drinks reception.	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 Themes of 'Better opportunities for success across the city' and 'Better support for people and communities'.	The use of the City Hall and the provision of hospitality in the form of red/white wine and soft drinks. Approximate cost £500

Organisation / Body	Event / Date – Number of Guests	Request	Comments	Recommendation
Northern Cricket Union of Ireland	125th Anniversary Dinner 15th October, 2011 Approximately 400 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 125th Anniversary of the Northern Cricket Union of Ireland and to acknowledge its contribution to the general life and well-being of the city. This event would contribute to the Council's Key Themes of 'City Leadership, Strong, Fair and Together' and 'Better support for people and communities'.	The use of the City Hall and the provision of hospitality in the form of a pre-dinner drinks reception. Approximate cost £500
Upper Springfield Development Trust	Success of the West Awards 2011 2nd February, 2011 Approximately 150 attending	The use of the City Hall and the provision of hospitality in the form of tea/coffee and biscuits	This event seeks to recognise the achievements of local people from vocational training programmes across West Belfast. The event also aims to empower people from the local area to show leadership and contribute to the success of their community. This event would contribute to the Council's Key Themes of 'City Leadership, Strong, Fair and Together' and 'Better support for people and communities'.	The use of the City Hall and the provision of hospitality in the form of tea/coffee and biscuits. Approximate cost £300

Organisation / Body	Event / Date – Number of Guests	Request	Comments	Recommendation
Girlguiding Belfast	County Awards Ceremony 17th May, 2011 Approximately 150 attending	The use of the City Hall and the provision of hospitality in the form of tea/coffee and biscuits	This event seeks to recognise the achievements of Guides and their Leaders. The awards being presented include the Queen's Guide, Duke of Edinburgh, Baden Powell and Long Service Awards. This event would contribute to the Council's Key Themes of 'City Leadership, Strong, Fair and Together' and 'Better support for people and communities'.	The use of the City Hall and the provision of hospitality in the form of tea/coffee and biscuits. Approximate cost £300

The Committee adopted the recommendations.

**Northern Ireland Local Government Association
Annual Conference 2011**

The Committee was advised that the Northern Ireland Local Government Association was holding its Annual Conference in the La Mon Hotel and Country Club, Castlereagh on 10th and 11th February, 2011. The theme of the conference was "Energising Local Government", the main focus of which would be how Local Government could become energised to plan strategically for the delivery of services in the future. Debates at the Conference would focus on the current spending review, the economic crisis and an overview of how the Northern Ireland Local Government Association could move forward over the coming year. The cost per delegate of attending would be £210.

The Committee authorised the attendance at the Northern Ireland Local Government Association Annual Conference of the Chairman and the Deputy Chairman of the Committee, the Democratic Services Manager (or their nominees) and the Council's representatives on the Association.

Opening of Northern Ireland Office in Brussels

(Mr. J. McGrillen, Director of Development, attended in connection with this item.)

The Committee was advised that the Development Committee, at its meeting on 10th November, had accepted an invitation to attend the official opening of the Northern Ireland Executive's new office in Brussels in December and had agreed that the Chairman and the Deputy Chairman of that Committee (or their nominees) be authorised to attend in order to begin building political networks as part of the lobbying effort in advance of the development of the 2014/20 European Structural Funding Programmes.

It was reported that, subsequent to the invitation having been accepted, it had come to light that the most senior representative of the Commission, the European Commission President, would be in attendance and, given that fact, it was felt that it would be appropriate for the Lord Mayor to be in attendance also at the opening. The approximate cost for an additional person to attend would be £600.

The Committee approved the attendance of the Lord Mayor at the opening of the Northern Ireland Executive's office in Brussels.

Commencement Time of Meetings

In accordance with notice on the agenda, the Chairman referred to the commencement time of the meetings of the Strategic Policy and Resources Committee. He pointed out that at present the Committee held two scheduled meetings per month, the first of which started at 12.30 p.m. and the second at 10.00 a.m. He made the point that it might be more appropriate for both meetings to commence at the same time, that is, 10.00 a.m. and he sought the Committee's direction in this regard.

The Committee agreed that in future both the monthly scheduled meetings of the Strategic Policy and Resources Committee be held at 10.00 a.m.

Finance

Revenue Estimates 2011-12

The Director of Finance and Resources submitted for the Committee's consideration the undernoted report:

"Relevant Background Information

- 1.1 **An update on the revenue estimates for 2011/12 was presented to the Strategic Policy and Resources Committee at its meeting on 22 October 2010. As advised within that report, the rates bill received by ratepayers contains two principal elements – the district rate received by local Councils and the regional rate which is set and received by the Northern Ireland Executive.**

- 1.2 For information, over the last ten years, the district rate increases have ranged from 2.83% to 7.81%, with an average increase of 5.6%. It is important to note that the setting of the rate for 2011/12 reflects two unique circumstances:
- (a) the recession means that the rates base is no longer growing. This represents a significant risk for the future finances of the Council, given that the district rate provides approximately 74% of the total funding for the Council's activities; and
 - (b) on the positive side, there is a one off opportunity to reallocate money that was needed in 2010/11 to boost reserves.
- 1.3 The October report to the Strategic Policy and Resources Committee on rates setting presented information on three scenarios, as requested by Members – 0%, 1% and 2.5% increases in the rates. This was a preliminary assessment of the overall position and there were a range of internal and external variables which were still uncertain at that stage. In addition, at the October meeting, Members agreed to action a number of proposals which would utilise some £1.1m of the 2010/11 underspend. These proposals will produce savings of some £700k for 2011/12 which now need to be factored into the rates setting process.
- 1.4 This report provides an update on our assessment of the revenue estimates for 2011/12, reflecting our current analysis of both the internal position and the external variables and providing more information on what can be achieved within the various scenarios.

Key Issues

- 2.0 Updated analysis of zero growth in rates
- 2.1 The scenario for zero growth in the rates has been updated from the October position to reflect:
- (a) the £700k savings arising from implementation of the agreed proposals for the use of the 2010/11 underspend; and
 - (b) the current indication of the industrial derating grant for 2011/12 from DOE which is a reduction of £210k from the 2010/11 budget.

Table 1

	2011/12 increase £m	% increase
Department Estimates	1.5	1.3
City Investment Strategy	0.0	0.0
Capital Programme	1.4	19.1
Waste Plan	1.3	106.3
De-rating Grant decrease	0.2	4.8
Rate Increase before Reserves	4.4	3.6
Movement in reserves	-4.5	-100
District Rate Decrease	-0.1	-0.07

2.2 Departmental Estimates – This is the money required by departments to deliver services and typically covers expenditure on headings such as salaries, supplies and services. Based on current estimates, this scenario would mean that net expenditure is budgeted to rise by £1.5m which equates to some 1.3% of an increase from 2010/11. Given that inflation has been estimated at 3.1%, this represents a real terms cut of some 1.8%, in line with that faced by the Northern Ireland Executive. The key drivers for the departmental estimates increases include costs which the council has limited control over such as:

- Payroll costs – increases in pension contributions and assumptions on nationally agreed pay rises for employees earning less than £21,000 and staff increments
- Increase in landfill tax
- Loss of external income in areas such as building control
- Inflationary pressures

In order to minimise the impact of these cost pressures, some £2.9m of cash savings have been identified and deducted from budgets for 2011/12, as part of the efficiency programme. This has been achieved without any cut in front line services. This will mean that the Council will achieve savings of some £12m since 2006/07. These are set out below in Table 2 and explained in more detail in Appendix 1.

Table 2

Efficiency Split	Target	Actual
	£'000	£'000
Assets / Land	200	294
Budgetary Challenge	388	769
ICT	195	98
Income Generation	122	245
Procurement	357	320
Service Review	440	522
Use of Underspend		700
Total	1,702	2,948

- 2.3 Capital Programme - Most of the capital programme is currently financed through loans and therefore the rates set need to cover the cost of borrowing to the council. This scenario provides the additional £700k needed to finance existing ongoing schemes in 2011/12 and to finance the Mercury Abatement at the Crematorium and developments at Dunville and Woodvale Park. It will also provide £700k for the financing of some £4.85m of additional capital investment, which is explained more fully in section 4 below.**
- 2.4 City Investment Strategy – This scenario assumes no growth from the £3m per annum currently invested in the City Investment Strategy. This fund has been put in place to support major iconic projects and help lever in additional money into the city. This fund is currently supporting the Titanic Signature Project, the MAC, the Lyric and the Connswater Greenway.**
- 2.5 Waste Plan – The costs of managing waste continue to rise. Indeed, it is estimated that costs to Belfast City Council will be some £5m higher in 2014/15 compared to 2010/11. The council needs to prepare financially for this increase in order to avoid a one off hike in the rates in 2014/15. The zero growth rates scenario therefore assumes a stepped increase of some £1.3m to help meet this financial commitment in 2014/15, building on the £1.2m set aside in 2010/11. This money will primarily be directed to actions which enhance recycling, thus reducing the amount of waste for landfill and assisting the Council to meet its landfill diversion targets.**

2.6 **Industrial De – Rating Grant – The Council currently receives a grant from the DOE to cover those properties affected by the policy on industrial de-rating. Following a review by LPS, the number of properties which attract this grant has fallen, predominantly due to the increase in vacant properties. Our latest information is that the grant from the DOE will reduce by some £210k in 2011/12, but there is a risk that this may be further adjusted during 2011/12, if the level of industrial vacant properties continues to rise.**

2.7 **Reserves – Members will recall that a significant element of the rate increase in 2010/11 was attributable to the need to increase reserves to an acceptable level. Given that approach and the 2010/11 underspend, this zero growth scenario assumes that there does not need to be a contribution from the rates to reserves in 2011/12.**

3.0 **Key Risks/External Variables**

3.1 **There are a number of external variables which have been previously highlighted and which represent risks to the scenarios outlined above.**

- (a) **Clarity on EPP – the estimated penny product (EPP) is provided by LPS to the Council as an estimate of what the rates will yield in income for the Council in 2011/12. As the Council is dependent on the district rate for some 74% of its income, this figure can make a significant difference to the rates that the council needs to set in order to cover its planned expenditure.**

We have been engaging with LPS on both the EPP for 2011/12 and the updated rates assessment (APP) for 2010/11. The separate report on the Financial Position – Quarter 2, 2010/11 outlines that the LPS has advised that the estimated rates income for 2010/11 will be some £0.6m less than planned. This is a matter of concern both for 2010/11 and future years, as the economic downturn leads to more vacant properties, appeals and bad debts. These rates scenarios are based on a ‘flat’ EPP rather than the traditional growth scenario of previous years. Members will need to consider the need for sound financial planning and the risks to the rates base in setting the level of the rates for 2011/12.

- (b) Effects of cuts in government funding – the implications of the Spending Review on the Council for 2011/12 are not known at this stage but at present the Council receives around £4m in government funding to support various activities such as community relations and community safety. It is unlikely that we will know how any cuts will impact on the Council by the time the rates need to be set. Members will therefore need to consider the potential risks to the Council finances from cuts to central government funding in setting the level of the rates for 2011/12.
- (c) Level of the Regional Rate – At this stage the increase in the regional rate is unknown but it is likely that it will be at least in line with inflation. Members are reminded that the regional rate accounts for 55% of the rates bill and that inflation has been estimated at some 3.1%.

4.0 Investment Implications of Scenarios

- 4.1 Members had asked for a number of scenarios to be considered. This report sets out the implications of the three previously identified scenarios and an additional 2% scenario to assist Members discussions. Each scenario builds on from the zero growth scenario set out in section 2 above. With scenarios of 1%, 2% and 2.5%, further sums would be available for investment in either capital or revenue projects.
- 4.2 At the Members workshop in September there were strong views about the importance of investment in the City. The key arguments were in terms of delivering for the citizen to show value for their rates contribution and support for the beleaguered construction sector, as well as enhancing the economic multiplier effect. The current tendering environment is also favourable, at the moment, given the difficulties in the construction sector. These are set out in Table 3 below.

Table 3

Scenario	Average Cost to Ratepayer Per Annum	Additional Revenue Investment	Additional Capital Finance (Table 4)	Additional Capital Investment (Table 4)	Additional Total investment (revenue and capital)
0%	-£0.23	0	£0.7m	£4.85m	£0.7m
1%	£3.34	£1m	£1.2m	£8.0m	£2.2m
2%	£6.79	£1m	£2.5m	£15.0m	£3.5m
2.5%	£8.40	£1m	£3.2m	£20.5m	£4.2m

A. Capital Investment

4.3 The Council has delivered several beneficial projects over the past few years and has just let a significant contract for the Connswater Community Greenway. Table 4 gives some examples as to the level and type of capital investment that could be considered, depending on the particular rates level agreed by Members.

Table 4

Project Title	Gross Project Cost	Financing Cost – Rates Impact	Gross Project Cost	Financing Cost – Rates Impact	Gross Project Cost	Financing Cost – Rates Impact	Gross Project Cost	Financing Cost – Rates Impact
Rate increase	0%		1%		2%		2.5%	
Pitches Various Locations	-		£3.0m		£10.0m		£10.0m	
Alleygates	£0.85m		£1.0m		£1.0m		£1.0m	
Mary Peters Track 2013	£3.0m		£3.0m		£3.0m		£3.0m	
Other Schemes	£1.0m		£1.0m		£1.0m		£6.50m	
	£4.85m	£0.70m	£8.0m	£1.23m	£15m	£2.5m	£20.5m	£3.22m

4.4 The above table provides examples of what could be achieved under the various scenarios. Members will need to agree the level of the rates and the actual schemes which will be financed under that scenario. The particular schemes used as an example were chosen for the following reasons:

- they are commitments by Council
- they are the most straightforward schemes in terms of deliverability as they do not depend on other funding or other people's land
- they will have short run economic benefits in terms of construction jobs
- they will have long run benefits in terms of improving the quality of service, providing new facilities and provide a positive impact upon equality, social inclusion and good relations
- in some instances they will assist in leveraging further resources.

4.5 Specifically the Pitches and Changing Accommodation Strategy is a £30m plan to enhance provision right across the City with two thirds of provision via use of school playing fields and support from DCAL and Sport NI. The Council's £10m will address our provision and create new pitches, bring existing pitches up to standard and enhance or produce new changing accommodation and helps our leverage of others resources. The outcomes include:

- better facilities
- healthy active lifestyle opportunities
- diversionary activity from anti-social behaviour
- greater social inclusion of young people and positive cross community impacts.

4.6 Alleygates are a popular tool to address peoples concerns regarding safety and security and have major benefits in upgrading and maintaining clean, green environments.

4.7 The Mary Peters track is a clearly stated objective of the Council and has obvious long run sporting benefits. More immediate bonuses exist in terms of the World Police and Fire Games 2013 and the Glasgow based Commonwealth Games of 2014 which if properly harnessed have substantial tourism and economic benefits for the City.

4.8 Other schemes relate to various proposals in the existing Capital Programme which are neither too expensive or too dependent on external funding a full list of current uncommitted capital schemes has been circulated.

B. Additional Revenue Investment

4.9 Within the October revenue estimates report, there was a proposal to pilot new and innovative approaches to integrated service delivery at a neighbourhood level.

4.10 An additional £1.0m of revenue would secure a £250k budget for the four city areas. This would facilitate a member led process to allocate resources at a local level and to prioritise local actions. This process could be supported by information from the SRFs, the Public Consultation Survey and the My City My Neighbourhood programme. The next stage of the My City My Neighbourhood programme is a member led local engagement programme. A report on the My City My Neighbourhood programme is a separate item on the Committee agenda.

4.11 Examples of what the area budgets could be spent on include:

- Additional arterial routes support
- Health awareness programmes which would tackle issues like suicide and mental ill-health
- Safer neighbourhood programmes
- Improved small scale tourism initiatives
- Increase in youth activities
- Support to local traders, to animate local activity

4.12 It is proposed in the separate Committee report on the Financial Position – Quarter 2, 2010/11 to invest £100k in a pilot of this initiative in 2010/11, based on a number of guiding principles. If agreed, learning from this pilot could help inform the future development of integrated service delivery at a local level (if this is affordable within the recommended rates scenario).

5.0 Implications of the Scenarios for Ratepayers

5.1 The following tables summarise the potential rate options and their impact on the rate payer.

Table 5

District Rate Increase	District Rate Impact on Domestic Ratepayer Per Annum	District Rate Impact on Domestic Ratepayer Per Week
0%	-£0.23	£0.004
1%	£3.34	£0.064
2%	£6.79	£0.131
2.5%	£8.40	£0.162

Table 6

Average District Rates Bills based upon scenarios of -0.07%, 1%, 2% and 2.5%

PROPERTY	Ave Capital Value /NAV	District Rate 2011/12			
		-0.07%	1.00%	2.00%	2.50%
Domestic Properties		£			
Terrace House	86,425	-0.17	2.51	5.10	6.31
3-Bed Semi-Detached House	132,173	-0.26	3.83	7.80	9.65
4-Bed Detached House	293,843	-0.59	8.52	17.34	21.45
Apartment	83,379	-0.17	2.42	4.92	6.09
Average Capital Value	115,000	-0.23	3.34	6.79	8.4
Non-Domestic Properties					
Office Property	12,728	-2.28	32.56	65.13	81.41
Retail Property	10,247	-1.83	26.21	52.43	65.54

6.0 Summary

Members are asked to consider the information above and recommend a district rate for Belfast City Council which recognises the economic recession and the challenges and risks it presents, can demonstrate value for money to the ratepayer, represents sound financial planning and delivers Members' ambitions for improved services for the citizens of Belfast.

Resource Implications

A range of rates scenarios have been presented – 0%, 1%, 2% and 2.5%

Recommendations

Members are asked to:

- (a) note this most up to date assessment of the revenue estimates for 2011/12 and the risks highlighted;
- (b) note that further engagement is planned with Members on the corporate plan and departmental plans which are proposed to be delivered with the resources available;
- (c) recommend a level for the rates for 2011/12;
- (d) agree that Members briefings should take place to prioritise and agree the capital projects which are affordable within the recommended rates scenario; and
- (e) note that key messages will be developed to assist Members based on the recommended rates scenario."

After discussion, the Committee noted the information which had been provided and agreed that:

- (i) Party Group briefings should be held in order to prioritise and agree the capital projects which would be affordable within the recommended rates scenarios; and
- (ii) that the question of the recommended rates increase be deferred and that it be considered by the Council at its meeting on 1st December.

Financial Reporting - Quarter 2 2010-11

The Committee considered the undernoted report:

"Relevant background information

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

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

The reporting pack (a copy of which has been circulated) contains a summary dashboard of the financial indicators and an executive summary explaining the financial performance. It also provides a more detailed explanation of each of the relevant indicators covering the year to date and forecast financial position, progress in year on the capital programme, implications for reserves, payments to creditors and recovery of debt.

As we previously advised the Committee, we will continue to develop the style and contents of the reports in liaison with Members. In particular, the Members' financial training at the end of September 2010 provided a good opportunity for discussion and feedback on the reports. It is therefore intended to make some amendments to style and layout for the quarter 3 financial reports. Central finance and departmental management teams have worked together to develop the information within the financial reporting packs.

Key Issues

A. Current and Forecast Financial Position 2010/11 and Implications for Reserves

The current year to date financial position for the Council is an underspend of some £1.4m (quarter 1: £1.1m) which is 3% of estimated net expenditure. There is a forecast end of year underspend of some £2.1m (quarter 1 : £2.9m) which is 2% less than budget.

As in quarter 1, the reasons for this underspend relate mainly to the current unutilised pay rise budget, additional electricity generation income, fuel costs being lower than anticipated and the deferred rollout of food collection as part of waste management, as well as departmental underspends.

The financial position now reflects the utilisation of £1.1m of the 2010/11 underspend, which was agreed at Strategic Policy and Resources Committee on 22 October 2010. In addition, whilst there have been increased savings in some departments (Health and Environmental Services, Chief Executive's and Property and Projects) compared to the quarter 1 forecast, these have been partially offset by two concerning changes in external variables. These are:

- (a) the latest rates income forecast for 2010/11 from the LPS which shows a reduction of £0.6m compared to our planned rates income. There are concerns about the number of vacant properties and the level of bad debt.
- (b) A reduction of £0.2m in the industrial de-rating grant received from DOE, which reflects an increase in the number of industrial vacant properties

These issues reflect the downturn in the wider economy and are significant risk factors for 2010/11 and the 2011/12 rates setting process. Given that the district rate represents some 74% of the funding received for Council activities, any reduction in the rates base will significantly impact on our future financial planning. These external variables are therefore a key reason why the Council needs to prudently plan for the future and ensure it has an adequate level of reserves.

It is proposed to prepare a report on rates/LPS issues for SP&R and Budget and Transformation Panel in December to provide an update on the implications for rates income for 2010/11 and future years.

The financial reporting pack contains more detail on both the overall Council position and the financial performance in each of the Committees.

We would like to emphasise that the end of the financial year is still several months away and that there are significant uncertainties which could impact on the forecast. Nevertheless, a half-year forecast is helpful to Members in making financial decisions for the remainder of 2010/11 and to inform the 2011/12 rates setting exercise.

The district reserves of the Council were planned to be some £9.1m by 31 March 2011, being the opening reserves of £4.6m at 1 April 2010 and the £4.5m contribution from the rates to reserves, agreed as part of the 2010/11 rates setting exercise. The current forecast underspend of £2.1m would lead to reserves of some £11.2m by 31 March 2011, unless Members agree alternative uses of the forecast in-year underspend (section B and C below).

B. Recommended Actions on the Forecast Financial Position

Members agreed a report on 'Proposals for Use of the 2010/11 Underspend' at their meeting of 22 October 2010 which utilised some £1.1m of the forecast 2010/11 underspend and is reflected in the current financial position. In addition, it was agreed at that meeting that further proposals of up to £0.8m (that met the agreed criteria) could be put forward by Members through their party group leaders.

This issue was discussed at the Budget and Transformation Panel on 11 November. Members expressed concern about the recent changes notified by LPS and DOE as outlined above. They therefore suggested that only a further £0.1m should be recommended to be utilised at this stage (section C below). This would leave a forecast underspend of £2m which would be considered at quarter 3, based on the latest forecast at that time. This represents sound financial planning which will provide a contingency against any further reductions in the rates base and enable resources to be invested in reserves, when the financial position is clearer.

C. Proposal for Utilisation of £0.1m of 2010/11 Underspend

This proposal is to assign £100,000 to the delivery of local area-based initiatives on a North, South, East, West basis. There is a separate report on the Committee agenda on the Revenue Estimates. This includes an option to invest £1m in piloting new and innovative approaches to integrated service delivery at a neighbourhood level in 2011/12. This proposal is to use £100,000 of the 2010/11 underspend on local area initiatives within the current year which would, in effect, allow Members to pilot this approach in the coming months and begin allowing local people to see action being taken and resources being applied to local issues.

The roll-out of this pilot approach would of course be Member-led. This process could be supported by information from the SRFs, the Public Consultation Survey and the My City, My Neighbourhood programme, which is a Member led local engagement programme. A separate report on the Committee agenda outlines progress on the My City, My Neighbourhood agenda and the proposed next steps. This could be used to support Members in showing local people how the £100,000 is being used to make an immediate difference locally.

It is essential that this process is guided by a set of over-arching principles to ensure that there is clarity about the purpose of the pilot and the way in which decisions about the allocation of resources are made. These principles require consideration by Members but in order that the process can get underway and so that funds can be spent in-year, a number of guiding principles are set out below: (Need advice from CQ):

- Alignment with the Council's current corporate priorities;
- Alignment to the priorities and requirements of local people;
- The process should be assured as fair and equitable;

- Initiatives should allow the budget to be spent by end March 2011;
- Expenditure to be within the Council's legal powers and subject to any criteria and financial procedures determined by SP&R;
- Regular reports on progress to the SP&R Committee;
- All learning from pilot to inform future development of integrated service delivery at a local level.

D. Other Financial Indicators

The financial reporting pack also includes information on a number of other financial indicators - progress in year on the capital programme, payments to creditors and recovery of debt. Of these indicators:

- recovery of debt is currently red and cause for concern. A further report went to Committee in October on the current processes for billing and collection and proposals for improvement
- although we expect to incur £1m more in the capital programme than we had forecast for the year, this is because two projects will be completed earlier than expected – we expect both to complete within the agreed budget

Resource Implications

There is a year to date underspend of £1.4m and a forecast underspend of some £2.1m.

Recommendations

Members are recommended to:

- (i) Note the above report and associated financial reporting pack;
- (ii) Note that a report will be provided to the December Committee on the LPS/rates issues;
- (iii) Agree that £0.1m of the underspend is utilised in line with Section C above and that the remaining £2m underspend is considered at quarter 3, based on the forecast at that time”

After discussion, during which the Town Solicitor undertook to submit to a future meeting a composite report on debt management, the Committee adopted the recommendations.

Minutes of Budget and Transformation Panel

The Committee approved the minutes of the meeting of the Budget and Transformation Panel of 11th November.

Authority to Seek Tenders

The Committee granted authority for the commencement of tendering exercises and delegated authority to the Director of Property Projects, in accordance with the Scheme of Delegation, to accept the most advantageous tenders received in respect of the following:

- (1) the supply of vehicles; and
- (2) the supply and installation of air conditioning equipment on the Ground Floor, ISB Building, Gloucester Street, at an approximate cost of £55,000.

Registration Services

The Town Solicitor submitted for the Committee's consideration the undernoted report:

"1 Relevant Background Information

1.1 As part of the Review of the Centre the functions within Registration Services (also known as the Births, Deaths, Marriages and Civil Partnerships Service), were transferred from the former Corporate Services Department to the Chief Executive's Department.

1.2 The purpose of this report is to: -

- **inform Members on revised resource requirements as directed by the General Register Office (GRO)**
- **inform Members on registration fee increases proposed by the General Register Office**
- **propose an increase in charges levied by Belfast City Council for use of the ceremony room in City Hall**
- **propose an increase in charges for the attendance of the Registrar at ceremonies in approved venues.**

- 1.3 The General Register Office is part of the NI Statistics and Research Agency (NISRA), which is an agency of the Department of Finance and Personnel ('the Department') and is responsible for the administration and control of civil registration of births, adoptions, deaths, marriages and civil partnerships.
- 1.4 The registration function is regulated and governed by three pieces of legislation, namely:
- The Births and Death Registration (NI) Order 1976
The Marriage (NI) Order 2003, and
The Civil Partnership Act 2004
- 1.5 The legislation provides that each local government district shall be a registration district. In the exercise of the functions conferred on it as a local registration authority, Belfast City Council acts as an agent for the Department and in accordance with such directions as the Department may give to the Council.
- 1.6 Expenditure incurred in the exercise of these functions is reimbursed by the Department, subject to the approval of the Registrar General. The majority of costs relate to employees and, whilst all staff within Registration Services are employed directly by Belfast City Council, the staffing complement of the Service is determined by the GRO and all salaries and associated costs are recouped by quarterly invoice to GRO.

2 Key Issues

2.1 Staffing Complement for Registration Services

GRO has, over the last couple of months, been involved in an exercise to explore ways of reducing expenditure both within the GRO and in relation to the provision of the Registration Services in all district council areas, this being in the light of the present climate of financial challenge

- 2.2 GRO commissioned consultants (KPMG) to examine the resources required for each District Registration Office and in 2006 KPMG developed a series of timings and formulae for measuring resource requirements. On 29 October 2010, the GRO wrote to Belfast City Council advising that it had applied the KPMG timings and formulae in its current annual review of resource requirements, and that as a result of this methodology, financial approval would not be given for costs exceeding a staffing complement of 7.76 Full Time Equivalent (FTE) for Belfast City Council. This is in the context where the present approved establishment is 9.7 FTE, although the position at present is that the current complement is 8.41 FTE (the difference being due to one unfilled post and changing work patterns).
- 2.3 As previously noted, district councils can only act as agents for the Department in relation to registration functions, and must also act in accordance with such directions as the Department (through GRO) gives. The effect of the latest correspondence received from GRO is that the Council only has approval to maintain a staffing complement of 7.76 FTE with effect from 1 January 2011, and this therefore puts the Council in the position of having to manage the required reduction in establishment from 9.7 to 7.76 FTE.
- 2.4 Fortunately, the Unit (Registration Services) has one currently unfilled post, while anticipated changes in the staffing complement will reduce further in April, bringing staff and posts to 7.41 FTE, and which will thereby more than satisfy the direction from GRO in relation to reduction of staffing. However, between 1 January 2011 to 31 March 2011 the Council has no immediate proposals on how to remove the excess staff complement of 0.65 FTE. The cost of this excess staff complement for that period will amount to £4,529.03.
- 2.5 In light of these developments Registration Services has requested a deferral of or a 'phasing in' of the reduction in financial approval for the period between 1 January 2011 to 31 March 2011. This would allow the Council to sustain the excess staff complement for a short period to allow normal staff attrition to resolve the matter on 1 April 2011.

Registration Fee Increases

- 2.6 GRO has released a schedule of proposed fee increases effective from 1 January 2011, the Registration Bulletin No 48/10 is included as Appendix 2. These fees will be passed directly to the public and will not impact on BCC.

The proposed increases have yet to be endorsed by the Assembly.

e.g. in the proposal current fees payable to GRO for a marriage registration will increase from £55 to £73.

Proposed Increase in Ceremony Room Hire

- 2.7 Members will be aware the Council provides a ceremony room which can be hired for marriages and civil partnerships. This is an arrangement outside the authority of GRO and the Council can generate fee income to subsidise the registration service.

The current hire charge is £75 per ceremony which has generated income of almost £12,000 for the first half of the year to 30/09/10.

Benchmark information shows that venues such as Ormeau Baths, Belfast Castle and Malone House charge room hire ranging from £226 - £400.

Based on the average number of wedding ceremonies held in City Hall a £25 increase in the room hire rate would net an additional £8,875 income for the Council, while a £50 increase would give an additional £17,750.

Members are asked to consider making the following increases in fees charged by Registration Services which would yield an additional £5,000 per quarter in fee income for the Council.

	Current Charge (£)	Proposed Charge (£)
Ceremony Room Hire	75.00	100.00
Registrar Attendance at Approved Venues		
Weekday	75.00	100.00
Saturday	63.00	84.00
Bank Holiday	50.00	67.00

3 Resource Implications

- 3.1 Additional cost to the Council of £4,529 unless this is deferred by GRO, (representing 0.65 of a Deputy Registrar post for three months).
- 3.2 An increase in fees charged by the Council would yield additional income in excess of £5,000 per quarter as detailed above.

4 Equality Implications

None as charges for ceremony room hire or registrar attendance at approved venues would apply to all applicants.

5 Recommendations

- 5.1 To note the revised staffing establishment as advised by GRO, effective from 1 January 2011 although discussions are on-going.
- 5.2 Note the proposed increase in fees charged by GRO
- 5.3 Approve the proposed increase in fees charged to the public by Registration Services.

6 Decision Tracking

ACX to progress.

7 Key to Abbreviations

GRO	General Register Office
NISRA	NI Statistics and Research Agency
RCM	Registration and Certificate Modernisation
FTE	Full time Equivalent"

The Committee adopted the recommendations.

Corporate Plan

My City, My Neighbourhood

(Mr. J. McGrillen, Director of Development, attended in connection with this item.)

The Committee considered the undernoted report:

“Relevant Background Information

Members will be aware that approval to develop and deliver a neighbourhood engagement programme as part of BCC’s approach to local area working was granted by the Development Committee in 2009. Following a competitive tendering process, Blueprint Development was appointed.

The programme has been designed so that it directly relates to and follows on from the ‘Belfast City Public Consultation 2010’ (Ipsos MORI) and is an integral part of the evidence gathering exercise to assist the corporate planning process. Members will be familiar with the results of the Ipsos MORI consultation through the corporate planning workshop held in September. At this workshop and on other occasions, Members have expressed a desire to see more engagement with local communities. This programme of engagement will be designed to allow that to happen.

Key Issues

As part of the corporate planning process Members have had workshops on a North, South, East and West basis Members where they have considered the recommendations arising from the Strategic Regeneration Frameworks for the North, South, East, West and Shankill areas of the city. It is intended that the ‘My City, My Neighbourhood’ Programme will provide members with further evidence about local priorities across the city, to test further the priorities emerging from the Ipsos Mori consultation and help ensure that we meet our obligations under the new equality guidelines. The programme will support the development of the Council’s approach to planning and integrating services at a local level, including, potentially, the NSEW Local Initiatives Pilot which Members are considering as part of allocation of the projected underspend for 2010/11.

The following activities are being completed for presentation to Members as part of the corporate planning process:

- Area assessments – statistical analysis and evaluation of key area plans to identify local issues and priorities.
- Consultation with members on the content of the Strategic Regeneration Frameworks.
- North, South, East, West analysis conducted to identify potential issues and priorities at a local level that would have particular significance for BCC.

- 'My city, my neighbourhood' survey in City Matters, which complements the Ipsos Mori survey, which also provides an opportunity for citizens to register if they are interested in participating in future engagement activities.

Next steps for 'My City, My Neighbourhood'

It is anticipated that the area engagement element of the 'My City, My Neighbourhood' programme will roll out in the early new year. It is anticipated that this will be in the form of a range of workshops etc at a local level which will be facilitated by Blueprint.

Role of elected representatives

It is vital that Members are at the fore-front of the local engagement aspect of My City, My Neighbourhood. The format of engagement may differ across the city depending on which method is best suited to the needs and demographic of an area. Therefore it is proposed that roles are discussed with local Members of the area concerned as the local event is being designed and planned. However, it is envisaged that Members will:

- Lead on the neighbourhood engagement activity within their respective areas;
- Discuss key issues and priorities within neighbourhoods;
- Consider options to address these priorities for future delivery;
- Recommend and agree proposals for future N/S/E/W service delivery, if approved.

The role of the Committee will be to oversee this process to ensure that learning from this programme supports Members desire to see better integrated local service delivery and action on the ground across the city.

Corporate Planning

Since the Members' workshop in September, departments have been working to develop proposals for potential inclusion in the new corporate plan based upon the high level principles and guidance offered by Members at the September workshop and agreed by the Committee in September. Members' concluded that officers should:

- Identify interventions which can be seen, felt and touched across the city.
- Deliver on VFM and efficiency.
- Focus down the number of projects and programmes and identify appropriate performance measures.
- Ensure plans are strategic and influential but also meaningful at the local level.
- Connect to the broader regional agenda and make better external connections.

Members are asked to consider a further workshop in December to prioritise issues for inclusion within the new corporate plan in terms of capital and programmes.

Resource Implications

The financial costs of the local engagement sessions will be met from an existing contract with Blueprint Development.

Equality Implications

The My City, My Neighbourhood programme will assist the council in meeting its equality obligations by providing evidence to support the Equality Impact Assessment of the Corporate Plan.

Recommendation

Members are asked to agree to a further corporate planning workshop in December to consider emerging priorities, projects and programmes for 2011/12 and beyond in conjunction with the financial estimating process.”

The Committee adopted the recommendation.

Human Resources

Attendance Management

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

The Committee was advised that absenteeism for the period from April till September was showing an average of 4.71 days lost per employee, which represented a decrease of 1.29 days per employee when compared to the same time period in the previous year, when the figure had been 6.00 days. This meant that the Council was on target to reduce overall sickness absence to 11.0 days by April, 2011. It was pointed out that 76.68% of staff had had no absences during quarter two, which showed an increase for the same period last year when 72.09% had no absence. The number of staff on long-term sickness absence had decreased from 6.04% at the same time last year to 4.52% this year.

The Head of Human Resources indicated that, in relation to the on-going management of attendance in the Council, the corporate Human Resources team would continue to report the Council's performance in relation to attendance to the Committee on a bi-annual basis, audit the compliance of those sections which were not on target and report any ongoing compliance issues to the Audit Panel on a quarterly basis.

After discussion, during which the Head of Human Resources answered a number of questions in relation to levels of sickness absence in other public authorities, the Committee noted the information which had been provided.

Asset Management

Acquisitions and Disposals

Lease of Part of Stables Block at Sir Thomas and Lady Dixon Park

The Committee was advised that, following the recent relocation of staff within the Parks and Leisure Department, the refurbished first floor office accommodation within the Stables block at the Sir Thomas and Lady Dixon Park was currently unoccupied. The first floor office area comprised approximately 1,350 square feet. Following discussions between officers from the Parks and Leisure Department and the Belfast Marathon Office, it was proposed that the Marathon Office be located on the first floor accommodation above the Stables Restaurant. It was proposed also that that occupation be regulated by way of a formal lease from the Council.

The Committee was advised that Belfast City Marathon Limited was a company limited by guarantee which had been formed for the purpose of organising and operating the Belfast Marathon. The company received annual funding from the Council in the region of £40,000 out of a total annual budget in the region of £300,000. The nine Company Board members was made up of representatives from Athletics Northern Ireland, Sport Northern Ireland, an independent Chairman and three representatives from the Council (two Councillors and one officer). Council assistance was provided also for the staging of the event by the Council's Events Team.

The Committee approved the lease to the Belfast Marathon Office of first floor accommodation above the Stables Restaurant, Sir Thomas and Lady Dixon Park, on an annual renewable basis, at a rental of £11,000 per annum (subject to review after five years if the lease was continuing), with the appropriate terms being incorporated into a legal agreement to be prepared by the Legal Services Section.

Annadale Embankment – Exchange of Land

In accordance with Standing Order 60, the Committee was advised that the Parks and Leisure Committee, at its meeting on 14th October, had approved the disposal of approximately 541 square metres of land to and the acquisition of approximately 87 square metres of land from Northern Ireland Water at the Annadale Embankment for a sewerage pumping station for a net receipt to the Council of £24,500, subject to an appropriate legal agreement being drawn up by the Legal Services Section.

The Committee approved the exchange of land on the terms outlined.

Slievegallion Drive Open Space

The Committee was advised that the Parks and Leisure Committee, at its meeting on 16th September, had approved the acquisition from the Northern Ireland Housing Executive of approximately 0.173 acres of land, on the basis of a long lease at a nominal rent, with use to be restricted to open space, subject to an appropriate legal agreement.

In accordance with Standing Order 60, the Committee approved the acquisition.

Grazing Licences

The Committee was informed that the Council owned an 8.5 acre site at Glen Road which was located between St. Teresa's Gaelic Athletic Club and the Glen Road Travellers Camp, and was held in the Corporate Landbank. Part of the land had been used recently, without permission, by a person living in the near vicinity for grazing a horse.

The Committee was reminded that approval had previously been granted for the disposal of the area of land to the Northern Ireland Housing Executive for social housing purposes. Whilst there were proposals to develop both that area of land and the adjoining Northern Ireland Housing Executive and privately-owned lands for housing purposes, the sale of the land had been delayed primarily due to European Union procurement issues in terms of design and build restrictions affecting housing associations. However, discussions regarding disposal were still underway and a report in this regard would be submitted to the Committee in due course.

In addition, there were horses grazing also on another Council-owned site at Monagh Wood, again without permission. That land was zoned as Green Belt under the draft Belfast Metropolitan Area Plan and an Area of High Scenic Value.

The Head of Property and Projects explained that the main issue for the Council was to protect its land holdings to avoid facing any claims for adverse possession. The Estates Management Unit had already taken steps to remove the semi-permanent structure from the land at Glen Road Heights which was being used as a stable.

It was proposed therefore to advertise in the local press the availability of licences to legalise grazing on the land. The person grazing horses on the land would be given the opportunity to respond to the advertisement and the sites would be licensed to the persons offering the best terms to the Council. The grazing licences would be subject to strict provisions that no structures, permanent or temporary, would be permitted on the land at any time. The licensee in each case would be responsible for the maintenance and upkeep of the land and for ensuring, in so far as possible, that it was kept clear from the accumulation of litter or dumping. In each case, the licence would be terminable in the event that the Council sold the land, wished to develop it or needed it for any other purpose or if there were any breaches in the provision of the licence. There would be no security of tenure and any such arrangement would not be afforded the protection of the Business Tenancies Order, since Article 4(1)(d) excluded tenancy of agricultural land including farm houses and farm buildings. The licences were seen as the best course of action as the boundaries for both sites would be difficult to secure and the alternative would be to take enforcement action against those currently using the land for grazing but that could prove to be a costly and time consuming option.

The Committee approved the use of the aforementioned lands for grazing purposes following expressions of interest being sought and subject to the regularisation by way of a grazing licence to be prepared by the Legal Services Section.

Easement at North Foreshore

The Committee was advised that Phoenix Natural Gas Limited was laying a new mains gas pipeline from North Belfast to the Odyssey Arena complex in East Belfast via the Duncrue Road, Corporation Street and the Queen Elizabeth Bridge. A short length of the pipeline would cut across the south-west corner of the North Foreshore site and therefore Phoenix Gas would require a five metre wide easement for pipe maintenance purposes. This would be accessed by way of the existing cycle track which was in Council ownership. A right-of-way would extend over the cycle track to its junction with Dargan Road.

The Committee approved the grant of an easement and right-of-way to Phoenix Natural Gas Limited on the area of land outlined, subject to the drawing up of an appropriate legal document by the Legal Services Section.

Disposal of Land to the Ulster Museum

The Committee considered the undernoted report:

“Relevant Background Information

At it's meeting on 24 September 2010 Committee deferred consideration of a report in relation to the disposal of land to the Ulster Museum to enable further information to be submitted.

There had been a series of prior Committee decisions by the then Parks and Cemeteries Committee in relation to the proposed disposal of some 825 sq yards of land at Botanic Gardens to the Ulster Museum for use as a car park. These culminated in a decision to dispose of the land at the Parks and Cemeteries Committee on 29 October 1970. Subsequently the disposal price of £1,150 for the land, as recommended by the Commissioner of Valuation, was approved by the Parks and Cemeteries Committee without further debate, at its meeting on 13 May 1971. A 999 year lease was subsequently prepared and signed by Lord Mayor and Town Clerk before being issued to the Museum for completion. In March 1974 the Board of Trustees of the Ulster Museum agreed to complete the lease on their part. There followed exchanges of correspondence between the Museum's solicitor and the Town Solicitor querying certain aspects of the lease. In the end it appears the lease was not formally completed, despite the willingness and approval of Elected Members and the Board of Trustees to the arrangement. It is not clear where any fault in relation to the non-completion may lie, although the current Museum management would be of the view that the available correspondence appears to place responsibility with the Council.

In addition the same portion of land (approximately) had been occupied in connection with construction of the extension to the museum, by the Museum's contractor, under Licence from Belfast Corporation since c.1967. This contractor's occupation was still continuing in 1971, however it appears to have been absorbed into the Museum's occupation for car parking purposes by the erection of railings on or about November 1971 (i.e. after Council approval to dispose of the land). The Museum's occupation of the land has continued until the present time.

Key Issues

There was an expressed political authority, subsequent agreement and legal intention, to dispose of land for a car park to the Ulster Museum in the period 1970/71 to 1974. On the strength of this the Museum took (or were permitted to take/continue) occupation of the site in advance of completion of the proposed 999 year lease. In the event the lease, for reasons unknown, was not satisfactorily completed by the parties. The most likely reason for non-completion appears to be because of an oversight by either Council or the Museum or both bodies.

While the Council could potentially re-cover possession of the car park it is likely the Museum will oppose this on legal and moral grounds. Any recovery process is therefore likely to be lengthy with an uncertain outcome.

Resource Implications

Financial

Not known at this stage. There could be a range of financial incomes dependant upon agreement of terms with Ulster Museum and potentially approval of same by the DOE if the arrangement is deemed to fall below 'best price'.

Human Resources

No additional human resources required.

Asset and Other Implications

The current unregulated use of the land is undesirable from an asset management perspective. Disposal of the land would give effect to previous Committee decisions and realise a modest capital income as originally intended in 1971.

Recommendation

Committee is recommended to approve in principle to proceed with disposal of lands to the Ulster Museum, as originally intended, subject to a revised lease to be prepared by the Town Solicitor and subject to a disposal price to be agreed with the Museum and reported to, and approved by, a future meeting of Committee.

Decision Tracking

Director of Property and Projects to bring a further report to Committee by 30 June 2011 to provide an update on the progress of negotiations with the Ulster Museum.”

The Committee adopted the recommendation.

Introduction of Carbon Reduction Commitment Energy Efficiency Scheme

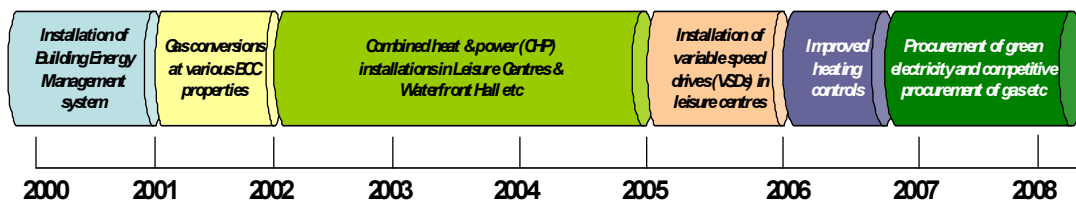
The Director of Property and Projects submitted for the Committee's consideration the undernoted report:

“Relevant Background Information

Members will be aware that the issue formerly referred to as 'global warming' but now more usually referred to generically as 'climate change' is currently the subject of vigorous scientific and political debate internationally.

Clearly, the generation and consumption of energy (e.g. electricity and gas) involves a significant amount of CO₂ production, and in fact, the council's current estimated CO₂ output from its existing property portfolio is around 17,000 tonnes per annum. It must first be pointed out that, in recent years, a number of significant energy-efficiency projects have been carried out which have reduced BCC's CO₂ emissions by 17%, and in most cases we have been successful in obtaining 100% external grant aid in order to make the necessary changes at no cost to the rate-payer (e.g. installation of combined heat and power plant [CHP] at leisure centres, building insulation, swimming pool covers, conversions from oil to natural gas etc). It should, however, be noted that the likelihood of obtaining 100% (or even match-funded) grants in the future is remote, and consequently that any future initiatives will have to be funded by the council.

The principal actions taken to date are illustrated below:



In terms of procurement of energy, the council has also been able to achieve a level of 85% of its electricity from 'green' sources (100% in City Hall) and is currently seeking competitive tenders for the supply of natural gas. It should be noted that under the Carbon Reduction Commitment Energy Efficiency Scheme, all electricity, irrespective of source, has to be reported at the 'grid average' emission rate.

Consequently, under current Carbon Reduction Commitment scheme conditions, the Council derives no benefit from purchasing green electricity, however it is understood that this is to be reconsidered, which may have implications for electricity generation at the North Foreshore site.

Background

On foot of the Climate Change Act 2008 the Department of Energy & Climate Change (DECC) have introduced a statutory scheme designed to encourage improvements in energy management, in order to assist the government in delivering on its climate change obligations. This scheme is referred to as the CRC (Carbon Reduction Commitment) – Energy Efficiency Scheme and participation for organisations falling within the stated parameters became mandatory from April 2010.

The target sector for the Carbon Reduction Commitment is the group of large public and private sector organisations, which together account for around 10% of the UK's emissions. The scheme affects approximately 5,000 large organisations across the UK (although less than 100 in Northern Ireland), and includes Belfast City Council as a full participant. Although Belfast is the only local council to fall into this bracket there will be many other large public bodies in N.I. involved in the scheme. The council registered for the Carbon Reduction Commitment scheme as required in September 2010.

The Carbon Reduction Commitment scheme seeks to encourage organisations to reduce CO₂ emissions from their buildings and in so doing to reduce their potential liability under it by carrying out energy-efficient upgrading work to systems and services etc. No specific annual target for CO₂ reductions is mandated by the scheme or by the 2008 Act however, a reduction of 1% per annum has been adopted by the Department of Finance & Personnel (DFP) locally.

It must be emphasized that improving CO₂ emissions performance by doing this sort of upgrade work may result in an improved league-table position for the council and a reduced Carbon Reduction Commitment contribution, but this cannot be guaranteed even at quite high levels of investment. This is because our position on the table is relative and not absolute: it depends in part on the actions of others and, as the table is not limited to public-sector organizations, it is perfectly possible that private-sector companies may take commercial decisions around this sort of 'green' investment in order to improve their commercial and marketing position at levels which could wholly or partially negate any BCC investment in terms of league position.

Operation of the Carbon Reduction Commitment scheme

As originally conceived, the scheme involved a 'cap and trade' approach to carbon reduction, commencing in 2011/12. In essence, all of the qualifying organizations would be required to make payments into the scheme based on their levels of CO₂ emissions, at a fixed initial price of £12 per tonne. The council's current level of CO₂ emissions is just over 17,000 tonnes per annum, which would require a payment of approx. £205,000 per annum. However, by way of a lead-in mechanism for participants, the scheme also provides for a system of rebates during the first 5 years. In the first year, an organization will receive a rebate of between 90% and 110% (i.e. an organization can actually receive more in rebate than it paid in) on the basis both of its emissions performance against the base year of 2008 and also in terms of its performance in relation to what are described as 'early-action metrics'.

The principal early-action metric is the percentage of the total footprint emissions covered by ½-hour electricity and gas metering, with the target being set at 90% or more. Members will be aware that this Committee has already agreed to provide funding from existing 2010/11 underspends to carry out the work necessary to achieve this level.

As a consequence - and assuming that our energy usage does not rise significantly - BCC's exposure under the current Carbon Reduction Commitment scheme can be no more than £20,750 during 2011/12, and may be significantly less. The level of potential rebate then falls by 10% per annum for the remainder of the lead-in period, and will disappear completely in 2016/17.

However, it should also be noted that, in 2013/14, the total number of allowances available to the participating organizations is to be capped at a level lower than at present, and the intention is that the carbon 'allowances' would then be traded amongst the participants on a free-market basis. This reduction in supply would increase demand for the credits (by a factor of two or three by most estimates) and this, coupled with the falling potential levels of rebate, could potentially mean annual Carbon Reduction Commitment payments in the order of £175,000 for the council at that time.

Further, once all rebates cease in 2016/17 the council would, under the current scheme, be faced with typical annual payments in the order of £260,000 (if the 2013/14 increases in the cost of carbon allowances are modest) or up to £420,000 in the worst-case scenarios.

Recent changes

Very recently, a number of issues have arisen which have the potential to significantly alter the operation of the proposed scheme as set out above. Firstly, the Climate Change Committee produced a paper entitled 'The Carbon Reduction Commitment Energy Efficiency Scheme – Advice to government on the second phase' in September 2010. In essence this scheme makes a number of proposals, most notably:-

- if a cap on available carbon allocations were to be introduced, the Committee recommends a reduction of up to 4% annually;
- the Committee acknowledges the complexity of the cap and trade scheme and recommends doing away with this element and instead extending the first phase (i.e. no limit on the number of allocations which can be purchased at a fixed price, in advance of a more fundamental review and re-design of the scheme);

- the Committee recommends separate league tables for the public and private sectors; *and*
- the Committee is recommending the inclusion of emissions from renewable energies which are currently excluded from the scheme.

In addition, the Spending Review 2010 document produced by HM Treasury in October 2010 contained the following provision (at S2-108):

'The Carbon Reduction Commitment Energy Efficiency scheme will be simplified to reduce the burden on businesses, with the first allowance sales for 2011-12 emissions now taking place in 2012 rather than 2011. Revenues from allowance sales totalling £1 billion a year by 2014-15 will be used to support the public finances, including spending on the environment, rather than recycled to participants'.

This proposal not only means that it is now very unlikely that there will be any financial implications for the council during the 2011/12 financial year but, more significantly, appears to provide that the self-regulating 'cap & trade' mechanism will be discontinued and that the scheme will essentially become a new form of direct taxation, with payments made direct to government rather than into the Carbon Reduction Commitment scheme's 'pot' for re-distribution to contributors.

Finally, there are also indications that the N.I. Assembly is seeking to develop its own position in relation to carbon-reduction issues, and the NI Assembly Committee for the Environment has recently issued a council questionnaire, which seeks to establish a baseline situation locally, presumably as the basis on which to develop future policy-making in this area.

Summary

It appears likely that the Carbon Reduction Commitment scheme will be implemented as originally conceived in April 2011 and that CO₂ emissions returns will be submitted as required by July 2011. However it now appears to be unlikely that any payments under the scheme will be required during the financial year 2011/12; instead the first payment will be required in the 2012/13 financial year and will be based on actual emissions for the previous year.

The maximum total nett amount which the council would need to provide is £20,750 (although this is of course based on current and historical BCC emissions trends, so if there were a significant increase in emissions during the measured period then this figure could increase somewhat).

It also seems clear that the Carbon Reduction Commitment scheme will be significantly modified as the result of both national and regional policy development, and also that officers will, as a consequence, require additional time in which to assess the various changes now being proposed and their likely financial and other implications for BCC.

Key Issues

The key issues are (a) the extent of the council's liability under the scheme in the upcoming 2011/12 financial year and (b) the likely format, scale and scope of the scheme in subsequent years.

Resource Implications

The maximum potential liability under the scheme in 2011/12 will be £20,750 (subject to actual emissions levels) but it is very probable that no payments will in fact be required until 2012/13.

Under the current scheme, liability would double in the 2nd year and increase significantly in the 3rd year (to approx. £175,000) following the imposition of the carbon 'cap' and the floating of the price of carbon 'allowances' and - once all lead-in rebates are removed in 2016/17 - the council's liability would be in the order of £270,000 - £420,000 per annum under the Carbon Reduction Commitment scheme.

It is clear that the cost of carbon emissions will have very significant cost implications for BCC in the future, however as illustrated above the existing scheme is clearly going to change significantly in its scale, scope and applicability, and these changes must be properly assessed before the Committee can take any meaningful longer-term decisions in the matter.

Recommendations

It is recommended that, should a Carbon Reduction Commitment payment be necessary during 2011/12, the Committee authorise the Director of Property & Projects to make such payments under the Carbon Reduction Commitment scheme on the understanding that such payment(s) will not exceed £20,750 in total value.

It is further recommended that the Committee notes the potential uncertainty around the future format and scope of the Carbon Reduction Commitment scheme and agrees to receive a further report in early 2011, setting out the definitive situation in terms of the council's obligations under the scheme once the situation has clarified."

The Committee adopted the recommendations.

Connswater Community Greenway Update

Acquisition of Land

The Committee was reminded that the Council, as part of City Investment Strategy, had agreed to co-ordinate the acquisition of lands to enable the Connswater Community Greenway Programme to proceed. The Council would secure rights over the land needed for the Greenway and would be responsible for the management and maintenance of that land and any assets on it. The Greenway would have to be accessible for 40 years to comply with the Big Lottery Fund letter of offer, although the intention was to secure rights for longer if possible. Subsequently, the Big Lottery Fund had agreed to the Council becoming the employer and authority had been granted by the Committee, at its meeting on 24th September, for the Chief Executive to sign the transfer agreement on the Council's behalf. The contract for the construction of the Greenway had been awarded to SIAC/Galliford Try and construction of the first phase from Cregagh Glen to Montgomery Road was currently programmed to commence on 1st December, 2010.

It was reported that there was 0.052 acres of land at Park Avenue, near the subway access to Victoria Park, which had been identified as being required to complete the Greenway route and associated landscaping and Council officers had agreed, subject to the Committee's approval, to purchase the land from Helm Housing for £1,000.

The Committee approved the purchase of the area of land as outlined.

Licence Agreements

The Director reported that the Project Manager was in the process of finalising the programme of work with the contractor and the intention was to hand over the land required for the Greenway in phases linked to that programme of work. The land assembly for all the phases of work was progressing well and it was intended that all acquisitions of land would be in place by the date on which the land was required to be handed over to the contractor. However, there could be unforeseen difficulties with title to the land which took time to resolve despite a willingness by all parties to proceed. In order to be sure that the land was available for handover to the contractor in good time, it was recommended that the Council take a licence for each of the following areas of land:

- (1) an area of land located at Cregagh Glen;
- (2) part of the land belonging to the Belfast Metropolitan College adjacent to the Loop River from Alexander Road to Montgomery Road;
- (3) part of the Belfast Education and Library Board-owned land along the Knock River from Orangefield Park to the Laburnum Playing Fields; and
- (4) a portion of the Laburnum Playing Fields.

The Director explained that the acquisition of the lands at Cregagh Glen and the Laburnum Playing Fields had been approved previously by the Council and the Legal Services Section had been instructed to complete the conveyance of land to the Council. Negotiations were on-going in respect of the value of the lands required from the Belfast Education and Library Board and the Belfast Metropolitan College and Council officers expected to have this information in order for a report to be submitted for the Committee's approval for the acquisition of both areas within the next month.

The Committee granted approval for the taking out of licences for the four areas of land outlined in order to facilitate the handover of land to the contractor.

Exchange of Land

The Director of Property and Projects reported that 0.089 acres of land at Hollywood Arches, which was owned by the Belfast Health and Social Services Trust, had been identified as being required for the Greenway. In addition, an area of land consisting of 0.01029 acres at the same site was owned by the Council but had not been incorporated into the Trust's car park since the site had been redeveloped in 2007. Council officers had agreed with the Land and Property Services, subject to the approval of the Committee and the Belfast Health and Social Care Trust Board, to exchange the areas of land at no additional cost to either party and subject to each party discharging their own legal and professional fees.

The Committee granted approval for the exchange of land with the Belfast Health and Social Care Trust as outlined.

Good Relations and Equality

Minutes of Meeting of Memorabilia Working Group

Exhibition in the City Hall

In considering the minutes of the meeting of the Memorabilia Working Group of 28th October, a Member drew the Committee's attention to the decision to stage the Reflections on Internment exhibition in the City Hall. An extract of the minutes in this regard is set out hereunder:

"3.0 REQUEST TO STAGE EXHIBITION from the FAMILIES of the VICTIMS of the BALLYMURPHY MASSACRE

3.1 The Good Relations Manager referred to a report, copies of which had previously been circulated, reminding the Group that at the last meeting on 9 September, a letter had been tabled from the families of the victims of the Ballymurphy massacre, requesting an opportunity to stage a photographic exhibition entitled Reflections in the City Hall in August/September 2011 as part of their 40 year anniversary. Copies of images and text used in the exhibition were also tabled.

- 3.2 *The exhibition consists of 12 boards, one for each person that was killed and one panel that set the scene regarding the lead up to the events in August 1971. The exhibition is made up of a group of 11 photographs taken by local photographer Jonathan Porter. The individuals who were killed were all civilians and included a Catholic priest and a mother of eight children; a total of 51 children were left without a parent as a result of the events.*
- 3.3 *The Good Relations Manager reminded the Working Group that the families of the victims continue to seek an acknowledgement from the British Government that those killed were innocent of any wrongdoing. The Ballymurphy group had recently met with the Secretary of State and has requested the Attorney General to order a fresh inquest into the deaths.*
- 3.4 *A Good Relations Officer met with representatives of the Ballymurphy group who wish their campaign to be given greater prominence within the City. Members noted that the exhibition has already been exhibited twice in Stormont and in Whiterock Library, West Belfast Festival (for several years), the Ulster Museum, the Grand Opera House and in Dublin. A letter of support for the exhibition from Alan McBride, the Co-ordinator of the WAVE Trauma Group, was tabled. He stated that he thought that the exhibition would reinforce the view that the City Hall was a welcoming place for all the citizens of Belfast.*
- 3.5 *A Member stated that although he had no problem with the exhibition and had every sympathy with the families, he had concerns around the accompanying text and could not support the staging of the exhibition in the City Hall for that reason. A Member noted that the letter from Alan McBride illustrated how the dynamic had changed within the victims sector and he felt that the City Hall should be open to all these groups.*
- 3.6 *The Good Relations Manager suggested that a film from the WAVE trauma centre 'Unheard Voices' could be screened for one evening during the time of the Ballymurphy exhibition. This film was made up of a collection of 6 powerful short stories of those who have lost someone as a result of the NI conflict, presenting poignant reflections on a range of experiences. The Working Group agreed that Good Relations staff should contact the Ballymurphy group before the next Strategic Policy & Resources Committee meeting to check if they would be happy to agree to this, since they might not wish their exhibition to be diluted.*

3.7 The Working Group also agreed that other victims groups should be made aware that the space in the City Hall was available for similar exhibitions. It might be possible at some stage in the future to hold a broader exhibition on victims/violence in the City.

3.8 After discussion, the Working Group voted by 3 votes to 1 to recommend to the Strategic Policy & Resources Committee that the request from the Ballymurphy Group should be approved."

The Good Relations Manager tabled for the information of the Members a copy of the material which it was proposed would be displayed and the criteria approved by the Committee for exhibitions in the City Hall.

After a lengthy discussion, it was

Moved by Councillor Hartley,
Seconded by Councillor Attwood,

That the Committee agrees to accede to the recommendation of the Working Group that the request from the Ballymurphy Group to stage the Reflections on Internment exhibition in the City Hall be approved and that representatives of the Group be requested to meet with those Party Groups who so wished prior to the meeting of the Council on 1st December.

Amendment

Moved by Councillor Hendron,
Seconded by Councillor Robinson,

That the Committee agrees to defer consideration of the request to stage the exhibition to enable discussions to be held with representatives of the Group.

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

The original proposal standing in the name of Councillor Hartley and seconded by Councillor Attwood was thereupon put to the meeting when nine Members voted for and five against and it was accordingly declared carried.

The minutes of the meeting of the Memorabilia Working Group were thereupon approved.

(The Deputy Chairman, Councillor J. Rodgers, in the Chair.)

Minutes of Meeting of Good Relations Partnership

The Committee approved the minutes of the meeting of the Good Relations Partnership of 12th November and adopted the recommendations in respect of the following:

Bonfire Management Programme

The continuation of the present level of annual funding of £50,000 in 2011/12 to support engagement with 'new' areas and elements of the Bonfire Management Programme which fall outside Peace III funding.

Consultation – Community Relations, Equality and Diversity in Education

To approve the proposed response to the Department of Education's consultation on Community Relations, Equality and Diversity in Education.

Cross-Cutting Issues

Consultation - Justice Bill (Northern Ireland) 2010

(Mrs. S. Wylie, Director of Health and Environmental Services, attended in connection with this item.)

The Committee considered the undernoted report:

1 Relevant Background Information

- 1.1 The Council was invited to provide written evidence to the Justice Committee on the Draft Justice Bill (NI) 2010 on 21st October 2010, with a deadline for submission of 17th November 2010. An extension to this deadline has been granted until after the Strategic Policy and Resources Committee meeting of 19th November.**
- 1.2 The Committee will be aware that at its meeting on 22nd October 2010, Members requested that representatives from the Department of Justice (DOJ) be invited to provide an overview of Part 3 of the draft Justice Bill (NI) 2010 at a briefing session to which all Members of Council were invited.**
- 1.3 This briefing session was held on Monday 15th November 2010 and Mr Dan Mulholland and Ms Nicola Creagh of the DOJ provided input the proposals that relate to recommendations for the future integration of the Community Safety and District Policing Partnerships.**

Appendix 1 details a draft response in respect of Part 3 of the Bill on behalf of Belfast City Council based on the comments and queries raised by Members at this briefing.

In addition to this, Appendix 2 details a short draft response in respect of Part 4 (regulation at sporting events) as this also impacts on the Council's regulatory functions.

2 Key Issues

2.1 At present the Council plays a leading role in administering both the District Policing Partnership (DPP) and the Community Safety Partnership (CSP). However the Justice Bill will provide enabling legislation for a new partnership arrangement which brings both partnerships together.

2.2 The Bill specifically describes the new partnership model for Belfast. This includes:

- A new main Policing and Community Safety Partnership (PCSP) which will perform the wider community safety role. This will also have a sub committee known as the Policing Committee which shall meet to perform the functions of the current DPP
- New District Policing and Community Safety Partnerships (DPCSPs) for each 'Police District' and within each of these, a sub committee known as the District Policing Committee. The DOJ has currently advised that they consider there to be a need for four DPCSPs in Belfast.

2.3 Some of the key issues for Council that have therefore been reflected in the response on Part 3 (Appendix 1) include:

- Making a difference in local communities – the need for the focus to be on improving safety within neighbourhoods and not just on structures.
- The complexity of the proposed Belfast structures and implications for Members (in terms of numbers of meetings) and administration (in terms of servicing meetings and making returns).
- Membership of the PCSP and DPCSP – including implications for, and overall role of, Elected Members, identification and participation of partner organisations and the appointment of independent members.

- **Financial assistance and Members' (both elected and independent) allowances, the latter being no longer specifically allowed for in the legislation.**
- **Legal Status of the new partnership and its relationship between the new PCSP and the Council.**
- **Accountability and governance – the need to ensure proposals support streamlined reporting and the need for clarity in respect of the relationship with the Council.**
- **Integration with other structures – the need to ensure that the proposed Belfast model supports integration with existing inter-agency and community-based structures and that the emerging model ensures improved frontline delivery for communities**
- **Statutory Duty – consideration of the implications of imposing a statutory duty on public bodies to have regard to community safety.**

3 Resource Implications

- 3.1** Whilst central government spending for 2011/12 has not yet been agreed it has been articulated that that this is 'not a cost cutting exercise'. It is anticipated that, in line with current CSP arrangements, a grant shall be awarded to the local Council to support both the running of the new partnership and frontline service delivery.
- 3.2** It is anticipated that the proposed structural changes will not impact upon the revenue estimates in 2011/12. However as part of the Council's response concern has been voiced about the increased administrative burden that the new structures will impose and the resulting re-direction of available staffing resources away from frontline service delivery.
- 3.3** It should also be noted that the draft legislation does not contain the requirement for 25% match funding from Council (as is the case with the DPP at present) though DOJ has indicated that it is their expectation that there will continue to be a commitment of investment from Council and other partners.

- 3.4 The Bill makes no specific provision to pay allowances for members of the PCSP or DPCSPs (although expenses can be paid). In its response however Belfast City Council has outlined the implications of this proposal for both independent and Elected Members. Council officers are also currently in discussion with DOE to determine whether special responsibility payments can be extended to Elected Members for defined roles.
- 3.5 Part 4 of the draft Bill, relating to regulation at sporting events, contains proposals for new offences and penalties in Northern Ireland based on those which have been operating very effectively in Great Britain for some time. They include new powers around offensive chanting at games, missile throwing and pitch incursion; powers to tackle alcohol-related problems around sporting events; powers to tackle ticket touting; and proposals for a soccer banning order regime that would prevent trouble-makers from attending matches. The package of new powers is proposed in relation to key sporting events across football, GAA and rugby.
- 3.6 These proposals are considered to complement and enhance the objectives of the Safety of Sports Grounds Order in securing the reasonable safety of spectators at designated sports grounds and in regulated stands across Northern Ireland. Appendix 2 contains a draft response in support of these proposals.

4 Equality and Good Relations Implications

- 4.1 The Bill itself has been subject to an Equality Impact Assessment. It is possible however that the implementation of the resulting structural changes in Belfast will need to be subject to further equality screening.

5 Recommendations

- 5.1 It is recommended that the Committee endorse the attached draft responses in Appendix 1 and Appendix 2.

6 Decision Tracking

None. The Director of Health and Environmental Services, however will endeavour to update the Committee as appropriate as the Bill progresses through the Assembly.

7 Key to Abbreviations

CSP – Community Safety Partnership
DPP – District Policing Partnership
DOJ – Department of Justice
PCSP – Policing and Community Safety Partnership
DPCSP – District Policing and Community Safety Partnership

8 Documents Attached

Appendix 1 – Response to Part 3 of the Justice Bill (NI) 2010 on behalf of Belfast City Council
Appendix 2 - Response to Part 4 of the Justice Bill (NI) 2010 on behalf of Belfast City Council

Appendix 1

Proposed Draft Response on behalf of Belfast City Council to the Draft Justice Bill (NI) 2010

19th November 2010

Belfast City Council would like to thank the Justice Committee for inviting it to submit written evidence on the Draft Justice Bill (NI) 2010. This submission was considered by the Strategic Policy and Resources Committee on 19th November 2010 subsequent to a briefing session for all Council Members, at which officials from DOJ were in attendance.

It should be noted that both Belfast Community Safety Partnership and District Policing Partnership shall submit independent responses.

Overview

At present the Council plays a leading role in administering both the District Policing Partnership (DPP) and the Community Safety Partnership (CSP). Since their establishment (in 2003 and 2004 respectively) each has had considerable achievements such as the installation of over 200 alleygates throughout the city, the provision of a city-wide wardens service, and the establishment of over 80 Neighbourhood Watch schemes across the city. Through this work there has been significant progress in supporting communities to engage with service providers, and in particular the PSNI, in their efforts to tackle crime and antisocial behaviour.

It has, however, become very apparent that there is increasing overlap and potential for duplication between the work of the CSP and DPP. Moreover, the distinction between CSPs and DPPs is not understood by the public and the administrative burden of sustaining two separate structures potentially reduces the Council's ability to focus on delivery of high quality, front line services. Therefore Belfast City Council welcomes the opportunity to shape the discussion regarding the establishment of a more integrated form of working that should ultimately result in an improved quality of life of the people who live in the city.

Therefore, in broad terms, the Council welcomes the move to bring the two structures together and to align the governance arrangements through the development of a Joint Committee.

However, having considered the proposals contained within Part 3 and Schedules 1 & 2 of the proposed legislation, Belfast City Council would have a number of concerns that it wishes to highlight to the Committee. In addition Belfast City Council wishes to seek clarity on a number of proposals in the draft legislation. The following sections therefore represent a summary of the key areas on which we would wish to comment.

Key Issues

Having considered Part 3, and Schedules 1 & 2, of the Justice Bill (NI) 2010 Belfast City Council wishes to highlight a number of areas for consideration by the Committee:

1. The complexity of the Belfast structure – Belfast City Council has played a fundamental role in leading and supporting both the CSP and DPP since their establishment in 2003 and 2004 respectively. As such it is keenly aware of the potential overlap and duplication of these structures' work and also the considerable resource required to support the delivery of each. Therefore, Belfast City Council welcomes the intention of the Minister to support better integration of the DPP and CSP by the establishment of a PCSP.

However, Belfast City Council has significant concerns that the proposals (as currently set out) to establish 1 PCSP and 4 DPCSPs in the Belfast area will in practice increase the administrative burden (currently experienced in particular in respect of the DPP) and in so doing reduce our ability to delivery front line services in communities. It will also place a considerable burden on Elected Members who will sit both on the PCSP and DPCSPs. Therefore, the Council would have grave concerns that the proposals, as currently formulated, will not bring the intended rationalisation or integration of current structures and service delivery; and will in fact add to the level of administration required at present. We would therefore be keen to have further discussion with the Department regarding the specific proposals for Belfast.

2. Integration with other structures – It is also essential that the proposed structure acknowledges the role and potential links with other existing partnership structures within the city. The Council therefore believes that the Department should give greater consideration of how the PCSP and DPCSPs will integrate with other existing structures; such as the West Belfast Community Safety Forum, PACT, area partnership boards, and neighbourhood structures. Again, Council would welcome the opportunity to discuss this further with the Department.
3. Ensuring local needs are at the heart of any changes – Belfast City Council believes that it is imperative that any resulting structural change should ultimately lead to improved community safety and policing across the city. It is therefore essential that the Justice Bill enables the establishment of structures that support responsive and effective service delivery at a local level. Belfast City Council would therefore encourage the Committee to ensure that the changes proposed focus on making a difference in local areas. It would also suggest the input of representative community organisations into the development of this Bill to ensure the proposed changes contribute to this overall aim.

4. **Legal Status of the new partnership** – While Belfast City Council recognises the need for the PCSP to be a multi-agency structure there remains a lack of clarity and concern around the legal status of the PCSP. The proposal, for example, to establish the PCSP as a statutory body in its own right will carry a considerable administrative burden as a result of administering independent FOI, Equality and Disability schemes, etc. Moreover, Clause 21 of the Bill provides that the functions of the PCSPs will include providing of financial or other support to persons involved in crime reduction and community safety projects. However, unlike district councils, the PCSPs will not be constituted as 'bodies corporate', which would allow them to enter into, contractual arrangements such as funding agreements. While a district council might agree to undertake a funding agreement on the PCSP's behalf, how would the matter be addressed if the proposed agreement was outside the council's statutory powers, or was in support of a project that the relevant council itself did not support politically? If it is envisaged that the Council, as is the case with the CSP, should undertake to do this on behalf of the PCSP then it is recommended that this should be made explicit in the legislation.
5. **Relationship to Council** – in light of the above Belfast City Council would wish to seek greater clarity on the relationship between the PCSP and Council. The legislation for example notes the intention for the PCSP to report into Council; however there is no clarity as to whether Council would assume any degree of accountability for the running and performance of the PCSP. The lack of clarity in respect of this issue has been experienced in relation to the current DPP arrangements and Belfast City Council would be keen to avoid this confusion in the future.
6. **Accountability** – Belfast City Council welcomes the intention in the proposals to streamline reporting and accountability through the establishment of a Joint Committee. It is noted however that there remains a direct line of reporting from the Policing Committee to the Northern Ireland Policing Board. Belfast City Council, therefore, is concerned that the proposed model and processes will not, in practice, lead to a more streamlined process of reporting or accountability. Moreover, greater clarity is sought regarding the relationship between Belfast City Council and the proposed Joint Committee.

7. **Financial support** – Belfast City Council welcomes the proposal to provide financial assistance to Council towards the running of the PCSP. The new legislation also places no specific requirement for match funding from the Council or any other organisation. Belfast City Council undertook to support the establishment of the both the DPP and CSP in good faith on the understanding that there would be sustained financial commitment from Central government. Therefore, Belfast City Council would advocate that the wording places a greater commitment to continued financial assistance (Schedule 1, Paragraph 17 should read ‘shall’ rather than ‘may’) and that this should be comparable with current arrangements. Belfast City Council would also raise concerns that the withdrawal of allowances, in particular to independent members, will result in a reduced uptake and therefore input of such representatives. Lastly, Belfast City Council would wish to advocate that sufficient resource is made available to support the development and training of the new partnership when it is put in place.
8. **Statutory Duty** – Belfast City Council welcomes the proposal (Clause 34) to place a statutory duty on other public bodies to have due regard to community safety. Some clarity is likely to be needed on which public bodies need to take this into consideration. However the Council considers this to be a crucial element of ensuring commitment of the relevant government departments and agencies and as such it needs to remain a key component of the legislation.
9. **Number of DPCSPs** – While Belfast City Council has expressed its concern with regard to the overly complex nature of the proposed structure in Belfast it is aware that the new partnership should ensure connectivity to local, area-based structures. Belfast City Council would therefore seek clarity in respect of Clause 20, 2 of the draft Bill which requires the establishment of DPCSPs in each Police District. The DOJ has currently advised that this requires 4DPSCPs. However, it is the Council’s understanding that there are two police districts (A & B) in Belfast and therefore the Council would seek clarity from the Committee in this regard.

10. **Appointment of independent Members** – Belfast City Council welcomes the continued role of independent members in the future partnership structure; though it reiterates its concerns regarding the withdrawal of allowances. During consultation, however, concerns have been raised with regard to ensuring that independent members are independent and representative of the community. Belfast City Council therefore would like reassurance that cognisance is taken of this in the appointment of independent members and that specifically individuals who hold public office or our members of political parties would be excluded from these appointments.

Other

Belfast City Council would also wish to raise a number of further queries with the Committee:

1. In Schedule 1, paragraph 10 (4) the legislation makes reference to the election of the Chair and vice-chair in accordance with arrangements made by the Department. Belfast City Council wishes to seek clarification as to the Department's potential role in this process as it would advocate that this should be a process that is undertaken locally and this is allowed for in the development of the Code of Practice.
2. Clause 33 (1) makes provision that the PCSP or DPCSP 'may' make arrangements to facilitate consultation by the police with any local community. While Clause 33 (2) goes on to state that the Policing Board may make arrangements for this to take place if it is not satisfied that satisfactory arrangements have been put in place. Belfast City Council believes that these statements are contradictory and there should be greater clarity on where there is the opportunity for genuine local determination.

Appendix 2

Draft Response from Belfast City Council in Respect of Part 4 of the
Draft Justice Bill

Part 4 of the draft Bill contains proposals for new offences and penalties in Northern Ireland based on those which have been operating very effectively in Great Britain for some time. They include new powers around offensive chanting at games, missile throwing and pitch incursion; powers to tackle alcohol-related problems around sporting events; powers to tackle ticket touting; and proposals for a soccer banning order regime that would prevent trouble-makers from attending matches. The package of new powers is proposed in relation to key sporting events across football, GAA and rugby.

These proposals are considered to complement and enhance the objectives of the Safety of Sports Grounds Order in securing the reasonable safety of spectators at designated sports grounds and in regulated stands across Northern Ireland. As an authority responsible for issuing safety certificates and enforcing the terms of this Order, Belfast City Council welcomes the additional controls as proposed in part 4 of the draft Justice Bill (NI) 2010.”

The Committee approved the draft responses to the consultation on the Justice Bill.

Chairman