

# People and Communities Committee

Tuesday, 7th June, 2016

## MEETING OF PEOPLE AND COMMUNITIES COMMITTEE

Members present: Councillor Garrett (Chairperson);  
the High Sheriff, Alderman Rodgers;  
Alderman McCoubrey; and  
Councillors Austin, Brown, Copeland,  
Corr, Corr Johnston, Heading, Magennis,  
McCabe, McCusker, Nicholl, Newton,  
O'Neill and Sandford.

In attendance: Mr. N. Grimshaw, Director of City and  
Neighbourhood Services;  
Mrs. S. Toland, Lead Operations Officer/Head of  
Environmental Health;  
Mrs. R. Crozier, Assistant Director of Parks  
and Leisure;  
Mr. S. Leonard, Environmental Health Manager;  
Mr. S. Skimin, Head of Cleansing Services; and  
Mrs. S. Steele, Democratic Services Officer.

### Apologies

Apologies were reported on behalf of Alderman McKee and Councillors Jones and Lyons.

### Minutes

The minutes of the meetings of 9th and 10th May 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 June, subject to the amendment of the minute of the meeting of 10th May under the heading "Update on Grass Cutting and Horticultural Maintenance of Transport NI Sites in Belfast" to provide that an all-party delegation seeks a meeting with the Minister for Infrastructure to address the issue as a matter of urgency and discuss wider infrastructural issues for Belfast, in light of the consultation on the Programme for Government.

### Declarations of Interest

- Councillor Newton declared an interest in respect of agenda item 3 (a), viz., Review of Pitch Allocation, as he was a member of a club which played in the Down Area Winter Football League;
- Councillor Sandford declared an interest in respect of agenda item 6 (e), Pride of Place, in that he was a Director of the East Belfast Community Development Agency, which was being nominated for an award; and

- Councillor Garrett declared an interest in respect of agenda item 3 (c), viz, Blacks Road Sensory Garden, in that he had been involved in meetings regarding the funding for this proposal.

### **Committee/Strategic Issues**

#### **Update on Transfer of Houses in Multiple Occupation/HMO Bill**

The Committee was reminded that, at its meeting on 4th April, it had agreed that an update report would be presented to a future meeting on the Houses in Multiple Occupation Bill.

The Lead Operations Officer advised the Committee that the Bill had completed the Final Stage on 15th March, 2016 and was currently awaiting Royal Assent. She reported that Departmental officials from the former Department for Social Development, had commenced work on the Secondary Legislation, a Code of Practice and the guidance required to help meet the requirements of the regulations. She explained that a Regional Board, involving representatives from the Department, the Northern Ireland Housing Executive and Belfast, Causeway Coast and Glens and Derry and Strabane District Councils, had been established to progress the work programme and complete the necessary preparations to put in place requirements for the delivery of the new licensing scheme.

She explained that officers had already held a number of meetings with Departmental Officials and she provided an update on the Council's role in the transfer process. No timeframe for the transfer had been agreed.

She reported that a decision on the commencement date would be taken once all of the partners were content that sufficient resources had been put in place and that all of the councils were in a state of readiness to deliver this new function.

The Committee noted the information which had been provided and that it would receive update reports as the work progressed.

#### **On Street Drinking**

The Committee considered the following report:

##### **'1.0 Purpose of Report or Summary of Main Issues**

**1.1 Further to the issue raised by Councillor Craig at Committee on 10 May 2016, the purpose of this report is to update Members on:**

- **The existing legislative framework for addressing on street drinking; and**
- **Part 5 of the Criminal Justice (NI) Order 2008 which has not been formally commenced in Northern Ireland.**

1.2 For Members' information the issue raised reads as follows:

*“Belfast City Council is concerned that being reported to the Courts, the only penalty in the Bye-Law prohibiting the consumption of alcohol on the city’s streets, is on its own proving wholly ineffective and criminalises those with an addiction”.*

*Accordingly, Belfast City Council supports a change in the legislation to give Police and Council Officers the power to confiscate alcohol being consumed on the street in contravention of the Bye-Law, with persistent offenders being reported to the Courts.”*

1.3 For Members' information, please see below a summary of the number of summons issued for on street drinking prosecutions taken by Belfast City Council in recent years. Prosecutions can be disposed of either by way of fine, conditional discharge or formal caution.

Year	Summons Issued
2015/2016	57
2014/2015	44
2013/2014	63

2.0 Recommendations

2.1 The Committee is asked to

- Consider the contents of the report and;
- Consider writing to the Department of Justice and the Department for Communities incoming Ministers to advocate undertaking a review of the effectiveness of the existing legal framework in tackling on street drinking, to consider additional powers which could complement or enhance those currently available in Northern Ireland.

3.0 Main report

Existing Legal Framework

3.1 Section 90 of the Local Government Act (NI) 1972 – Belfast City Council has the powers to make bye-laws. Under this provision the Council created a bye-law prohibiting the consumption of alcohol within a designated alcohol free area. The majority of areas in Belfast are designated as

alcohol free areas and upon summary conviction a person found guilty of breach of these bye-laws will be liable to a fine not exceeding £500.

**Responsibility – DSD (Now Department for Communities)**

**Enforced by – PSNI and Council**

- 3.2 **Policing and Crime Act 2009 – The PSNI can confiscate opened and unopened alcohol from minors. Young people under 18 can be prosecuted for persistently possessing drink in a public place and if caught three or more times within a 12 month period could face a maximum penalty of a £500 fine. Police can bring a minor under the age of 16 home if they suspect that they have been consuming alcohol.**

**Responsibility – DoJ**

**Enforced by – PSNI**

- 3.3 **Criminal Justice (Northern Ireland) Order 1980 – It is an offence to be drunk in a public place; and**

**The Justice Act (NI) 2011 – The PSNI can issue a fixed penalty notice to those over the age of 18 for being drunk in a public place or for disorderly behaviour.**

**Responsibility – DoJ**

**Enforced By – PSNI**

- 3.4 **Other supporting legislation is in place.**

**The Licensing Order 1996 requires a premises to apply to the County Court for a license to sell alcohol (Responsibility Department of Communities and enforced by PSNI)**

**Article 67 of the Criminal Justice (NI) Order 2008 provides test purchasing powers to enable police officers to identify any licensed which may be selling alcohol to under 18 year old persons. This scheme is temporarily suspended pending a review by PSNI (Responsibility DoJ and enforced by PSNI)**

**Existing Legislation Not Commenced**

- 3.5 **Part 5 of the Criminal Justice (NI) Order 2008 does provide powers to Police to confiscate alcohol in a designated public place and extend the power to issue fixed penalties under such offences to Police. That power does not extend to Council officers.**

- 3.6** Part 5 of this Order was created by the Department of Justice on behalf of the Department of Social Development to address challenges in the existing bye-laws.
- 3.7** The intended advantages of the 2008 provisions were primarily:
- They would permit confiscation of alcohol in closed as well as open containers;
  - The new offence would offer discretion to police – consumption itself would not necessarily be prosecuted
  - It would not be necessary to catch the person in the specific act of consumption;
  - A fixed penalty notice scheme would be created to allow for a speedier and more efficient process; and
  - To focus on anti-social drinking in designated areas as opposed to a widespread prohibition of consumption of alcohol in public.
- 3.8** However, commencement of Part 5 has not been progressed because of difficulties with the legislation itself and the implementation which were:
- Existing bye-laws would no longer apply and Councils would be required to consult, re-designate zones and replace existing signage;
  - The Council could only designate areas in which consumption of alcohol was prohibited where it is satisfied that nuisance or public disorder could be associated with the consumption of alcohol in that place;
  - The potential need to retain the alcohol and its container for evidential purposes if a person refused a fixed penalty notice and the need to ensure this process complied with Police and Criminal Evidence (NI) Order 1989.
- 3.9** Members may also wish to note that the Licensing of Pavement Cafes Act (NI) 2014 will come into operation on the 1st October 2016. From that point onwards the operation of a pavement café will be subject to a licence granted by the Council.
- 3.10** Section 29 of that Act allows alcohol to be consumed by customers whilst using the furniture within a licensed pavement café; unless a Licence Condition has been applied

to the Pavement Café Licence prohibiting the consumption of intoxicating liquor.

3.11 The premise must be Licensed under the Licensing (NI) Order 1996. These premises include:-

a public house (Article 5(a);  
a hotel;  
a guest house which has a restaurant;  
a restaurant;  
a public transport refreshment area

3.12 Section 29 also allows alcohol to be consumed in Alcohol Bye-Law designated areas. This provision has been included so as to avoid the need for the Council to make new Bye-Laws, should they decide to authorise pavement cafes to operate in those designated areas.

Points for Consideration

3.13 Members may wish to consider the following:

- What is Council's specific aim with regard to on street drinking?
- Would the commencement of Part 5 the Criminal Justice (NI) Order 2008 these powers achieve that aim?
- If so, should the Council request that those powers be extended to Council officers?
- Would Council officers require other ancillary powers to effectively enforce Part 5 the Criminal Justice (NI) Order 2008?
- Would new primary legislation be more appropriate? If so should the support of other councils be sought to present a case to the Department of Justice for new primary legislation?
- Is there other legislation already in place in other parts of the UK that could address the issues caused by on street drinking? For example, the Anti-Social Behaviour, Crime and Policing Act 2014 which provides that a Council can designate a Public Spaces Protection Order which would prohibit specific activities within a designated area. It applies in England and Wales and has been used to prohibit activities such as:
  - consumption of alcohol
  - aggressive begging
  - public urination

- street entertainment which may cause a nuisance
- Dog fouling

**3.14 Financial and Resource Implications**

None

**3.15 Equality or Good Relations Implications**

None at present.”

The Committee adopted the recommendations, as set out within the report.

**Update Report on Suicide Awareness**

The Committee considered the following report:

**“1.0 Purpose of Report or Summary of main Issues**

**1.1** The suicide prevention strategy for Northern Ireland, Protect Life, places an onus on everyone, statutory, voluntary and community sectors alike, to work together to achieve a reduction in suicides. Two members of the Belfast Suicide Prevention Forum, Irene Sherry and Stephen Barr, presented to a special Committee meeting on 10th May on the current situation in relation to suicide and self harm in Belfast and on the work that the various community and voluntary organisations are doing to tackle these difficult issues.

**1.2** The Belfast Forum for Suicide Prevention is a recently formed group representing community and voluntary organisations working in the area of suicide prevention in the city.

**2.0 Recommendations**

**2.1** The Committee is asked to;

- Note the suicide prevention work taking place in Belfast and the significant contribution being made by community and voluntary organisations to this work.

**3.0 Main report**

**Key Issues**

- 3.1** Suicide prevention is obviously a complex and difficult issue to address but there has been significant work across Belfast to attempt to reduce the rate of suicide and self harm in the city. There are various forums working in different parts of Belfast with representatives from the Health and Social Care Trusts, the Public Health Agency and the community and voluntary sectors. This new Belfast Forum for Suicide Prevention, which is made up of community based representatives from the North and West Belfast Protect Life Implementation Group and the South and East Belfast Mental Health Community of Interest, is jointly chaired by Irene Sherry and Stephen Barr.
- 3.2** The Forum was formed following concerns raised by community and voluntary workers about the increasing levels of poor mental health being experienced by people across the city, leading to significant issues associated with self harm and suicide. It has actively lobbied MLAs, the Assembly Committee for Health and the cross Departmental Group on suicide prevention with a view to refocusing attention on this important issue.
- 3.3** Members will be aware that a council officer (Valerie Brown) chairs the Belfast Community Response Steering Group, which has developed city wide and local planning arrangements to respond to suicides. The Belfast Plan provides a coordinated approach to the provision of support to local communities following a suicide. It also provides a process under which local planning arrangements can be developed, pulling together resources, services, contacts and communication within local areas. These local arrangements are well developed in many areas across the city.
- 3.4** The plan itself, which is reviewed and updated annually, involves wide representation from all sectors of the community with the local knowledge to be able to address the issues. It contains arrangements which facilitate various stages in the response process. The first stage is the implementation of arrangements to do with communication and the sensitive sharing of community knowledge, 'sudden death' notification by PSNI and coordinated support for individuals, bereaved families and the wider community.



- 3.5** Implementation of these arrangements in support of local communities in a connected and consistent way across the city is designed to help to prevent further suicides occurring; it facilitates the early detection of individuals and settings within communities potentially at risk and will support a more significant response should it be required.
- 3.6** This next stage of response will provide for the necessary leadership, via the Community Response Steering Group, in conjunction with other stakeholders such as local clergy, school teachers, youth workers, Councillors, etc. to mobilise additional people, resources and support in such a way as to address the core issues that could contribute to further associated deaths. The desired outcome of this co-ordinated approach at both stages is to prevent further suicides occurring and support those individuals at risk and their families and friends. This process also enables families and individuals bereaved to access more immediate support and help following a suicide; and it creates opportunities for a standardised support pathway for people bereaved across the Belfast area.
- 3.7** An overview of the Belfast Community Response Plan arrangements is set out in the attached flow chart, together with a list of steering group members.
- 3.8** While it is recognised that effective community response can contribute to suicide prevention, the arrangements are focused on supporting families and communities in the aftermath of suicide. Where trends and issues related to suicide prevention are identified through the response work they are referred to the Belfast Protect Life Implementation Group (BPLIG). This group is chaired by the Public Health Agency and is responsible for developing and monitoring the implementation of a local action plan for the revised Protect Life strategy. It is also responsible for supporting the development and implementation of innovative suicide prevention initiatives and ensuring appropriate linkages to targeted areas of deprivation and at risk groups.
- 3.9** The BPLIG is planning to use a 'Future Search' event to assist it to develop an implementation plan to tackle the issue of suicide in Belfast. It hopes to hold the event in September. It will be facilitated by Michael Donnelly, a leading expert in these events. The 'future search' process is about finding common ground and securing the authority and resources to make change happen; PHA has engaged the Council's Director of City and Neighbourhood Services in the planning and development of the 'future search' event.

- 3.10 The Council is also assisting Belfast Strategic Partnership to undertake a second 'Have Your Say Belfast' emotional wellbeing survey. The first survey was in 2012 and received over 3000 responses. It is hoped to run the survey over the summer, with a questionnaire being distributed to every household in Belfast, and to use the data collected from the 2012 and this survey to inform the future search event.

**Financial & Resource Implications**

- 3.11 There are no financial, human resource or asset implications.

**Equality or Good Relations Implications**

- 3.12 There are no equality or Good Relations implications to report."

The Committee noted the extent of suicide prevention work which was taking place in Belfast and the significant contribution being made by community and voluntary organisations to that work.

**Update on Fuel Poverty**

The Committee was advised that, in line with a Council decision, an all Party deputation had met with Mr. M. McDermott, Head of Fuel Poverty and Private Sector Grants Team, on 24th May to discuss issues relating to fuel poverty.

The Lead Operations Officer explained that the Department for Communities continued to target the most vulnerable homes, where 25% of household income was used to meet heating costs. The Members were advised that 33,000 homes had been identified and were targeted in the Affordable Warmth Scheme, which had a budget last year of £16.5million. It was pointed out that there was a boiler replacement scheme, which was administered by the Northern Ireland Housing Executive (NIHE), with a budget of £3million, and that this scheme also covered households in fuel poverty where 10% of household income was spent on heating.

The Head of Environmental Health then highlighted the following key issues which had been discussed at the meeting on 24th May:

- **Cavity Wall Insulation Installer's Scheme** – It had been suggested that the Assembly needed to introduce an accredited scheme to control and regulate all cavity wall installation companies. The scheme should include a rigorous process of accreditation and monitoring of all certified installers who must meet agreed standards in relation to, for example, workmanship, materials and technical knowledge. This scheme must also be backed up with a robust failsafe guarantee for anyone who has cavity wall insulation installed and that protects them even if the installer is no longer trading. During discussion it was suggested this scheme should not be at the cost to the ratepayer and could

be administered via a bond or application fee paid by the installers that self finances the regulation of it.

- **NIHE Bi-Annual Housing Conditions Surveys** – It had been noted that it was important for all future generation house condition surveys to include cavity wall installation inspections and /or thermal imaging testing to ensure adequate levels of installation for all homes tested. It had been confirmed following the meeting that the NIHE had given an assurance that during forthcoming surveys those assessments would be carried out on a sample basis;
- **Dealing with defective cavity wall insulation** - It had been suggested that further funding provision should be made to widen the scale of funding to address this issue; and
- **Affordable Warmth Scheme** – It had been noted that, given the importance of tackling fuel poverty, the reduction in funding for individual locals councils was disappointing. The funding had been reduced from £153,000 in 2015/16 to a new annual figure of £92,000. Quarter 1 of 2016/17 would be at the same rate as quarter 1 of 2015/16 (£38,250) to allow for transition and subsequently £23,000 per quarter allocated for the remainder of the year. Councils would receive a total of £107,250 for 2016/17.

The Members were informed that the target for completed surveys had been reduced from 1,000 to approximately 500 per council area and, therefore, significantly less vulnerable households would be helped. Any under-spend in the Affordable Warmth Scheme was not ring fenced for further use within the scheme.

Several Members stressed the importance of this matter being progressed as a matter of urgency and following consideration, it was agreed that the Committee note the update report and that it write to:

- the Department for Communities to request a meeting with Minister Givan to discuss fuel poverty; and
- the Department of Finance to request a meeting to discuss funding, including a mechanism for reallocation of under spends for fuel poverty schemes.

It was agreed further that, in the interim, the Director of City and Neighbourhood Services would forward a letter immediately to the Permanent Secretary highlighting the aforementioned issues.

### **Physical Programme and Asset Management**

#### **Review of Pitch Allocation**

The Committee was reminded that, at its meeting on 10th May, it had agreed that the review of grass soccer pitch allocation be deferred to allow for further consideration by the Political Parties in May.

The Assistant Director advised that the Political Parties had now been updated and drew the Members' attention to the findings and recommendations arising from the review, following which she answered a number of questions regarding the proposed next steps.

She explained that this was a very sensitive issue and discussion ensued regarding the allocation of the Westland pitch. She reiterated the point that this was an exceptional set of circumstances and that the recommendation before the Committee was what deemed to be an independent, fair and robust proposal for the Council to address the ongoing problems.

Following consideration, the Committee agreed:

- (i) that the allocation of grass soccer pitches for matches would be through leagues only, as at present, and that the Down Area Winter League would be afforded the coming season (2016/2017) as a transition period;
- (ii) to the application of criteria to be used in exceptional circumstances, where there were multiple requests for a pitch and no mutual agreement between clubs;
- (iii) that, in the case of the Westland Pitch at the Waterworks, engagement would take place with the relevant stakeholders with a view to reaching a decision on allocation for the 2016/2017 season; and
- (iv) the criteria set out within Appendix 2 of the May, 2016 Committee report (a copy of which was available on the Council's website), and agreed to check the eligibility of leagues seeking allocation of pitches in Belfast.

#### **Access Arrangements for Sure Start via Stewart Street Playpark**

The Assistant Director reminded the Committee that funding for the Sure Start project at the Stewart Street playground had been approved by the Strategic Policy and Resources Committee on 22nd February, 2013, as part of the Local Investment Fund.

She reported that the land was leased currently to the Council by the Northern Ireland Housing Executive and Northern Ireland Electricity, with a sub lease to Sure Start. The project was scheduled to be completed by early July, 2016 and Sure Start had requested key holding privileges.

The Committee granted Sure Start key holding privileges for the vehicular gates to the Stewart Street Play Park, subject to satisfactory terms being agreed with the Director of City and Neighbourhood Services and on condition that:

- (i) the group resolve all operational and health and safety issues to the Council's satisfaction; and
- (ii) that the Town Solicitor prepare the appropriate legal agreements.

### **Blacks Road Sensory Garden**

The Assistant Director advised the Committee that the Blacks Road site had, in April, 2015, transferred from Lisburn City Council to Belfast City Council under Local Government Reform (LGR). She explained that the site was comprised of two areas of linear open space on either side of a roadway connecting Colin Park Leisure Golf Course to Blacks Road and that the western area of the site included a wildlife walk, pedestrian bridge, gym stations and a viewing platform.

She reported that, in recent months, there had been high levels of antisocial behaviour at the site, which was causing significant disruption for nearby residents. Funding had been set aside under LGR, which enabled plans for a new playground to be progressed and a full planning submission had been made.

She explained that, in parallel to the playground scheme, officers from the Landscape Planning and Development Unit had, in September, 2015, produced a concept master plan for Blacks Road Park. This plan identified a number of physical improvements which would enhance the site's environmental quality and increase levels of community usage and ownership. She advised that one potential project listed was the development of a small sensory garden/outdoor learning area adjacent to the entrance of the site. The Department of Social Development, Belfast Regeneration Office had subsequently offered to contribute £130k of funding to support the development and delivery of the new sensory garden.

The Committee noted the emerging project to develop a small sensory garden on Council land at Blacks Road Park and agreed that:

- (i) officers from the Landscape Planning and Development Unit would support the development and delivery of the project; and
- (ii) that the Council would undertake the ongoing maintenance and management of the new facility.

### **Connswater Community Greenway - Naming of Bridge**

The Committee was reminded that, at its meeting on 12th January, it had agreed that the Connswater Community Greenway Trust would progress a consultative naming process, in partnership with the Council, which would offer the local community the opportunity to propose and select suitable names for a series of bridges and link paths in the Connswater Community Greenway.

The Assistant Director of Parks advised that, throughout the consultation process, the name of the locally born actor and stage director Mr. James Ellis had emerged as having support from the local community.

It was explained that Mr. Ellis had grown up on Park Avenue in East Belfast and that the home had remained within his family until the year 2000. The Ellis family had welcomed the possibility of the bridge near Park Avenue being named in his honour.

She advised that, although Mr. Ellis had not been deceased for over 5 years, the proposal to name the bridge in his honour was in line with the policy's other agreed criteria, as he had resided within the locality and the District Electoral Area and had made a significant contribution to the area and the City.

The Committee approved the proposal to name the new bridge being installed near Park Avenue as part of the Connswater Community Greenway the 'James Ellis Bridge', in honour of the locally born actor and stage director.

### **Proposed Forest School Awards Programme**

The Assistant Director reminded the Members that this request was in relation to a proposal seeking support for the delivery of a Forest School Award programme in parks and that it had been considered by the Committee, at its meeting on 10th May, where it had been deferred to enable officers to seek clarification on a number of points.

She reported that the Northern Ireland School Forest Association (NIFSA) was a charitable organisation and that the award would encourage and inspire schools and organisations to become accredited Forest School Practitioners. NIFSA was seeking support from the 11 local councils in the region, including Belfast City Council. She advised that, to date, Antrim and Newtownabbey Borough Council and Mid and East Antrim Borough Council had agreed to participate and that NIFSA was currently in discussion with a number of other councils. She added that, in supporting this request, the Council would be supporting an established programme and, whilst the Council had been invited to make a contribution of £8,000, the actual value of the programme for Belfast was estimated to be over £15,000.

The Committee was advised that NIFSA would deliver the training programme, which would require participating schools/organisations to visit their local park one day per week, for 6 weeks, between January and June, 2017.

The Assistant Director clarified that this was a development proposal which offered to deliver a programme to benefit young people in parks and it, therefore, fell outside the scope of the Parks Grants Scheme, as it was above the maximum award threshold of £3,000.

She concluded by confirming that officers considered this to be a viable proposal, as the programme met the Council's objective to encourage active living and positive use of the Council's outdoor spaces and also complemented the other existing outreach programmes.

The Committee agreed:

- (i) to support the proposal with a contribution of £8,000 from existing budgets and agreed to work in partnership with NIFSA and four schools/organisations across the City to deliver the programme; and
- (ii) that the Chairperson and Deputy Chairperson (or their nominees) would participate in the judging panel to select participants in December, 2016.

### **BBC One Show Filming**

The Committee was informed that the Council had recently been approached by the BBC, which was seeking approval to film a short, human-interest feature on the recycling behaviours of people using the Council's Household Recycling facilities in Belfast.

The Lead Operations Officer reported that the exact format of the feature had yet to be determined but that it might require input from the Elected Members and Council officers, in addition to 'vox pops' from the public and centre staff.

The Committee was advised that this would be an excellent opportunity to showcase the high class facilities which the Council provided and to reiterate the importance of residents availing of them.

Accordingly, the Committee authorised the filming of a short, human-interest feature for the BBC "One Show", at the Council's Household Recycling Centres.

### **Financial Reporting - Quarter 4, 2015 - 2016**

The Director of City and Neighbourhood Services presented the financial position of the People and Communities Committee for Quarter 4, which confirmed an under spend of £835k for that period.

The Committee was advised that the current position was due to under spends in the following areas:

- vacant posts across a number of services;
- reduced fuel costs within Cleansing Services;
- the receipt of additional income in the Parks and Cemeteries Service and Central Grant Income within Environmental Health; and
- the delay in implementing phase 4 of the alleygates scheme.

He added that these underspends had been offset partly by premises insurance costs and the settlement of historic Parks and Leisure compensation claims and also the absorption of additional expenses which related to incoming sites which had transferred to Belfast under the Review of Public Administration.

The Committee was advised that the fuel expenditure budgets which had been included in the Committee revenue estimates for 2016/2017 had been reduced to reflect the efficiency savings in fuel costs during the current year.

The Committee noted the financial position and that it would be considered by the Strategic Policy and Resources Committee at its meeting on 24th June.

### Operational Issues

#### Partner Agreements

The Assistant Director reminded the Committee that it had previously approved preferred partners for the seven partner agreement sites, subject to the acceptance of terms and conditions as set out by the Council. At its meeting on 13th October, 2015, the Committee had agreed a transition fund, subject to the approval of a business case.

She drew the Members' attention to the Partner Agreements as follows:

Location	Partner
Dixon Playing Fields	Sirocco Works FC
Alderman Tommy Patton Memorial Park	East Belfast FC
Woodlands Playing Fields	Co. Antrim Board GAA
Loughside Playing Fields	Loughside FC
Shore Road Playing Fields	Grove Unites FC
Orangefield Playing Fields	Bloomfield FC
Ulidia Playing Fields	Rosario FC

She confirmed that legal agreements had been issued and returned for each of the aforementioned sites.

She outlined the financial support which was available for the delivery of the Sports Development Plan and advised that funding of up to a maximum of £20,000 per annum was available for each partner for the delivery of a programme supporting their Sports Development Plan. She informed the Committee that financial support had been approved at all sites, apart from the Woodlands Playing Fields, however, it was expected that a costed plan for this location would be completed soon. She advised that initial payments, based on approved expenditure, had already been made at the other six sites.

She advised the Committee also of the Transition Funding and explained that this was a fund to assist with the transition to new arrangements which permitted eligible expenditure up to a maximum of £10,000 for each partner during the first year of operation. Business cases had been submitted and assessed with a total amount of up to £65,000 being eligible for payment.



Following a query from a Member, the Assistant Director confirmed that quarterly monitoring meetings had taken place during the months of April and May and that they meetings had been attended by partner representatives to ensure that the Council's assets were being used in accordance with the club's submissions and legal agreements.

The Assistant Director concluded by advising that the programme delivery had led to a significant positive achievement across the seven sites, which was in line with the Council's objectives for the programme.

The Committee noted the progress to date at each of the seven partner agreement sites.

### **Amateur Boxing Strategy**

The Committee was reminded that the Council had developed a ten year amateur boxing strategy for the city, in partnership with Co. Antrim Boxing, Ulster Boxing Council (UBC), Sport Northern Ireland (SNI) and the Irish Amateur Boxing Association (IABA). Members were advised that the final strategy, including an action plan, had been agreed by the former Parks and Leisure Committee in March, 2013. It had also been agreed that £200,000 per annum would be allocated for three years for the implementation of Phase 1 of the strategy and that this would include funding to put in place a Sports Development Officer, who had been appointed in December, 2013, and two community based coaches who had been appointed in April, 2014.

The Assistant Director highlighted the fact that, due to the delay in appointing staff, there had been a significant under spend in year one and this had been used to finance the implementation of year four (current year).

She reported that, in late 2015, a review of progress had been undertaken to evaluate the impact of the support which had been provided to boxing across the city. She drew the Members' attention to the details of the research undertaken and the key findings, as follows:

- Since 2012, two clubs have folded but six new clubs have been established across the city, which have affiliated to the IABA. These were detailed in the executive summary -two are based in the East, one in South, one in the West and two in the City Centre;
- Two other clubs have been established; one in the East and one in the North, but neither of them participated in the review so we do not have confirmation of their affiliation status. There is also a fledgling club in the East which has not yet constituted;
- There has been a 20% increase in membership;
- There has been a substantial increase in female membership but it is still well short of male membership;
- There has been an increase in the number of volunteers.
- There appears to be a fall in club income;

- There has been an improvement in facilities at clubs but there is still some way to go to a point where all clubs offer modern fit for purpose boxing facilities;
- The Non Contact Boxing Programme has been a success but we need to look at creating the pathways between schools and clubs to allow the children who participate to move into a club;
- The strategy has been well received by all stakeholders and the clubs who attended the focus group all said that the strategy was working for their club; and
- The overall view, based on survey and consultation work, is that the strategy is having a positive impact and influence on boxing clubs and boxing development throughout the City.

She referred that the Otium Leisure Consultancy review suggested the following recommendations:

- to continue the Non-Contact Boxing Programme, with a direct link between clubs and schools/youth centres;
- develop governance and management through volunteers;
- reach out to the community with boxing programmes linked to fitness, well-being and health;
- progress with the Strategy's Actions should be monitored and reported on a regular basis;
- provide mentoring support to clubs for selected Actions;
- liaise with schools in relation to staging boxing events in school premises;
- engage with the IABA Ulster Branch in complementary activities;
- look to qualify more coaches; and
- Assess the carrying capacity of each club in each membership category and plan for projected increases.

The Committee was asked to note that there was no provision currently within the Department's estimates for the ongoing delivery of the strategy. The Assistant Director reported that it was being recommended that officers would work with the Strategy Steering Group to develop an action plan for the next three years, based on the findings and recommendations of the review.

The Committee agreed that officers would develop an action plan, including costs, for the next phase 2 of strategy implementation (2017-2020), which would be brought back to the People and Communities Committee in the Autumn for its consideration and approval.

### **Request for use of Crescent Gardens - Belfast Film Festival**

The Assistant Director advised that a request had been received from the organisers of the Belfast Film Festival requesting the use of the Crescent Open Space in order to stage the Shakespeare in the Park event on 6th and 7th August and 3rd September. The area would be required from 10.00 a.m. till 10.00 p.m. on each day, which would include set up and removal times.

The Committee approved the use of Crescent Open Space by the Belfast Film Festival, subject to the completion of the appropriate Event Management Plan and on the condition that the event organiser:

- resolve all operational issues to the Council's satisfaction;
- submit all of the appropriate documentation to the Council prior to the event, in a timely manner;
- meet all statutory requirements, including Public Liability Insurance cover, Health and Safety, Food Safety and licensing responsibilities;
- enter into an appropriate legal agreement prepared by the Town Solicitor and the timely payment of the agreed charges and bonds as required;
- consult with public bodies and local communities as necessary; and
- cleans the event area of all litter, debris.

The Committee noted that the Council reserved the right to cancel the second and third screenings of the event if all the operational issues were not met.

#### **Google Trekker Mapping and Imaging Project**

The Assistant Director informed the Members that a request had been received from Google Trekker seeking permission to map and record Belfast City Council locations, primarily throughout the Lagan Valley Regional Park. She drew their attention to a map which detailed the proposed locations.

She reported that Google Trekker was similar to Google Street Map, as it provided a 360 degree image of pathways, towpaths etc, which would be available for viewing through the Google Street View Mapping System.

The Committee agreed to grant permission for Lagan Valley Regional Park staff to use the Google Trekker system to map and record Belfast City Council locations.

#### **Pride of Place**

The Director of City and Neighbourhood Services outlined the purpose of the Pride of Place competition, which recognised and celebrated community partnerships' contribution to society. The Council had supported the competition for the past six years and entry was by Council nomination.

He explained that the Community Service Officers had taken the organisational lead in the selection and preparation of entrant groups and had proposed the following nominations for the 2016 Pride of Place competition:-

- Greater Whitewell Community Surgery (in the under 1,000 population category);
- Gort Na Móna (in the over 1,000 – 2,000 population category);

- East Belfast Community Development Agency (in the over 2,000 category); and
- Play Resource Warehouse (in the Community Enterprise Initiative).

Accordingly, the Committee approved:

1. the entry and associated costs of the four proposed groups to the Pride of Place Awards 2016, taking place in Belfast on 26th November; and
2. the attendance of the Chairperson, Deputy Chairperson, Director of City and Neighbourhood Services (or their nominees) and the Project Officer, together with a maximum of two persons per external project at the awards ceremony and approved the associated costs.

### **PQASSO Award**

The Director of City and Neighbourhood Services advised the Members that the Community Services Section had recently achieved the PQASSO quality standard award for all 27 directly managed community centres which were managed by the Service's Facilities Unit.

He advised that the PQASSO Quality Mark was awarded by the Charities Evaluation Service, which was a UK-based organisation specialising in performance management/improvement, evaluation and quality. He reported that a three-day assessment had been carried out by two assessors, which had involved the consideration by the assessors of information across the 12 quality areas, as well as the production of a portfolio of evidence and the conducting of 32 interviews with a range of staff, committee members, volunteers and service users.

The Committee congratulated the Department on this achievement and welcomed the progress which had been made by the Service towards improving customer satisfaction, quality service delivery and enhanced performance management.

### **Update on Public Access Defibrillator Pilot Programme**

The Director of City and Neighbourhood Services advised the Members that, in accordance with the decision taken at the Strategic Policy and Resources Committee held on, 20th November, 2015, public access defibrillators had now been installed in the following parks:

- Boucher Playing Fields;
- Fullerton Park;
- Tullycarnet Park;
- Victoria Park; and
- Waterworks Park.

However, the provision of a defibrillator in the Falls Parks had been delayed due to the vandalism of the cabinet in which it would be housed.

The Committee was advised that a number of staff had been trained in the use of the defibrillators at these locations and staff had been appointed to monitor the condition of the equipment on a regular basis. It was also intended that the public would be able to access and use the equipment without the assistance of a Council employee.

The Committee welcomed the progress which had been made and noted the content of the update report.

### **Street Naming**

The Committee approved the application for the naming of Park Avenue Heights, off Park Avenue.

### **Consultation Document - Quiet Areas**

The Committee considered the undernoted report and draft response on the designation of Quiet Areas by the Department of the Environment for Northern Ireland for the Belfast City Council area:

#### **“1.0 Purpose of Report or Summary of main Issues**

- 1.1 At the Committee meeting of 12 January 2016, Members considered the designation of Quiet Areas by DOENI for the Belfast City Council area. The designation of Quiet Areas is a requirement of the Environmental Noise Directive (END) and the Environmental Noise Regulations (NI) 2006.**
- 1.2 In order to identify Candidate Quiet Areas, DOENI conducted a screening exercise for the Belfast area on the basis of noise level, land area and public accessibility, and had proposed that Ligoniel and Tullycarnet Parks be designated as Quiet Areas.**
- 1.3 In its response to DOENI, the Council stated that it did not support the designation of Ligoniel or Tullycarnet Parks as Quiet Areas and that it would seek further dialogue with the Department in order to better understand the impact that the designation might have on these Parks. In addition, the Council highlighted a lack of guidance from DOENI on managing, maintaining and revoking Quiet Areas. Furthermore, the Council expressed concern regarding DOENI's application of a 5 hectare de minimus in the identification of Candidate Quiet Areas.**
- 1.4 Officers have reviewed the noise modelling data utilised by DOENI and, having referred to the European Environment**

Agency 'Good practice guide on quiet areas' publication, would invite the Committee to consider the Lagan Meadows (Appendix 1 available on modern.gov) for proposal to the Department of Agriculture, Environment and Rural Affairs (DAERA) as a Candidate Quiet Area.

**2.0 Recommendations**

**2.1 The Committee is asked;**

- To consider the report and to endorse the draft response to DAERA (available on modern.gov).

**3.0 Main Issues**

**3.1 Quiet areas make a beneficial contribution to public health, particularly for people living in noisy city areas. Accordingly, END requires Member States to 'preserve environmental noise quality where it is good' through the identification and protection of Quiet Areas within agglomerations. An agglomeration is a geographic area having a population in excess of 250,000 persons, a population density equal to or greater than 500 people per km<sup>2</sup>; and which is considered to be urbanised. Once designated, councils are required to manage the local noise environment within Quiet Areas to avoid increases in noise from sources covered by END.**

**3.2 On 11 March 2016, DOENI provided the council with a copy of its noise modelling data with a view to the Council proposing alternative Quiet Areas and revised criteria that should be used for identifying subsequent Candidate Quiet Areas.**

**3.3 Officers have reviewed this data and have identified the Lagan Meadows as a potential Candidate Quiet Area. The overall area of the Lagan Meadows is approximately 47 hectares and therefore greater than DOENI's 5 hectare de minimus. A map of the area proposed for designation has been provided in Appendix 1 to this report.**

**3.4 The Lagan Meadows are situated to the south of the city but are nonetheless in a location readily accessible by the general public and public transport. Furthermore, the Meadows are located within the wider Lagan Valley Regional Park (LVRP), which has been designated as an Area of Outstanding Natural Beauty and a site of local nature conservation within BMAP. As a consequence of these designations, it is unlikely that revocation of the Lagan Meadows Quiet Area would have to be considered in the future. Moreover, it is considered that the natural environment at the Lagan Meadows is more in keeping with**

the soundscape and functional objectives described in the European Environment Agency publication, 'Good practice guide on quiet areas', i.e. a calm place to relax, think, walk, bike, read or picnic. Although the Department will have to consult upon this proposed Candidate Quiet Area, it should be noted that the majority of respondents to the Department's previous consultation supported designation of the Lagan Meadows as a Quiet Area.

- 3.5 Officers have met with representatives of the LVRP Management Board in order to discuss the proposal of the Lagan Meadows as a Candidate Quiet Area. LVRP Management have indicated that they have no concerns regarding such a proposal but would wish to be kept informed regarding progress with the designation process.
- 3.6 In its previous consultation response to the Department, the Council indicated that it had concerns regarding the Department's choice of screening criteria and, in particular, the application of the 5 hectare de minimus. It was the Council's view that this arbitrary area criterion precluded consideration of smaller parks and public open spaces located within the city centre. The proposed area of the Lagan Meadows to be designated is greater than 5 hectares and is therefore in accordance with all the Department's screening criteria. It is recommended however that, in its response, the Council states that it will engage with DAERA in order to assist the Department to develop more appropriate Quiet Area screening criteria and supporting guidance to be employed in the subsequent identification, designation and management of Quiet Areas.
- 3.7 Having regard to the location and nature of the Tullycarnet and Ligoniel Parks, as well as the soundscapes and the Council's leisure and other development objectives for these Parks, it is considered that they continue to be unsuitable at present for designation as Quiet Areas. It is recommended however that, in its response, the Council states that it will reconsider these Parks as Candidate Quiet Areas in the light of revised screening criteria.
- 3.8 Members will recall that the Committee meeting of 10 May 2016 considered a request from the LVRP to provide a letter of support on its behalf to the Northern Ireland Environment Agency (NIEA) which has reduced its funding to the Park by more than 70%, for the 2016/17 financial year. It is proposed to make further reference to the need for NIEA to continue to provide appropriate funding for the LVRP as part of the Council's Quiet Area's response.

**Financial & Resource Implications**

- 3.9 There will be a requirement for officers to periodically monitor noise levels at the Lagan Meadows to ensure that the Quiet Area is protected. This cost is included within existing revenue estimates. Financial and resource implications would be reassessed should the future designation of additional Quiet Areas be considered.

**Equality & Good Relations Implications**

- 3.10 There are no relevant equality considerations associated with the proposal of the Lagan Meadows as a Candidate Quiet Area.”

The Committee endorsed the draft response to the Department of Agriculture, Environment and Rural Affairs in respect of the identification of Candidate Quiet Areas, subject to the insertion of the following additional point:

- the Committee notes that there will be a second round of consultations in relation to the Identification and Designation of Quiet Areas in the future and, at that stage, it would welcome the opportunity to consider the appropriateness of other potential sites, particularly Greenville and Orangefield Park:

**Consultation Document - Housing Fitness Review**

The Committee considered the undernoted report.

**“1.0 Purpose of Report or Summary of main Issues**

- 1.1 In October 2012 the Department for Social Development published ‘*Facing the Future: The Housing Strategy for Northern Ireland 2012 -17*’. As part of the Strategy the Department committed to undertake a review of the housing fitness standard.
- 1.2 The Housing Fitness Standard sets in law a range of criteria a dwelling must comply with in order to be considered under law as habitable or ‘fit’. The Housing Fitness Standard applies across all tenures: owner occupied, the private rented sector and all social homes. The Housing Executive and, specifically in the case of the private rented sector, Councils have responsibility for the enforcement of the housing fitness standard. These enforcing authorities have a range of powers to take appropriate action where unfit housing is identified.
- 1.3 As part of its review the Department has produced a pre-consultation discussion document and associated policy screenings that outline the current statutory standard,



explore the shortcomings within the existing arrangements and set out potential options for future change. Through the discussion document, the Department is seeking to gauge views on a range of issues including the future content of a new housing fitness requirement and the potential cost implications of changing the housing fitness standard. In particular, the Department is interested in any evidence that respondents can provide on the potential practical, social and financial impacts the proposed changes would have on them as individuals or organisations.

1.4 Members will recall in January 2016 this Committee approved a response to a DSD Consultation Paper 'Review of the Role and Regulation of the Private Rented Sector (PRS).' The City Council response advocated the introduction of the Housing Health & Safety Rating System (HHSRS) as the fitness standard for Northern Ireland. This current consultation seeks views on two possible options, the HHSRS or an enhanced/augmented version of the existing standard to address 5 additional risks. The consultation also seeks views on grant assistance to tackle Housing unfitness.

1.5 The consultation document can be accessed via this link <https://www.communities-ni.gov.uk/publications/review-housing-fitness-standard>. The Department intend to hold a further consultation on their preferred option.

## 2.0 Recommendation

2.1 The Committee is asked to consider and endorse the draft response.

## 3.0 Key Issues

3.1 The Council welcomes the opportunity to respond to the Departments review of the Statutory Minimum Standard for all tenure contained in its discussion paper (March 2016). It has been widely acknowledged by many stakeholders that the current statutory standard is no longer fit for purpose and that changes should be made. The standard of housing impacts on all sectors of the community. Evidence suggests that:

- Poor housing conditions have a detrimental impact on health, costing the NHS at least £600 million per year. (BRE 2010) Nicol, S. et al., *Quantifying the cost of poor housing*, BRE press, 2010
- Research based on the various sources of housing and health data suggests that poor housing is associated with increased risk of cardiovascular

diseases, respiratory diseases and depression and anxiety (Marmot review 2010)

- Accidents - 45% of accidents occur in the home and accidents are in the top 10 causes of death for all ages.
- Cold - cold homes are linked to increased risk of cardio-vascular, respiratory and rheumatoid diseases, as well as hypothermia and poorer mental health. There were an estimated 36,450 excess winter deaths attributable to all causes in England and Wales in 2008/09
- The elderly are particularly at risk from accidents in the home and excess cold .

- 3.2 The existing standard is a checklist of physical defects that can/may affect health. Unlike the HHSRS it is not risk based and does not allow for the quantification of risk or measurement of the impact of a hazard on the occupant of a dwelling and society as a whole.
- 3.3 Any enhanced/Augmented version would have these same deficiencies. It would remain a checklist of defects that may affect health. It would lack an 'outcome focus' and will not take account of all the hazards faced in the home or of the person(s) occupying that home. There is also no indication given as to how risk and impact will be quantified during an inspection.
- 3.4 The HHSRS has been in place in England & Wales since 2006 and has an abundance of technical guidance, I.T. support packages and tribunal decisions to assist the officer through the change process of moving from one standard to another. The advantages of using the HHSRS are outlined in more detail in the draft response.
- 3.4 The HHSRS is a measurable, quantitative standard which does not rely on the assessing officer's subjective opinion. This ensures clarity in the decision making process for landlords, tenants and other stakeholders.
- 3.6 Councils in England and Wales work with a range of partnerships with Primary Care Trusts, Department of Health, Home Improvement Agencies using the HHSRS to target grant aid and other financial assistance.
- 3.7 The Council, through its enforcement of the Private Tenancies Order and Clean Neighbourhoods and Environment Act, has a critical role to play in ensuring that all dwellings are adequately assessed to ensure that everyone lives in a safe and healthy home.

- 3.8 The Council's Community Plan or the Belfast Agenda will seek to ensure that health inequalities in the City are reduced and that everyone can live in safe neighbourhoods with good housing facilities. The Council wish to advocate an outcome based approach to ensure that all people living in Belfast experience good health and wellbeing. Community Planning in NI provides the opportunity for partners to investigate the links between poor housing and health, estimate the problem and consider what intervention(s) would be the most sustainable and effective way of dealing with the issues found. Of the two options proposed the HHSRS is the only option that currently supports an outcomes based approach.**

**Financial & Resource Implications**

- 3.9 The review may result in new regulations and additional responsibilities for Councils. It is unclear whether any additional resources will be made available to Councils for these.**

**Equality or Good Relations Implications**

- 3.10 There are no relevant equality considerations associated with the delivery of the strategy."**

The Committee endorsed the draft response in respect of the Review of the Statutory Housing Fitness Standard, a copy of which was available on the Council's website, subject to the insertion of the following wording:

- the Committee expresses its concern at the volume of uninhabitable homes throughout Belfast whilst homelessness levels remain high, notes the lack of investment to address unfitness and would like to see more work being undertaken to quantify the levels of unfitness and to bring empty homes back into habitation.

The Committee agreed that a report would be submitted to a future meeting on the potential for the establishment of Working Groups associated with the work of the People and Communities Committee.

**Consultation Document - Review of the Implementation of the Welfare of Animals (NI) Act 2011**

The Committee considered the undernoted report.

**"1.0 Purpose of Report or Summary of main Issues**

- 1.1 Since the implementation of the Welfare of Animals Act (Northern Ireland) 2011, there has been considerable public, political and media interest in the enforcement of that Act**

particularly in relation to non-farmed animals. Public concern was also raised in relation to the perceived lenient sentencing for animal welfare cases after some high profile cases emerged after the introduction of the Act.

- 1.2 Members of this Committee were informed of the findings of the Interim Report issued in February 2015 which outlined the 'Review of the implementation of the Welfare of Animals Act (Northern Ireland) 2011'. The Review had been initiated by Michelle O'Neill, Minister for the Department of Agriculture and Rural Development (DARD). This followed a Northern Ireland Assembly debate calling for a review of the implementation of the Welfare of Animals Act 2011, particularly in relation to sentencing guidelines, to ensure that maximum effectiveness was being brought to bear to combat animal welfare offences.
- 1.3 Following the publication of the Interim Report, which contained forty three recommendations, there was a twelve week consultation period. The views gathered during this period were used to further develop the recommendations in the Final Report. Following this consultation period, two additional working groups were established to consider comments raised about Dog Breeding Establishments and Equine related issues.
- 1.4 The Review considered the implementation of the Act under six themes. The six key themes were:
  1. Sentencing
  2. Delivery Structures
  3. Working together
  4. Serving the Public
  5. Dog Breeding and Online Pet Sales
  6. Equines
- 1.5 The review report explores the issues raised by stakeholders and makes sixty eight recommendations under each of the six key themes. Some recommendations are crosscutting and apply to the three enforcement agencies involved in the implementation of the Act namely, DARD, local Councils, and the PSNI. All of the agencies involved have been asked for their consideration of the recommendations that are relevant to them. The responses including a timescale for implementation of accepted recommendations will be included in an action plan which will be publicised on the DARD Website in due course. The full review report can be accessed on:

<https://www.dardni.gov.uk/publications/review-implementation-welfare-animals-act-ni-2011>

**2.0 Recommendations and decisions**

**2.1 The Committee is asked to;**

- Note the contents of the report and it is recommended that the Committee endorses the draft response, as it relates to local councils, from the Animal Welfare Project Board. The Board is the regional representative body for Local Government and includes officers from local councils, including Belfast. The Board's comments can be found in the 'Actions Required' section of the Action Plan.

**3.0 Key Issues**

**3.1 *The Review has considering the implementation of the Act under the following six themes and, for the purposes of this report, the recommendations that affect councils have been highlighted. A full list of the recommendations is attached in Appendix1.***

**(1) Sentencing**

**3.2 *During the consultation process, stakeholders expressed concern about what they considered to be unduly lenient sentencing and the lack of consistency in sentencing. The Review is recommending that the penalties upon conviction are increased:***

- *Summary Offence will be increased from six months to twelve months and increasing the maximum fine from £5000 to £20,000.*
- *Indictable offences, The Review recommends increasing the maximum prison term from two years to five years.*

*This recommendation has already been accepted and is being progressed by the Department of Justice through the Justice Bill.*

**(2) Delivery Structures – *farmed animals, non-farmed animals and wild animals***

**3.3 *In relation to the councils' role in the delivery of the animal welfare service concerning non farmed animals, the Review has made recommendations to assist in the provision of a consistent service. The Review considered the current level of resources made available to councils by DARD. The Review recommended that the funding is kept under review by the Project Board and DARD. The Review also***

*recommended that councils continue to seek efficiencies where possible and identify savings, while continuing to maintain the current levels of service. The Review has also made recommendations regarding the development of policies, guidance and training opportunities for Animal Welfare Officers.*

**(3) Working together (facilitating enforcement)**

- 3.4** *The Review recommends that all enforcement bodies meet regularly to share experience and learning and establish protocols for working together in certain situations. The Review recommends that the draft MOU is updated between councils, DARD and the PSNI to reflect the outcome of the Review and new structures adopted by councils post LGR. The Review also recommends that councils meet with animal welfare organisations annually to discuss enforcement of the animal welfare legislation. To facilitate the need to monitor Disqualification Orders (i.e. those individuals who have been convicted of an animal welfare offence and who are banned from keeping animals) and other animal welfare offences, DARD will investigate options for council staff to have access to conviction data which is held on a central data base for criminal convictions known as the Criminal Records Viewer (CRV).*

**(4) Serving the Public**

- 3.5** *Stakeholders identified concerns around availability of contact information for the relevant enforcement body and asked for a 24 hour provision of the animal welfare service provided by councils. Concerns were also raised that there was not sufficient publicity surrounding convictions. The Review is recommending that DARD provide and maintain one single animal welfare website to act as a central point of contact for information. The Review considered the need to provide a 24 hour service by councils and, based upon the evidence provided by councils in relation to this provision and the associated costs, the Review decided that it would not be feasible to provide this level of service. In order to address the issues of publicity surrounding animal welfare convictions, the Review is recommending that DARD produce an annual report setting out information relevant to the public in terms of enforcement by each of the three enforcement bodies. It has also made recommendations to councils in relation to press releases to inform the public how to report an animal welfare concern.*

**(5) Dog Breeding and On-Line Pet Sales**

- 3.6 Following the Review recommendations, DARD will be seeking to change the legislation on Dog Breeding establishments and to provide guidance to assist Council Dog Wardens in verifying that socialisation and enrichment programmes are implemented at dog breeding establishments. The Review has also recommended that councils draw up a protocol for risk based unannounced inspections to ensure consistency across all council areas. The Review has also recommended that the conditions required to obtain a dog breeding licence are made available on all council websites.

**(6) Equines**

- 3.7 Under the Act, the enforcement in relation to non-farmed animals includes equines and this falls to councils. In addition to investigating offences of unnecessary suffering under the Act concerning equines, the issues facing the Councils' Animal Welfare service involves a proportion of abandoned horses which can add a significant cost burden to the animal welfare budget. The Review has acknowledged the considerable public nuisance caused by abandoned animals as well as the significant resource involved by the councils. The Review is recommending that DARD amends the Act to enable an accelerated process for the re-homing and disposal of abandoned animals which will significantly reduce the burdens on resources.
- 3.8 The Review has collated and considered all of the emerging issues that were raised during the meetings with stakeholders and has compiled a list of recommendations to be assigned to the relevant Agencies. A number of the recommendations will apply to councils for implementation and these have been considered by members of the Animal Welfare Project Board. The considered responses have been attached to Annex A against each recommendation which will form an action plan going forward including short term, medium term and long term timescales which will be reviewed every six months by DARD.

**Financial & Resource Implications**

- 3.9 The cost of delivering the Animal Welfare Service is fully funded by DARD. Costs associated with the delivery and implementation of the recommendations that affect councils will continue to be funded from this budget and are not expected to have an impact on the existing budget. The budgets continue to be reviewed by the Project Board and

**DARD to ensure that the service is delivered within existing budgets.**

**Equality or Good Relations Implications**

**3.10 There are no relevant equality considerations associated with the work.”**

The Committee endorsed the draft action plan response to the review of the implementation of the Welfare of Animals Act (Northern Ireland) 2011, which was considered by the project board for animal welfare which represented Councils in Northern Ireland. A copy of the draft action plan response was available on the Council’s website.

**Association of Port Health Officers: Overview and Scrutiny Committee**

The Lead Operations Officer reported that the Association of Port Health Authorities (APHA), of which the Council was a corporate member, was the only UK-wide organisation which represented the interests of Local Authorities and Port Health Authorities with responsibility for health controls at sea and airports.

She explained that the Council relied upon the Association of Port Health Authorities to provide a support mechanism for its Port Health Officers, through working with those from other port health authorities to develop help and guidance and share knowledge and good practice.

She reported that APHA had in place an Overview and Scrutiny Committee, which was comprised also of Elected Members and officers. The Committee was responsible for, amongst other things, ensuring that the interest of member authorities were being met, monitoring the Association’s finances and co-ordinating the development of the Technical Committees and the Port Liaison Network.

The Committee was advised that the Council’s Principal Environmental Health Officer (Port Health) had been serving on the Overview and Scrutiny Committee, however, the position was now due for re-election later in the year.

The Committee granted approval for the Principal Environmental Health Officer (Port Health) to submit his name for re-election and, if successful, to serve until September 2018 on the Association of Port Health Authorities’ Overview and Scrutiny Committee.

**Request for the use of Council Premises - Falls Park**

The Assistant Director advised that a request had been received for the use of Falls Park on 14th August to facilitate crowd dispersal at the end of a commemorative march. She reported that the march had been organised through the appropriate authorities to mark the 35th anniversary of the Hunger Strikes. The request was for the use of the park at the end of the march for a period of approximately one and a half hours from 3.30 p.m. till 5.00 p.m.



The Committee granted authority for the use of Falls Park on condition that:

- (i) the organiser ensures that all requirements, including health and safety, are met to the Council's satisfaction; and
- (ii) the event organisers meet all statutory requirements.

### **Brighter Belfast Environmental Awards**

The Director of City and Neighbourhood Services advised that the Brighter Belfast brand was no longer being utilised by any of the projects set up under the original overarching theme, with the exception of the Brighter Belfast Environmental Awards. He continued that, after seven successful events over ten years, it was felt that it was time to revisit the awards and examine alternative ways of celebrating the success of environmental projects being undertaken by community groups, schools and businesses.

The Director reminded the Committee that, at the People and Communities Committee meeting, 8th December, 2015, it had agreed to commit to the Council continuing to support the regional Live Here Love Here (LHLH) Campaign for a further year, during 2016/2017, up to a maximum of £41,000, from within the existing Cleansing Services anti-litter campaign budget. He explained that the programme was made up of various elements, which he outlined to the Members, and he recommended that the development and delivery of LHLH Awards be included in the campaign's work plan for 2016/2017. He explained that as this would be a Northern Ireland wide awards scheme, and that, since Belfast was a contributing Council, its communities, schools and businesses would be eligible to apply.

The Director advised that the LHLH Awards would be an ideal opportunity for the Council to support and celebrate the success of its community groups, schools and businesses on a Northern Ireland wide scale and that the event was likely to attract a higher media profile than the Brighter Belfast Awards.

The Committee noted the progress which had been made to date and agreed to terminate the Brighter Belfast Environmental Awards and to support the alternative Live Here Love Here Campaign, Environmental Awards.

### **Appointment of Public Analysts**

The Committee approved the appointment of the following suitably qualified persons to act as Public Analyst to the Council under Article 27(1) of the Food Safety Order (Northern Ireland) Order 1991:

- Mr Ronald Anthony Ennion BSc, MCemA, CChem, FRSC, MIFST
- Mr Alan Thomas Richards BSc, MChemA, CChem, FRSC
- Ms Watney Elizabeth Moran MSc, MChemA, CChem, FRSC
- Mr Duncan Kenelm Arthur BSc, MChemA, CChem, MRSC
- Mr Nigel Kenneth Payne MSc, MChemA, CChem, MRSC
- Ms Joanne Hubbard BSc, MChemA, CChem, MRSC

- Mr Kevin Wardle MSc, MChemA, CChem, MRSC
- Mr Jeremy Paul Wootten MA, MChemA, MRSC

**Issues Raised in Advance by Members**

**3G Pitches - The High Sheriff, Alderman Rodgers**

The Committee agreed that officers would prepare a report for a future meeting, detailing the number of Council 3G Pitches available per electoral ward and the sport which they were predominately used for.

Chairperson