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BELFAST CITY COUNCIL

SUMMONS TO ATTEND THE MONTHLY MEETING OF THE COUNCIL

**TO: THE RIGHT HONOURABLE THE LORD MAYOR,
ALDERMEN AND COUNCILLORS OF BELFAST CITY COUNCIL**

Notice is hereby given that the monthly meeting of the City Council will be held in the Council Chamber, City Hall, Belfast on Monday, 2nd February, 2015 at 6.00 p.m., for the transaction of the following business:

1. Reading of Scriptures
2. Chief Executive to submit Summons convening the Meeting
3. Apologies
4. To take as read and confirm the minutes of the Monthly Meeting of the Council of 5th January (Pages 3 - 8)
5. To receive official announcements and memorials, if any.
6. To receive and adopt the minutes of the proceedings of the Committees as follows:
 - a) Strategic Policy and Resources Committee of 23rd January (Pages 9 - 24)
 - b) Parks and Leisure Committee of 15th January (Pages 25 - 44)
 - c) Development Committee of 20th January (Pages 45 - 52)
 - d) Health and Environmental Services Committee of 7th January (Pages 53 - 68)
 - e) Licensing Committee of 21st January (Pages 69 - 76)
 - f) Town Planning Committee of 8th January (Pages 77 - 82)
7. Notices of Motion
 - a) Northern Ireland Driving Licences (Pages 83 - 84)
 - b) Interface Barriers (Pages 85 - 86)

The Members of Belfast City Council are hereby summoned to attend.

SUZANNE WYLIE

Chief Executive

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Council

MONTHLY MEETING OF BELFAST CITY COUNCIL

Held in the City Hall on Monday, 5th January, 2015
at the hour of 6.00 o'clock p.m., pursuant to Notice.

Members present: The Right Honourable the Lord Mayor
(Councillor Mallon) (Chairman);
the Deputy Lord Mayor (Councillor Hendron);
the High Sheriff (Alderman L. Patterson);
Aldermen M. Campbell, Ekin, Kingston, McCoubrey,
R. Patterson, Robinson, Rodgers, Stalford, Stoker
and Webb;
Councillors Attwood, Austin, Beattie, M. E. Campbell,
Clarke, Convery, Corr, Cunningham, Curran, Garrett,
Groves, Haire, Hanna, Hargey, Hussey, Hutchinson,
Jones, Keenan, Kennedy, Kyle, Mac Giolla Mhín,
Magee, McAteer, McCabe, McCarthy, McKee, McNamee,
McVeigh, Newton, Ó Donnghaile, Reynolds, Spence,
Thompson and Verner.

Reading of Scriptures

In accordance with Standing Order 9, the Lord Mayor read a passage from the Scriptures.

Summons

The Chief Executive submitted the summons convening the meeting.

Apologies

Apologies were reported on behalf of Alderman Browne and Councillors Carson, Kelly and Mullan.

Minutes

Moved by the Right Honourable the Lord Mayor (Councillor Mallon),
Seconded by Alderman Stalford and

Resolved – That the minutes of the proceedings of the monthly meeting of the Council of 1st December be taken as read and signed as correct.

New Year's Honours List

A Member reminded the Council that a number of individuals associated with the City, including Dame Mary Peters, Mr. Paddy Barnes and Mr. Jim Boyce, had been recognised in the New Year's Honours List.

The Lord Mayor, on behalf of the Council, congratulated all of the recipients and indicated that she would be writing to them to offer her congratulations.

**Meeting of Council,
Monday, 5th January, 2015**

Strategic Policy and Resources Committee

Moved by Councillor Reynolds,
Seconded by Councillor Newton,

That the minutes of the proceedings of the Strategic Policy and Resources Committee of 12th December be approved and adopted.

Request for Matter to be taken back to the Committee

Memorabilia in the City Hall

Councillor Attwood requested that part (1) of the minute under the heading "Memorabilia in the City Hall", relating to the relocation of the Celtic Myths and Legends and the Ulster Defence Regiment stained glass windows, be referred back to the Committee for further consideration.

The Chairman (Councillor Reynolds) declined the request.

Amendment

International Conference – Combating Hate Crime in Europe

Moved by Councillor Keenan,
Seconded by Councillor Attwood,

That the decision under the heading "International Conference – Combating Hate Crime in Europe" be amended to provide that the Council agrees to provide funding of up to a maximum of £20,000 for the event, subject to match funding being sourced within this financial year.

On a vote by show of hands seven Members voted for the amendment and twenty-five against and it was declared lost.

Adoption of Minutes

The minutes of the proceedings of the Strategic Policy and Resources Committee of 12th December were approved and adopted.

Parks and Leisure Committee

Moved by Councillor Newton,
Seconded by Alderman Rodgers,

That the minutes of the proceedings of the Parks and Leisure Committee of 11th December be approved and adopted.

**Meeting of Council,
Monday, 5th January, 2015**

Request for Matter to be taken back to the Committee

Amateur Boxing Strategy - Start-Up Club Funding

At the request of Alderman Stoker and with the permission of the Council, the Chairman (Councillor Newton) agreed that the minute under the heading "Amateur Boxing Strategy - Start-Up Club Funding" be taken back to the Committee for further consideration.

Amendment

Development of Land at Slievegallion Drive

Moved by Councillor McVeigh,
Seconded by Councillor Mac Giolla Mhín,

That the decision under the heading "Development of Land at Slievegallion Drive" be amended to provide that the Council proceed with the recommendations as set out within the report and, in addition, that officers arrange a meeting with residents in order to discuss any concerns which they may have in relation to the development.

On a vote by show of hands twenty-three Members voted for the amendment and twenty-two against and it was declared carried.

Request for Matter to be taken back to the Committee

Patrick Carlin – Blue Plaque

At the request of Councillor Reynolds and with the permission of the Council, the Chairman (Councillor Newton) agreed that the minute under the heading "Patrick Carlin – Blue Plaque" be taken back to the Committee for further consideration.

Adoption of Minutes

Subject to the foregoing amendment and omissions, the minutes of the proceedings of the Parks and Leisure Committee of 11th December were approved and adopted.

Development Committee

Moved by Councillor Hargey,
Seconded by Councillor Ó Donnghaile,

That the minutes of the proceedings of the Development Committee of 16th December be approved and adopted.

**Meeting of Council,
Monday, 5th January, 2015**

Amendment

The Rank Organisation – Proposed Casino

Moved by Alderman Stalford,
Seconded by Alderman R. Patterson and

Resolved – That the decision under the heading “The Rank Organisation – Proposed Casino” be amended to provide that the report to be submitted to the Shadow Strategic Policy and Resources Committee examines the economic impacts, both positive and negative, which casinos might bring to the City and include also any evidence resulting from research that casinos lead to an increase in urban decay or can assist in urban regeneration.

Request for Matter to be taken back to the Committee

Wheelworks Art Cart

At the request of Councillor Kyle and with the permission of the Council, the Chairman (Councillor Hargey) agreed that the minute under the heading “Wheelworks Art Cart” be taken back to the Committee for further consideration.

Adoption of Minutes

Subject to the foregoing amendment and omission, the minutes of the proceedings of the Development Committee of 16th December were approved and adopted.

Health and Environmental Services Committee

Moved by Councillor Corr,
Seconded by Councillor Jones and

Resolved - That the minutes of the proceedings of the Health and Environmental Services Committee of 2nd December be approved and adopted.

**Belfast City Council Traffic Regulation
(Belfast) Order (Northern Ireland) 2015**

Moved by Councillor Corr,
Seconded by Councillor Jones and

Resolved - That the Council agrees to pass a Resolution to make The Belfast City Council Traffic Regulation (Belfast) Order (Northern Ireland) 2015, as set out within the minutes of the meeting of the Health and Environmental Services Committee of 2nd December, and to be effective from 5th January, 2015.

**Meeting of Council,
Monday, 5th January, 2015**

Licensing Committee

Moved by Alderman Ekin,
Seconded by Councillor Ó Donnghaile and

Resolved - That the minutes of the proceedings of the Licensing Committee of 17th December, omitting those matters in respect of which the Council had delegated its powers to the Committee, be approved and adopted.

Town Planning Committee

Moved by Councillor Hanna,
Seconded by Councillor Hutchinson and

Resolved - That the minutes of the proceedings of the Town Planning Committee of 4th December, omitting those matters in respect of which the Council had delegated its powers to the Committee, be approved and adopted.

Lord Mayor
Chairman

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Strategic Policy and Resources Committee

Friday, 23rd January, 2015

MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE

Members present: Councillor Reynolds (Chairman);
the Deputy Lord Mayor (Councillor Hendron);
Alderman Robinson;
Councillors Attwood, M.E Campbell, Carson,
Clarke, Haire, Hargey, Jones, Kennedy,
Mac Giolla Mhín, McCarthy, McVeigh,
Mullan and Newton.

In attendance: Mrs. S. Wylie, Chief Executive;
Mr. R. Cregan, Director of Finance and Resources;
Mr. S. McCrory, Democratic Services Manager; and
Mr. B. Flynn, Democratic Services Officer.

Apologies

Apologies were reported from Aldermen Browne and Campbell, together with Councillor Corr.

Minutes

The minutes of the meeting of 12th December were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 5th January.

Declarations of Interest

No declarations of interest were reported.

Disposal of Land at Slievegallion Drive

(Mrs. C. Reynolds, Estates Manager, attended in connection with this item.)

The Committee agreed to defer consideration of a report regarding the costs associated with disposal of land at Slievegallion Drive to enable Council officials to host a further meeting with local residents in respect of the proposed development.

Democratic Services and Governance

February Meeting of the Committee

The Committee agreed to hold a short meeting of the Strategic Policy and Resources Committee on Friday, 13th February, to consider any urgent issues which might arise and that a meeting of the Shadow Strategic Policy and Resources

**Strategic Policy and Resources Committee,
Friday, 23rd January, 2015**

Committee would take place at 11.00 a.m. that morning to consider a number of matters pertaining to the new Council.

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

The Committee was advised 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 Delegates/Guests	Request	Comments	Recommendation
Cancer Focus Northern Ireland	European Cancer Leagues Annual Conference Dinner 12th November, 2015 Approximately 60 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 meeting will take place within the city. This event would contribute to the Council's Key Theme of 'City Leadership – Strong, Fair, Together'.	The use of the City Hall and the provision of hospitality in the form of wine and soft drinks Approximate cost £300
Belfast Chamber of Trade and Commerce	Belfast Business Awards 2015 27th May, 2015 Approximately 350 attending	The use of the City Hall and the provision of hospitality in the form of a drinks reception	This event will provide the opportunity to reward and acknowledge the work of the many businesses throughout Belfast who contribute not only to economic well-being of the City but also provide employment for many of the City's citizens. This event would contribute to the Council's Key Themes of 'City Leadership - strong, fair, together' and 'Better opportunities for success across the city'.	The use of the City Hall and the provision of hospitality in the form of wine and soft drinks Approximate cost £500

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Organisation/ Body	Event/Date - Number of Delegates/Guests	Request	Comments	Recommendation
Common Purpose	Meridian Course Final Day and Award Ceremony 6th August, 2015 Approximately 50 attending	The use of the City Hall and the provision of hospitality in the form of tea/coffee and biscuits.	<p>'Meridian' is a leadership programme that brings together a diverse group of leaders from the private, public, voluntary and community sectors. The participants learn how to improve their capacity to lead, effect change and expand their networks through the investigation of real-life challenges.</p> <p>This event will recognise the achievements of those individuals who have successfully completed the Meridian Programme.</p> <p>This event would contribute to the Council's Key Themes of 'City Leadership - strong, fair, together' and 'Better opportunities for success across the city'.</p>	<p>The use of the City Hall and the provision of hospitality in the form of tea/coffee and biscuits.</p> <p>Approximate Cost £125</p>
Belfast Teachers' Credit Union	50th Anniversary Celebration 9th October, 2015 Approximately 250 attending	The use of the City Hall	<p>This event will celebrate 50 years of the Belfast Teachers' Credit Union and its work in supporting not only its members but also young student teachers in Belfast through its scholarship scheme, together with donations to various charities in the City and also to international charities.</p> <p>This event would contribute to the Council's Key Themes of 'City Leadership – Strong, Fair, Together' and 'Better support for people and communities'.</p>	The use of the City Hall

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Organisation/ Body	Event/Date - Number of Delegates/Guests	Request	Comments	Recommendation
Black Mountain Shared Space Project	Launch of Shared Neighbourhood Survey 21st April, 2015 Approximately 50 attending	The use of the City Hall	This event will provide the opportunity to present the results of the cross-community survey undertaken to ascertain residents' views on all aspects of local services. This event would contribute to the Council's Key Themes of 'Better support for people and communities' and 'Better Services – listening and delivering'.	The use of the City Hall
Belfast Men's Health Group	Men's Health Week Event 2015 18th June, 2015 Approximately 300 attending	The use of the City Hall and the provision of hospitality in the form of tea/coffee and biscuits	This event will build on the success of the 2012, 2013 and 2014 events and will focus on the theme of Men's Health Week "Voices" with the aim of highlighting how others deal with traumatic experiences, overcome adversity and which forms of support they found most beneficial. This event aims to promote the importance of men taking part in physical activity while highlighting the range of activities they can participate in to enhance their health. This event would contribute to the Council's Key Themes of 'City Leadership – Strong, Fair, Together', '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 tea/coffee and biscuits Approximate cost £750

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Organisation/ Body	Event/Date - Number of Delegates/Guests	Request	Comments	Recommendation
Belfast Health and Social Care Trust	Service of Remembrance for Royal Belfast Hospital for Sick Children 18th October, 2015 Approximately 350 attending	The use of the City Hall and the provision of hospitality in the form of Tea, Coffee and Biscuits	This event will provide an opportunity for bereaved parents and relatives of children to come together and remember their loved ones and to share their experiences with other parents. 300 parents and children along with staff from the Royal Belfast Hospital for Sick Children participate and every year the Lord Mayor is invited to attend to light the Candle of Remembrance. This event would contribute to the Council's Key Theme of 'City Leadership – Strong, Fair, Together'	The use of the City Hall and the provision of hospitality in the form of Tea, Coffee and Biscuits Approximate cost £875

The Committee adopted the recommendations.

Award of the Freedom of the City – Michael Longley

The Committee agreed to recommend to the Council that it confer on Michael Longley the Freedom of the City and that a special meeting of the Council for that purpose would take place on Monday, 2nd March, to be followed immediately by the monthly meeting.

Finance/Value-for-Money

Audit Panel

The Committee approved and adopted the minutes of the meeting of the Audit Panel of 13th January.

Budget and Transformation Panel

The Committee noted the minutes of the meeting of the Budget and Transformation Panel of 12th January.

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Human Resources

Standing Order 55 - Employment of Relatives

It was reported that, in accordance with Standing Order 55 and the authority delegated to him, the Director of Finance and Resources had authorised the appointment of a number of individuals who were related to existing officers of the Council.

Noted.

Asset Management

Miscellaneous

In accordance with Standing Order 46, the Committee adopted the following recommendations:

- **The Waterworks Parks – Licence Agreement**

The Committee granted approval to 'Grow' to carry out minor site works within the Community Garden at the Waterworks Park. The proposed works would include the installation of drainage, paths, seating and the undertaking of a tree survey. That decision was in accordance with the recommendation of the Parks and Leisure Committee of 15th January.

- **Shaftesbury Recreation Centre – Rent Review**

The Committee approved a revised rent of £36,700 per annum, which would be backdated to 3rd February, 2014, in relation to the Lower Ormeau Residents Action Group's lease of the Shaftesbury Recreation Centre, as recommended by the Development Committee at its meeting on 16th December.

- **Smithfield Market – Future Lettings**

The Committee agreed to delegate functional responsibility for the letting of units at the Smithfield Market to the Director of Property and Projects, subject to such decisions being reported retrospectively to the Strategic Policy and Resources Committee.

Good Relations and Equality

Minutes of Good Relations Partnership

The Committee approved and adopted the minutes of the meeting of the Good Relations Partnership of 12th January.

Cross-Cutting Issues

Flood Alleviation in Belfast

The Committee considered the following report:

“1 Relevant Background Information

- 1.1 Members will be aware that Belfast has been impacted by a number of serious flooding incidents since 2005, in particular in 2012, and the Council had identified a number of flooding areas of particular concern. Following the serious flooding in June 2012 Members agreed that work be commissioned to allow the Council to develop a better understanding on the most significant flood risk areas in the city and to identify what additional measures would be needed to alleviate those risks. It was agreed that this work would be undertaken by the Council in conjunction with the three main drainage agencies; DRD Roads Service (now Transport NI), Northern Ireland Water and DARD Rivers Agency.
- 1.2 There has been considerable progress in addressing flood alleviation in the city since June 2012 and the purpose of this report to Committee is to highlight some of the main improvements (including those which are planned but not yet completed) and the outstanding issues mentioned in the research report, including the lack of progress in establishing a scheme for individual property protection.
- 1.3 Members will recall that Rivers Agency drafted a business case for such a scheme almost a year ago and the Chair of this Committee wrote to both DARD and DFP in February 2014 seeking clarification on the proposals, finance, timeframes and administrative arrangements for the scheme and welcoming early discussions on the implications of the proposed scheme for councils. The scheme is still under consideration by the Department of Finance and Personnel.

2 Key Issues

2.1 Flood Alleviation Measures

The number of government departments and agencies with responsibilities for flood alleviation makes it difficult to establish a single process that covers all the issues involved in improving the flood resilience of the city. However since the URS Report and a number of other reports published following the June 2012 flooding there has been considerable investment and much work done to alleviate flooding in

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Belfast. For example, phase one of the Connswater Community Greenway project and the flood defences at Victoria Park have been completed. This ensured that the Orangefield and Sandhill areas did not flood during recent flooding events. Phase two of the project is underway and will provide additional protection around the other culverts feeding into the Connswater and Loop rivers. A number of other significant schemes for Finaghy, Greystown and the Upper Malone area have also been launched and are due to commence next spring. These schemes will use a number of the mechanisms suggested in the report to deliver integrated solutions to flooding.

- 2.2 Coastal flood plans are well progressed and NIE, BT and NIW have taken action to protect their infrastructure in flood risk areas. In particular there has been considerable work to improve the resilience of the NIW pumping station at Sydenham. There is also a proposal to upgrade this pumping station to increase its capacity; and a further proposal to rebuild it in a new location.
- 2.3 The research report outlines other investigative and improvement work throughout the city including replacement gullies and manholes at Knocknagoney, repairs to collapsed sewers at Tennent Street and Tildarg Street, upgrading of river grilles at Knock Dual carriageway and replacement of a storm sewer pipeline in the Castlewood Manor area. The Report identifies the York Street Interchange Scheme as an example of a collaborative multi-agency approach having the potential to provide significant flood alleviation benefits for Belfast.

Innovative Approaches

- 2.4 Looking forward the report identifies that potential exists within Belfast for the implementation of a wide variety of Sustainable Drainage Solutions (SuDS), alongside traditional drainage methods, to help alleviate flooding. SuDS are forms of surface water management, which aim to be more sustainable than traditional piped systems, reducing both the risk of flooding and pollution. The report points to the potential for the Council to work with the Storm Water Management Group, the Rivers Agency and others to develop a green infrastructure plan for the brownfield sites in the city. It also recommends the alignment of planning processes within the city and consideration of how Belfast City Council Masterplan or new development plan can influence flood alleviation in line with Planning Policy Statement 15 (PPS15).

Individual Property Protection Scheme

- 2.5 The URS Report makes it clear that establishing a culture of self-help and resilience in neighbourhoods is an important aspect of flood protection and it refers to the business case developed by Rivers Agency for an individual property protection scheme. The Report suggests that such a scheme has significant potential to empower the public to help themselves, to reduce the likelihood of their homes flooding and to prevent financial hardship. It was proposed that this scheme would replace the current Flooding Hardship Payment Scheme, which the Council administers on behalf of the Department of the Environment (DOE) and it was anticipated that Rivers Agency would engage the Council regarding the administrative arrangements for the introduction of this scheme. However nearly a year on the business case for the scheme is still with DFP.

Recent Flooding

- 2.6 There were three significant severe weather events in October and November of 2014 which resulted in 49 properties in Belfast receiving a £1000 payment for severe inconvenience. It was interesting to note that 48 of those payments were made for the flooding on 16th October; an event which occurred very suddenly with a 'Yellow' severe weather warning and an advisory email from the Met Office issued less than two hours before the flooding occurred. This differed from the event of 6th November for which there was an 'Amber' warning in place well in advance and the public and drainage agencies were much better prepared to cope with the severe weather. The Council delivered sandbags throughout the day in advance of the rain and a number of river grills and gullies in flood prone areas were cleared. There were many factors associated with these events but observation would suggest that advance warning and a coordinated and collaborative preventative approach in November did help to mitigate the impacts of the heavy rain and prevent internal flooding on both 6th and 13th November, when only 1 property was flooded internally.
- 2.7 It should be noted that a significant number of the properties in south Belfast which flooded during recent events will benefit from the Finaghy, Greystown and Upper Malone schemes mentioned above. However the Report identified a number of other areas across the city where there was no particular reason for the flooding beyond the drains not being able to cope with the extreme conditions. Many of these areas are on the NIW DG5 Register. This is a register of properties at risk from internal flooding in a 2 in 10, 1 in 10 and 1 in 20 year

return period rainfall event. Capital investment projects are identified to remove as many of these properties as possible from the register but it is a regional register with over 200 properties on it and the proposed schemes are obviously subject to funding and approval from the Utility Regulator. Again the number of houses on the DG5 register and other properties where there is no remedy available to prevent flooding during extreme weather emphasises the need for a robust and accessible individual property protection scheme.

Outstanding Issues

- 2.8 A number of the operational flood planning groups have been collapsed down and merged with groups within the new regional resilience structures to achieve more streamlined and connected planning. However there is still a need to consider merging a number of the groups at a strategic level to establish a single forum or overseeing organisation to harmonise the work that is currently being undertaken by the drainage agencies and effectively connect with other organisations such as the Council to support working towards a strategic and comprehensive integrated planning approach to flood alleviation for Belfast. Such an approach could include developing similar innovative schemes to those mentioned in the research, for example developing a mechanism whereby funding could be made available to members of the public incentivising them to install sustainable drainage systems within their property boundary (similar to installing solar panels).
- 2.9 The Research concludes that it is difficult to establish a single process that will cover all issues involved in trying to improve the flood resilience of Belfast and it makes it clear that all flooding cannot be prevented. It is disappointing therefore to note that the Rivers Agency scheme for individual property protection has not progressed beyond DFP as the investment created by the proposed scheme, together with the planned area improvement schemes has the potential to have a significant impact on improving flood alleviation in Belfast. Individual property protection is particularly important at this time of government cuts with the DOE proposing to withdraw the scheme of emergency financial assistance. The current scheme provides the £1000 payments to householders and enables the Council to engage contractors to assist with the cleanup of properties and other related services.

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2.10 An update report was provided at the December meeting of the Emergency and Severe Weather Working group who recommended this to be considered at the next Strategic Policy and Resources Committee.

3 Resource Implications

3.1 The current DOE budget consultation proposes to withdraw the scheme of emergency financial assistance which could impact on the Council's ability to support the response to and recovery from flooding in the city. The Council currently claims back costs for deploying contractors for cleanup of properties, additional working out of hours and contractor costs for sandbag deliveries, conference calls, and such like. There is no money in the revenue estimates to cover these costs.

4 Equality and Good Relations Considerations

4.1 No particular considerations

5 Call In

5.1 This report is subject to call in

6 Recommendations

6.1 It is recommended that Members note the report and the significant progress that has been made to reduce the risk of flooding in areas of Belfast since June 2012. Members are also requested to note some of the barriers that still exist to achieving an integrated approach flood alleviation planning in the city.

6.2 It is recommended that the Committee agrees to write to the Finance and Personnel Minister with regard to the urgent need for a robust and accessible individual property protection scheme to prevent flooding; and to encourage the establishment of a single strategic overseeing group for Belfast to address integrated flood alleviation planning and other significant issues highlighted in this report."

During discussion, Members made the point that the Council's proactive approach to the issue of flooding was not being reciprocated by the agencies which were responsible primarily for the problem. Reference was made also to the fact that, given the extension of the Council's boundary into Castlereagh and Lisburn councils as a result of the Reform of Local Government, additional flooding 'hot spots' would come under the Council's remit, thus exacerbating the problem. It was suggested that the

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Council should seek to engage with the full range of government departments and the letter which would be forwarded to the Finance Minister suggesting the *“urgent need for a robust and accessible individual property protection scheme to prevent flooding”*, should be copied also to the ministers with responsibility for the departments of Social Development (DSD) and Agriculture and Rural Development (DARD) for information and comment.

The Committee adopted the recommendations and agreed that the correspondence to the Finance Minister would be copied also to the ministers with responsibility for DSD and DARD as outlined.

Homelessness in Belfast

The Committee considered the following report:

“1 Relevant Background Information

1.1 Following on from discussions at both the Health and Environmental Services Committee meeting and that of the Budget Panel in December 2014, a report for information was requested in relation to;

- On-going work regarding Homelessness in the City,
- The Council’s engagement with the relevant agencies,
- How the Council could co-ordinate initiatives with other public bodies and private sector businesses in the City to provide short term support and longer term assistance in tackling homelessness in the City

1.2 According to the Northern Ireland Housing Statistics Department for Social Development, 18,862 households presented themselves as homeless in 2013/2014 in NI.

1.3 More specifically, from 1st April 2014 to 6th January 2015:

- Across the Greater Belfast Area (including East Belfast Housing, Homeless Services Unit*, North Belfast, Shankill, South Belfast and West Belfast), the number of households presenting as homeless to the Northern Ireland Housing Executive was 4,056
- Across the outlying areas (Castlereagh, Lisburn Antrim Street and Lisburn Dairy Farm) the number of households presenting as homeless to the Northern Ireland Housing Executive was 1,712

**** The Homelessness Services Unit is located in Belfast. They will normally deal with clients who present in Belfast but do not have a fixed address in the Belfast area, e.g., no fixed***

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abode, people from outside NI etc. People who are homeless from a previous Belfast address will normally present to the District in which their former home was situated.

1.4 The Northern Ireland Housing Executive Homelessness Strategy for Northern Ireland, 2012 -2017 states:

- Homelessness continues to be a significant challenge in Northern Ireland and a problem that afflicts the lives of many of our citizens.
- There are numerous reasons for homelessness; family dispute, breakdown in living arrangements, addiction, mental ill health, debt and tenancy breakdown and so on.
- The effect of homelessness impacts on individual lives for years and this influence goes beyond the immediate lack of accommodation.
- It impedes an individual's health, financial and social well being. For this reason, no one organisation or agency can address these issues in isolation.
- There is now a greater need than ever to respond to homelessness in a coordinated multi agency approach as required in the legislation** and for each partner to contribute their expertise and resources to promote social inclusion.

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**** *The Housing (NI) Order 1988 (as amended)***

1.5 The Lord Mayor, Councillor Nichola Mallon, has established and chaired a multi-agency planning group with key organisations, statutory and voluntary representatives, which had its first meeting on 30th October 2014 to discuss her priorities for her term regarding homelessness. This was the first of its kind. Her priorities included the delivery of two events for homeless individuals:

1. A Christmas Lunch for single adults
2. A Shrove Tuesday event for families

1.6 The organisations involved in the events include: Council for the Homeless Northern Ireland, The Northern Ireland Housing Executive, DePaul, Welcome Organisation, Extern, The Salvation Army and The Simon Community. They have all welcomed the focus on homelessness and the two events being organised, and are supportive of the focus that Belfast

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City Council and the Lord Mayor has brought to opening up of the City Hall to homeless people.

- 1.7 At the City Hall Christmas Lunch on 19th December, the Lord Mayor welcomed 80 homeless people from across Belfast and hosted a Christmas lunch for those facing Christmas alone or on the streets.
- 1.8 This planning group, under the Chairmanship of the Lord Mayor, will co-plan and co-deliver the second event, a Shrove Tuesday event on February 17th 2015 and will once again engage with those who are homeless in Belfast, working in partnership with the organisations. Families will be the target audience for this event.

2 Key Issues

2.1 The Lord Mayor has given her commitment to:

- Support the forgotten citizens of the city and shine a light on the issue of homelessness
- Remind everyone of the issue of homelessness especially the statutory agencies and their duty of care
- Make the City Hall accessible for all of the citizens of Belfast City so everyone has a place.

2.2 There is now a greater need than ever to respond to homelessness using a coordinated multi agency approach and it is proposed that the planning group established to deliver the Christmas and Shrove Tuesday events continues to meet to take on this role. The statutory and voluntary partners involved have considerable expertise and resources to promote social inclusion in tackling this issue of homelessness and it is recommended the Council continues to support this group.

2.3 At the most recent multiagency planning meeting hosted by the Lord Mayor on 15th January the members confirmed the positive benefit of continuing to meet around this agenda, the benefits of a civic lead focus, and their willingness to look at a more strategic approach to tackling the issues in Belfast . One of the initial pieces of work will be to look at the gaps in service provision in the city and look at best practice elsewhere. The Lord Mayor is intending to visit Dublin to look at the recent challenges that city has faced and to look at what initiatives have been put in place. The role of the Council will be in the first instance to facilitate the discussions and this will be supported by staff within the Environmental Health Service.

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3 Resource Implications

- 3.1 Una Lappin, the Health Equity Project Officer will continue to support the Shrove Tuesday event in partnership with the Lord Mayor and all of the key organisations. Post the February event, officers will continue to support the BCC focus on the issue of Homelessness, with other relevant services/units within Council.**

4 Equality and Good Relations Implications

- 4.1 There are no relevant equality and good relations implications**

5 Recommendation

- 5.1 The Council to continue to co-ordinate and facilitate the planning group of key organisations to address homelessness issues in the City.”**

After discussion, during which a number of Members welcomed the findings as set out within the report, the Committee adopted the recommendation.

Belfast City Council – Transition Process

The Committee was advised that there remained a number of operational requirements to be carried out in respect of the ‘winding-up’ of the existing Council. Those requirements included the arrangements for the final meeting of the existing Council, the approval of the final minutes and the preparation of the final statement of accounts.

The Chief Executive informed the Members that the requirements for the final meeting of the Council were set out under Regulation 10 of the Local Government (Transitional, Supplementary, Incidental Provisions and Modifications) Regulations (Northern Ireland) 2014. She pointed out that, following the final meeting of the Council, those minutes would be sent to all Members who were present inviting representations to be made within seven days. At the end of that period, the Chairperson would consider any representations made and, if necessary, alter and then sign the minutes accordingly.

In addition, the legislation stipulated that the new Council must designate an officer with responsibility for the winding-up of the former Council. That officer, as stipulated under the legislation, would be the Chief Financial Officer who would have overall responsibility for that process. The Chief Financial Officer would be responsible also for ensuring the preparation of the final statement of accounts for the former Council.

The Chief Executive outlined also the plans which had been formulated to mark the ending of the former Belfast City Council. She indicated that two events would take

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place to acknowledge the contributions which had been made by both Elected Members and staff since 1973. Those events are set out as follows:

- an event for Elected Members which would take place on Thursday, 12th March, between 12 noon and 2.00 p.m. All former Lord Mayors since 1973 would be invited to attend with Members of the current and Shadow Council; and
- an event for staff which would take place on Monday, 30th March, between 1.00 p.m. and 2.00 p.m., to which all Elected Members from the current and Shadow Council would be invited to attend also.

The Committee noted the contents of the report and authorised the holding of the two events as outlined, financial provision for which had been included within the budget allocated for Local Government Reform.

Chairman

Parks and Leisure Committee

Thursday, 15th January, 2015

MEETING OF PARKS AND LEISURE COMMITTEE

Members present: Councillor Newton (Chairman);
the Deputy Lord Mayor (Councillor Hendron);
Aldermen Robinson and Rodgers;
Councillors Attwood, Beattie, Convery,
Corr, Cunningham, Hanna, Haire, Kyle,
Mac Giolla Mhín, McCabe, McNamee,
Mullan, Ó Donnghaile and Thompson.

In attendance: Mr. A. Hassard, Director of Parks and Leisure;
Mrs. R. Crozier, Assistant Director of Parks
and Leisure;
Mr. B. Flynn, Democratic Services Officer; and
Miss. E. McGoldrick, Democratic Services Officer.

Apologies

Apologies were reported on behalf of Councillor Verner.

Minutes

The minutes of the meeting of 11th December were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 5th January, subject to:

- (i) the omission of the minute of the meeting of 11th December under the heading "Amateur Boxing Strategy – Start-Up Club Funding" which, at the request of Alderman Stoker, and with the permission of the Council, had been taken back to the Committee for further consideration;
- (ii) the amendment of the minute of 11th December under the heading "Development of Land at Slievegallion Drive" to the effect that the decision had been amended to provide that the Council would proceed with the recommendations as set out within the report and, in addition, officers would arrange a further meeting with residents in order to discuss any concerns which they might have in respect of the development; and
- (iii) the omission of the minute of 11th December under the heading "Patrick Carlin – Blue Plaque" which, at the request of Councillor Reynolds, the Council agreed that the matter be taken back to the Committee for further consideration.

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Declarations of Interest

No declarations of interest were reported.

Patrick Carlin VC - Blue Plaque

(Councillor Reynolds attended in connection with this item.)

The Committee considered further the minute of the meeting of 11th December, which, at the request of Councillor Reynolds, and with the permission of the Council, had been taken back to the Committee for further consideration:

“The Committee was reminded that, at its meeting on 16th October, it had granted permission to the Ulster Covenant and Historical Society to place a marker close to the site of the grave of Private Patrick Carlin V.C., which was situated in the Friar’s Bush Cemetery. The Council, at its meeting on 3rd November, agreed that a letter be forwarded to the Ulster History Circle requesting that consideration be given to erecting a Blue Plaque at the site of the former cemetery at Abingdon Street, off the Donegall Road, to mark the original burial place of Private Carlin.

The Democratic Services Officer reported that the Ulster History Circle was currently considering the Council’s request and he indicated that further updates in this regard would be submitted in due course.

Noted”

Councillor Reynolds advised the Committee that he had since discussed the minute with the Director and indicated that, with hindsight, he was satisfied that it had been correct as set out.

The Committee reaffirmed its decision of 11th December.

Department Plan - Update

The Committee noted the contents of a report which provided an overview of the performance of the Parks and Leisure Department during the first nine months of the financial year 2014/15 when measured against its key targets and performance indicators as set out within the Departmental Plan.

Active Communities – Letter of Offer

The Committee considered the undernoted report:

“1. Relevant Background Information

- 1.1 Active Communities (AC) is a Sport Northern Ireland (SNI) programme, delivered from April 2010 to March 2015, through 11 council groups/ consortia including BCC.**

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- 1.2 After a period of consultation Sport NI wrote to Council on 6 October 2014 advising that they were prepared to continue with an Active Communities investment from April 2015 for 12months.

Their contribution will no longer provide support for management costs, which have been 10% of overall costs (approx £75,000 in 2014/15). They asked that Council signals its intention to proceed on this basis.

- 1.3 Parks and Leisure Committee in August 2014 agreed the response to Sport NI's consultation and for officers to develop an affordable and value for money delivery model.
- 1.4 Committee considered 4 options at its meeting in October 2014 and asked officers to examine budgets with partners to determine a way forward.
- 1.5 Sport NI issued a letter of offer to Council detailing the targets to be achieved and the budget allocations. Council is required to return their Form of Acceptance to secure the offer for the 2015 – 2016.

2. Key Issues

- 2.1 The AC programme has proved to be a valuable coaching and community resource, which has led to high levels of participation in the city including under-represented groups, whilst providing opportunities for partnership working.

The Council currently contributes up to a maximum of £50,000 per annum. This is currently managed in one of 3 ways:

- Sub-contract to Belfast Community Sports Development Network (BCSDN);
- Sub-contract to Disability Sport NI (DSNI); and
- Directly employing coaches through Leisure Services (now GLL).

Quantifiable benefits include the delivery of 40,419 sessions, 44,500 coaching hours, involving 67,286 participants with 587,148 participations realised.

- 2.2 Discussions are not fully concluded with partners and Sport NI to identify an appropriate delivery model.

Four Referral coaches will continue to be managed by Leisure Services at no additional cost.

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Three Disability coaches will continue to work within DSNI supported by a management fee of £7,000. Discussions are ongoing with BCSDN for employment of the remaining 18 coaches and are subject to an affordable management model.

- 2.3 Further to the options presented to Committee in October, these have been narrowed to:

Option 1: Continue 'as is' with a reduced management contribution including £7,000 to Disability Sport NI for management of three coaches; an affordable contribution to BCSDN to a maximum of £50,000; and Referral coaches managed at no cost by Leisure Services.

Option 2: Continue to employ three coaches through DSNI with a contribution of £7,000 for management fee. All other coaches managed through Parks and Leisure.

- 2.4 It is proposed that Council returns Sports NI's Form of Acceptance, indicating its intention to continue the programme in 2015-16. However, further work is required to examine budgets with partners to determine which of options 1 or 2 the council will implement.
- 2.5 An affordable and value for money delivery model will be presented to Committee for its consideration in February.

3. Resource Implications

Financial: Option 1 has additional costs of £7,000 for management of the programme which is not allowed for in existing estimates.

Human Resources: Option 2 will involve the management up to 22 coaching staff on fixed term contracts

Asset and Other Implications: None

4. Equality Implications

There are no equality and good relations implications at this stage. Screening of any emerging proposal will be undertaken in the future.

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5. Recommendations

Committee is asked to agree:

- that Council advises Sport NI of its intention to accept its letter of offer for the delivery of the Active Communities programme
- that Council advises Disability Sport NI of its intention to support their management of three specialist coaches
- that officers conclude discussions with BCSDN and SNI, to present a final recommendation on the delivery of the programme to a subsequent committee.”

The Committee adopted the recommendations.

Zoo Donations

The Committee considered the undernoted report:

“1. Relevant Background Information

- 1.1 A significant proportion of Belfast Zoo’s animal collection represents species that are endangered in the wild and managed as part of international inter-zoo collaborative breeding programmes. Such programmes are managed under the auspices of the European (EAZA) and World (WAZA) zoo associations, of which we are members. One of the roles of these programmes is to create conservation links between captive populations of endangered species being managed *ex situ* (i.e. the process of protection an endangered species outside of its natural habitat), and captive and wild populations being managed *in situ* (i.e. in the species natural habitat). Such links provide educational/awareness, scientific and financial support to those working in species’ range states.
- 1.2 Under the terms of our zoo licence issued by NIEA, we are required to demonstrate that we undertake conservation activities. Such activities are epitomised by the endangered species we manage in the zoo, but we are also required to evidence support for *in situ* endangered species conservation.
- 1.3 The zoo receives significant requests for *in situ* funding annually, and it is prudent that we develop an agreed process and identify approved projects for support, which will also enable us to provide justification for refusal of funding for projects that are not included in an annual plan.

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- 1.4 Fundraising for such projects is achieved by a variety of methods. Since Easter 2014, we have been receiving donations via a voluntary donation as part of entry price as per the agreed scale of charges. Additional fund raising activities, such as collection boxes, animal birthday parties, sponsored activities and animal themed weekends with a fundraising element have proved very popular with visitors and staff, and inadvertently provides for significant and positive joined work across the various zoo departments (i.e. business support and marketing, front of house and zoo keeper teams). Further, via the estimates process, a small annual budget is established for donations.
- 1.5 We have recently completed a rigorous review, which involved assessing every species, mostly those currently held in the zoo, for which there are current *in situ* conservation activities for which we receive funding requests. A range of personnel from across the zoo have been part of the review process.
- 1.6 We critically challenged each species against a set of criteria, including:

IUCN (International Union for the Conservation of Nature) wild status, i.e. vulnerable, rare, endangered etc. We reasoned that our assistance should be driven towards those species most endangered in the wild;

Were they held in the zoo?: we reasoned that fund raising activities would be somewhat easier if the species was part of the animal collection;

Was the species part of a EAZA or WAZA breeding programme?: we considered that species that were managed at European or Global level represented those with the best long term options for zoo lead *in situ* conservation activities;

Project endorsement: we chose those projects that had endorsement from a recognised conservation body (i.e. UWT, NIEA, BIAZA, EAZA, WAZA, IUCN);

Time project established: we preferred conservation projects that had been extant for a significant period;

Endowment to hold in zoo: some of the (rarest) species we look after can only be held in the zoo via payment of a one off or annual management fee to the conservation programme;

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Clear evidence of where funds would be spent: we reviewed each conservation project, its aims and objectives, and looked for clear evidence of how and where money would be spent, and ideally for regular feedback from the project on such conservation activities, which we could use for signage and use on social media for information purposes;

Had we already donated to the project?: we reasoned that for some projects we had already built a relationship, and had already considered that the project was strong and worthy of funding support;

Number of other supporters: we considered that to maximise Belfast Zoo's impacts as potential funders, for those projects that were already heavily supported Belfast's impacts would be reduced, while for projects where there were limited numbers of participants, the impact of our support could be considerable.

Cost of support: we have identified a number of projects where larger donations (of ideally greater than £2000 per annum) would be appropriate, and projects where donations per annum of between £1000 and £2000 are appropriate. However, we remain mindful that, particularly currently, donations are difficult to acquire and in some years it may not be possible to both support all our chosen conservation projects, and, the value of support we provide might also be reduced.

Regional mix: given the comprehensive animal collection in the Zoo, of predominantly mammals and birds, with species represented from around the world and all 7 continents, we felt that it would be prudent to select 4 geographical regions where we would focus our efforts of *ex situ* support activities, and which would further bring clarity for visitors and other donators.

1.7 We have thus selected the following 12 projects:

Northern Ireland (barn owls and white-tailed sea eagles);
South East Asia (Asian elephants, Visayan warty pigs, Francois' langurs, Moloch gibbons, tree kangaroos);
Madagascan and African primates (sifaka, lemurs and mountain gorillas);
South American primates (in Brazil and Colombia).

1.8 Additionally, we receive a number of funding requests on an irregular basis, to support projects via small amounts of money (less than £500), for specific pieces of research or

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conservation projects. In the last years, such requests have included titi monkeys in Colombia, Malayan tapirs, and red pandas. Such projects fit the criteria we used as part of the review, and we considered that it might be sensible to reserve a small portion of our annual budget, outside of that detailed above, so that small scale support can be given to such projects where they fit.

- 1.9 A zoo representative has been appointed as a project owner of each project. This person, usually at curator level, has been responsible for identifying the project, and will brief relevant staff (i.e. front of house staff, keepers), will provide information to zoo marketing for posters, signage, web site and social media use, will collate and disseminate feedback from the projects, and will liaise with commercial teams to ensure auditable processes are in place, i.e. for income collection, reconciliation and distribution, should specific fundraising activities over and above the donations at entrance and budgeted money be undertaken.
- 1.10 We intend to make one annual payment per project each year.
- 1.11 We intend to review the programme annually to ensure the continued support for appropriate programmes is regularly checked, and to ensure that any new projects for relevant species are identified and compared against those we currently work with. An idea for 2015/16 is that, via signage at the entrance, we inform visitors of the projects we have selected and ask them, via a disk system, to select the project they would prefer that their donated money is given to. Such a scheme works in supermarkets, and might encourage additional 'buy in' from visitors. It is unlikely that such signage will be in place until the start of the next financial year.
2. Key Issues
 - 2.1 Under the terms of our zoo licence issued by NIEA, and via our memberships of EAZA and WAZA, we are required to demonstrate that we undertake or support *in situ* conservation activities.
 - 2.2 A detailed and rigorous process has recently been completed in which we analysed the most relevant projects that we might be support.

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- 2.3 In order to provide focus for our fundraising activities, we have selected 4 regions from around the world, and identified 12 projects where funding would be appropriate.
- 2.4 We have further identified that a small reserve budget for project requests for funding of less than £500 would be valuable, and would allow some flexibility for requests of an urgent nature that fit our established criteria.
- 2.5 Arrangements are in place for zoo representatives to act as project owners, and for an annual review of our funding commitments.

3. Resource Implications

Financial

A total of approximately £20,000 will be available at the end of this financial year from which we will be able to make grants available to the selected projects. This represents income from donations as part of visitors' entrance fees, funds in the 2014/15 budget, and some deferred donations from the 2013/14 budget.

It is proposed that, for the end of this financial year (i.e. 2014/15) small grants (£1000) are made to the white-tailed sea eagle, tree kangaroo, lemurs and mountain gorilla projects. It is proposed that grants of £1500 are made to barn owl, Asian elephant, Visayan warty pig and Moloch gibbon projects. It is also proposed that grants of £2500 are made to Brazilian primates, François' langurs, sifaka and Colombian primate conservation projects.

All grants are of an appropriate size to assist each project and their aims.

An annual review of conservation projects will take place on this basis.

Human Resources

There are no immediate resource HR implications; zoo staff remain committed to this vital component of the zoo's work and willing to undertake additional duties to support these functions.

Asset and Other Implications

There are no other implications identified at this time.

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4. Equality Implications

4.1 It is considered that there are no equality or good relations implications.

5. Recommendations

5.1 Committee is asked to approve the approach taken to support conservation activities in Belfast Zoo.

5.2 The Committee is asked to approve the programme of donations in 2015/16 as outlined in 1.6 and agree that an annual review process will be put in place to support future donations.”

The Committee adopted the recommendations.

‘Grow Wild Project’ - Funding Opportunity

The Committee was advised an opportunity to bid for funding would be available for biodiversity projects under the Grow Wild Project. The Director reported that Grow Wild would be awarding funding of £120,000 to a Northern Ireland flagship site, one of four across the United Kingdom. He added that the project sought to bring people together to create an inspiring and exciting communal space by growing native plants. He suggested that an expression of interest for funding a biodiversity project, which would include the development of a seed bank of native wildflowers, be submitted.

The Committee agreed that an expression of interest be submitted.

Grow – Waterworks Park

The Committee was reminded that, at its meeting in February, 2010, it had approved a request from the Grow organisation to create a community garden within the Waterworks Park. The Director informed the Committee that Grow wished to apply for funding from the NGO Challenge Fund 2015 to carry out a programme of basic site development which would include ground works, an access ramp, seating, together with tree surgery and an associated condition survey.

The Committee agreed to approve the request for ‘Grow’ to, if successful, utilise the funding from the Challenge Fund to carry out the developments as outlined and, in accordance with Standing Order 60, to recommend to the Strategic Policy and Resources Committee that it agree to the granting of a Licence Agreement for that purpose.

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Fold Housing Association – Visteon Site Proposal

The Assistant Director advised the Committee that the Department had received a request from the Fold Housing Association to outline to the Committee its proposals for the development and management of play facilities and open spaces at the former Visteon site in West Belfast.

The Committee agreed to extend an invite to the Fold Housing Association to attend its meeting on 24th February and agreed also that all Members of the Council would be invited.

War Graves Commission

The Committee considered the undernoted report:

“1. Relevant Background Information

Correspondence was received by the Cemeteries Office from the Commonwealth War Graves Commission regarding the marking of graves of those deemed to be casualties of war and have been buried in our facilities.

2. Key Issues

In 2008 Council approved of the replacement of 5 special Memorial Headstones within the City Cemetery. The commission has reviewed this position and wishes to remove the special Memorial Headstones and erect headstones to the actual place of burial. They have provided details of 4 sites where they wish to do this within the Glenalina section. They will ensure that the ground where the memorial is being removed from will be fully restored. One headstone will remain where it is as it is not possible to mark the actual grave.

The Commission has identified two new war graves that require marking, one at Belfast City Cemetery and one at Dundonald Cemetery. As with previous requests the memorial would be a standard war pattern headstone manufactured in Irish Limestone and should be placed at the head of the grave. They have also confirmed that the War Commission will cover all the costs of any works or future upkeep of the memorials.

The cemeteries administration office has confirmed the details of the individuals identified as accurate. Legal Services advice was provided about the impact of any subsequent disputes and is content with the request by the War Commission.

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The Commission has also requested that any normal memorial fees would be waived in this instance.

3. Resource Implications

Financial

The foundation and erection fee for the grave in City Cemetery- Glenalina Extension would be approx £365 and £125; The foundation and erection fee for the grave in Dundonald Cemetery would be approx £285 and £125. This would result in a loss of income to the Council of £900.

Human Resources

No additional human resources required.

Asset and Other Implications

All future costs of upkeep would be at the expense of the Commission and this will be confirmed in a written agreement.

4. Equality Implications

None

5. Recommendations

Committee is asked to agree to the placing of the headstones and to waiving the normal memorial fees on the graves identified subject to further information and legal agreements.”

The Committee adopted the recommendation.

Proposal to Develop the Blanchflower Playing Fields

The Committee was reminded that, at its meeting on 14th August, 2014, it had considered a report regarding an emerging proposal from the Harland and Wolff Welders Football Club to develop the Blanchflower Playing Fields as a modern multi-purpose facility. The Director reported that a request to outline the proposals had been received on behalf of the club.

The Committee agreed to receive a presentation in this regard at its meeting on 24th February, 2015.

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Ormeau Park – Request for Use

The Committee was informed that a request had been received from Cancer Research UK for the use of the Ormeau Park for a Race for Life event on the 30th May, 2015.

The Committee granted authority for the staging of the event in Ormeau Park, subject to the development of an Event Management Plan and to satisfactory terms being agreed with the Director and subject to the following terms and conditions, that:

- the event organiser resolve all operational issues to the Council's satisfaction;
- an appropriate agreement being prepared by Legal Services;
- the event organiser meeting with all statutory requirements; and
- a bond payment of £5,000 be made to the Council.

City of Belfast Playing Fields

The Director reported that the Northern Ireland Schools' Football Association had requested permission to host the quarter finals of the Northern Ireland Schools Cup at the City of Belfast Playing Fields on Wednesday, 25th February.

He pointed out that it would be the fifth year in which the Council had hosted this event. He added that the event had enhanced cross-community engagement and the organisers had submitted a request for the free use of the pitches and ancillary facilities. The potential loss of revenue income to the Council for the use of the pitches would be approximately £942, the additional staffing costs had been estimated at £340. The Director reminded the Committee that it had granted free use of the facilities in previous years.

The Committee agreed to grant the free use of the pitches and associated facilities at the City of Belfast Playing Fields to the Northern Ireland Schools' Football Association, subject to the completion of an appropriate event management plan to the satisfaction of the Council.

County Grand Lodge of Belfast

The Director reported that the County Grand Lodge of Belfast had requested the use of the Barnett Demesne for its Belfast demonstration on 13th July, 2015. He advised the Committee that the Council had granted the use of the site for that purpose in previous years and that there had been no significant difficulties or problems reported.

The Committee granted approval, subject to the following terms and conditions:

- the event organiser resolves all operational issues to the Council's satisfaction;

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- an appropriate legal agreement being drawn-up, which would include the payment of a bond of £2,000 by the organiser; and
- the event organiser meeting all statutory requirements to the Council's satisfaction.

Abseil at the Belfast Castle

The Committee considered the undernoted report:

1. Background Information

- 1.1 A charity event is proposed to be held at Belfast Castle to raise funds for the Meningitis Research Foundation. Belfast Castle has been chosen for its unique location and marketing potential, especially for its beautiful gardens and panoramic views over the City.**
- 1.2 The Meningitis Research Foundation want to make this event special by promoting it as their first ever abseil at Belfast Castle, and therefore further raising the profile of the occasion. Previous abseils have been held at Belfast Castle by the Northern Ireland Hospice and the Girl Guides which were very successful.**
- 1.3 The event is scheduled to take place in September 2015.**
- 1.4 Consideration has and will be given to the health and safety implications and environmental issues involved with this event.**

2. Key Issues

- 2.1 The abseil will be organised and carried out by Bryson Lagansports who have been running charity abseil events for over 10 years. They use the highest standard of equipment and highly qualified instructors. They will provide all the necessary risk assessments, documentation and have 10 million pounds public and employee insurance policy applicable to this type of event.**
- 2.2 Bryson Lagansports will be required to undertake a risk assessment and to ensure that all health and safety and insurance requirements are met to the satisfaction of Belfast City Council.**

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3. Resource Implications

3.1 Financial

There are no financial costs to Belfast City Council.

3.2 Human Resources

There are no human resource implications to Belfast City Council.

3.3 Assets

Use of Belfast Castle for the event.

4. Equality Implications

4.1 There are no equality implications.

5. Recommendations

5.1 It is recommended that the committee grant authority for the charity abseiling event at Belfast Castle subject to the satisfactory terms being agreed with the Director and on the condition that:

- 1.** The event organisers meet the operational and health and safety issues to the council's satisfaction.
- 2.** Meningitis Research Foundation enters into an appropriate legal agreement as drafted by Legal Services.
- 3.** The event organisers ensure that all health and safety requirements are met and to the Council's satisfaction including risk assessments, safe systems of work, equipment, appropriate insurance and site inspection information."

The Committee adopted the recommendations.

(The Committee stood adjourned for ten minutes to allow Alderman Stoker to attend.)

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Amateur Boxing Strategy – Start-Up Club Funding

(Alderman Stoker attended in connection with this item.)

The Committee considered further the minute of the meeting of 9th September, under the heading “Amateur Boxing Strategy - Start-up Club Funding”, which, at the request of Alderman Stoker, and with the permission of the Council, at its meeting on 5th January, had been referred back to the Committee for further consideration. A copy of the minute in that regard is set out:

“1 Background Information

1.1 In October 2012, the Committee approved the draft budget and workplan for the Amateur Boxing Strategy 2012-2022.

1.2 Members will be aware that within the Strategy, under the theme of Club support and development, an action of providing start-up funding to allow for the development of new clubs across the city was included.

1.3 At its meeting in June 2014 Committee agreed to revisions to the budget area with £10,000 per annum allocated to support and develop new clubs. It was agreed that a further report would be brought to Committee to agree the mechanism and guidelines in providing this support.

2 Key Issues and Update

2.1 The support and development of new clubs complementing existing clubs especially in under-represented areas such as East and South Belfast will be an essential element in the successful legacy of the Amateur Boxing Strategy and key to providing a citywide service to all who may wish to enter the sport.

2.2 The programmes being delivered by our Boxing coaches and clubs citywide are increasing the demand for coaching provision and in-turn this will raise the demand for new clubs especially in areas of underrepresentation such as East and South Belfast. It is anticipated that a number of new club start-up requests for support will be received annually. The programme is actively promoting the sport through after schools activities across the city in liaison with existing clubs in each area.

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- 2.3** *Recently we have received enquiries for new club start-up support from potential clubs in Oldpark and on the Upper Ormeau Rd. A further enquiry has been received from a Castlereagh Boxing club interested in relocating to the Braniel area. More enquiries are anticipated to be received as amateur boxing develops as a mainstream sport citywide and as such an adopted start-up club fund and criteria for funding is required. A fund of £2500 per applicant has been allocated with £10,000 for new start-up grants in the current financial year.*
- 2.4** *The application form for funding has been developed by the Steering Group for new club support funding. Funding will be allocated on a first come first serve basis. The Steering Group following the support of the Sports Development Officer will assess the applications received within the specified guidelines for funding. The Director of Parks and Leisure will approve the proposed grants to new clubs under delegated authority as is currently the process for Support for Sport grants.*
- 2.5** *The table below indicates the proposed breakdown of new club funding with some examples of anticipated application requests*

<i>Item detail</i>	<i>Available Funding</i>	<i>Notes</i>
<i>Coach Education</i>	<i>£500</i>	<i>Coaching course associated to delivery of Boxing in club. E.g. Level 1 /2 /1 star courses</i>
<i>Equipment</i>	<i>£1000</i>	<i>Equipment deemed suitability by IABA for the delivery of Boxing in a club environment</i>
<i>Facility Development</i>	<i>£500</i>	<i>Support for other club goods or equipment necessary for delivery</i>
<i>Other misc</i>	<i>£500</i>	<i>Other items or services required for clubs set up.</i>
<i>Total available</i>	<i>£2500 (max)</i>	

- 2.6** *The following criteria have been recommended by the Steering Group in order to ensure best practice adherence:*
- 1.** *Applicants must submit a letter/email of support from County Board or higher within boxing along with this application.*

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2. *Provide evidence of governance documents (constitution and assorted policies) plus sign-up to Clubmark via IABA and / or BCC prior to acceptance of application.*
3. *Identify their catchment area for club and prove that other clubs are not necessarily affected by the new clubs establishment.*
4. *Not be established more than 6 months.*
5. *Not be a commercial venture of any nature.*
6. *Be established as a Boxing club (not MMA or other activities) and be affiliated to IABA or a recognised Nation GB).*

3 **Programme Plan and Resource Implications**

3.1 **Financial**

The budget for the Amateur Boxing Strategy has been agreed.

4 **Equality and Good Relations Considerations**

- 4.1 *There are no equality and good relations impacts from this grant scheme*

5 **Recommendations**

- 5.1 *That Members note the content of this report with regard to the current implementation of the Amateur Boxing Strategy 2012-2022.*
- 5.2 *The Committee is asked to agree the proposed mechanism and guidelines for allocation of grants up to £2500 towards the support of new clubs.”*

Alderman Stoker, with the permission of the Chairman, referred to the criteria for the start-up funding, specifically the stipulations regarding club affiliation. He suggested that they were somewhat stringent and would deter clubs located within areas where boxing was not as popular as other sports from applying for support. He suggested that the Committee might consider relaxing that stipulation to enable clubs which were working towards official accreditation to be eligible to apply for funding.

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Thursday, 15th January, 2015**

After discussion, the Committee re-affirmed its decision of 9th September, subject to the following amendments being made under 2.6 of the foregoing report, as set out below:

1. Applicants should, **where appropriate**, submit a letter or email of support from County Board or higher within boxing along with this application.
6. Be established as a boxing club (not MMA or other activities) and be **working towards** IABA or Nation GB recognition.

Chairman

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Development Committee

Tuesday, 20th January, 2015

MEETING OF DEVELOPMENT COMMITTEE

Members present: Councillor Hargey (Chairman);
Aldermen M. Campbell, Ekin,
Kingston, Stalford and Webb;
Councillors Beattie, Convery,
Kelly, Kennedy, Kyle, Magee,
McAteer, Mac Giolla Mhóin,
Ó Donnghaile and Spence.

In attendance: Mr. J. McGrillen, Director of Development;
Mrs. L. Toland, Head of Economic Initiatives
and International Development; and
Ms. C. Taggart, Community Services Manager; and
Mr. B. Flynn, Democratic Services Officer.

Apologies

Apologies were reported on behalf of Councillors Keenan and Verner.

Minutes

The minutes of the meeting of 16th December were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 5th January, subject to the omission of the item under the heading "Wheelworks Art Cart", which, at the request of Councillor Kyle and with the permission of the Council, had been taken back to the Committee for further consideration.

Declarations of Interest

No declarations of interest were reported.

Invest NI

The Committee agreed to request that the Shadow Strategic Policy and Resources Committee consider inviting representatives of Invest NI to address a future meeting of that Committee to discuss the Council's role in attracting Foreign and Direct Investment to the City.

Wheelworks Art Cart - Reconsidered Item

In accordance with the decision of the Council of 5th January, the Committee considered further the following minute:

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“Wheelworks Art Cart

The Committee was advised that a request had been received from Wheelworks, a youth arts group based in Belfast, seeking financial assistance to oversee the replacement of its purpose-built mobile arts hub, that is, the Arts Cart. The Director reported that the Arts Cart was used by Wheelworks to bring high-quality arts provision to communities in which there existed a lack of arts infrastructure and where levels of engagement were below average. The current Arts Cart was 14 years old and it was deemed necessary to acquire a replacement. He indicated that the total cost of the project would be £212,000, with the Arts Council providing £200,000 of that amount. Accordingly, the Director indicated that the Council had been requested to fund the projected shortfall of £12,000, provision for which existed within current departmental budgets.

The Committee agreed to provide £12,000 to Wheelworks for the purposes outlined.”

The Committee considered a number of documents which had been received on behalf of the Wheelworks organisation. Those documents outlined the scope of its work throughout Belfast and gave a breakdown of the number of children who had benefitted from the project, together with an overview of the range of activities which had been delivered.

After discussion, the Committee agreed to affirm its decision of 16th December, subject to the Director discussing with Wheelworks the feasibility of extending and enhancing its outreach work within the east of the City.

Support for Business Improvement Districts – Update

The Committee considered the following report:

“1 Relevant Background Information

- 1.1 Members will be aware that, at the December 2014 meeting of the Development Committee, a request for support from those working on the Business Improvement District (BID) applications for the Cathedral Quarter and Lisburn Road areas was presented to the committee for consideration.**
- 1.2 Members will also recall that the committee previously agreed to provide £45,000 to Belfast City Centre Management (BCCM) to support the recruitment of a member of staff to carry out preparatory work on a Business Improvement District (BID) for a defined area within the city core. The council’s funding was matched with a similar amount from Department for Social**

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Development (DSD), with the funding to be allocated over an 18 month period.

- 1.3 BCCM, Cathedral Quarter Trust and Lisburn Road Business Association (LRBA) were the three Belfast-based organisations selected to become pilots as part of a BIDs Academy'. This was an initiative by DSD to identify areas that had the potential and interest in becoming a BID area and to provide them with support to strengthen their initiative and make them better prepared once the BIDs legislation was in place and organisations were formally invited to apply to become a BID.
- 1.4 After discussion at the December 2014 meeting, Members asked that engagement take place between council officers and representatives from BCCM to see whether they had any capacity or resources available to provide support to CQT and LRBA to help them undertake the necessary preparatory work on their BID submissions. They also asked that maps of the BID areas in the city centre and Cathedral Quarter be provided for their information.

2 Key Issues

- 2.1 Cathedral Quarter Trust requested a contribution from the council of up to £37,000 towards a resource to carry out the BIDs preparatory work. They have already carried out a significant volume of work in analysing the database provided by Land and Property Services (LPS) and now need to spend time on additional promotion of the BID and securing support for the submission from local businesses. This work is currently being done within their own resources (both staff and financial resources) but they consider that it will require a full-time staff resource along with some administrative support and some overhead costs associated with promotional activities. They expect the overall costs to be in the region of £70-£80,000 and are seeking match funding from NITB and DSD.
- 2.2 Lisburn Road Business Association (LRBA) have carried out some preliminary work on the BID to date including defining the area, getting the database from LPS and undertaking some planning and preparatory works to set out the programme of activity for the coming year. The next stages for the group are to create a BIDs website and develop a regular newsletter, undertake a survey of the 300+ businesses in the BID area and carry out a review of services/ agreements currently in place within the BID area to clarify the baseline. Following that, they will develop a communications plan, develop the business

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plan and implement the campaign in the run up to the decision date in late Autumn 2015. LRBA currently has £12,000 that it has secured from Area Working Group monies and is using this to undertake the preliminary work. It estimates that it will need one full-time resource (costing around £35,000 p.a.) plus some overhead costs (indicative costs around £15,000) to carry out the required development activity.

- 2.3 The Development Committee was previously advised that there was no budget available with the Development Department to finance either of these requests in the draft budgets for 2015/16 or in the current financial year.
- 2.4 Officers from the Development Department also engaged with BCCM to identify whether they had any resources or capacity that they could allocate to support the development of the BIDs in Cathedral Quarter and Lisburn Road areas. At this point, BCCM have advised that their BIDs Manager has a full programme of work to meet the requirements set out in the BCCM BIDs submission. As such, she would not be able to provide any substantial support to either Cathedral Quarter Trust or Lisburn Road Business Association (LRBA).

3 Resource Implications

- 3.1 CQT have requested funding of £37,000 towards the cost of a BIDs Manager as well as some overheads. LRBA have requested funding in the region of £50,000 to support this activity. This represents a combined financial request of around £87,000. As highlighted above there are no resources currently available to meet these costs.

4 Equality and Good Relations Considerations

- 4.1 There are no specific equality and good relations implications.

5 Recommendations

5.1 Members are asked to:

- Note the requests for financial support towards the BID development process from CQT and LRBA
- Note the advice from BCCM that they are not in a position to provide any substantial support to either Cathedral Quarter Trust or Lisburn Road Business Association

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- **Advise on how the requests for support from Cathedral Quarter Trust and Lisburn Road Business Association should be considered in the absence of any financial resources at this point in time.”**

The Director outlined the principal aspects of the report and answered a range of Members' questions.

The Committee noted the information which had been provided and agreed that officers from within the Department would continue to facilitate discussions with representatives from both the Cathedral Quarter Trust and the Lisburn Road Business Association in respect of the BIDs process.

Culture, Arts and Leisure Committee - European Engagement

The Committee was advised that a request had been received from the Assembly's Culture, Arts and Leisure (DCAL) Committee inviting the Council to make a presentation at its meeting scheduled for 12th February. The Director reported that the presentation would relate to the Council's strategic approach to European engagement.

The Committee agreed that the Chairman and the European Manager be authorised to make a presentation to the DCAL Committee as outlined.

Markets Rights Policy

(Ms. N. Largey, Council Solicitor, attended in connection with this item.)

The Committee agreed to defer, until its meeting in February, consideration of the above-mentioned report to enable Members to undertake further consultations within their respective parties in respect of the matter.

Consultation Exercise - Generalist Advice Services

The Committee endorsed a draft response to the Department for Social Development's consultation exercise which was entitled, 'A Strategy for the Delivery of Generalist Advice Services in Northern Ireland from 2015 to 2020'.

To read that response, click on the following link: [Council Response](#)

Request for Funding - WOMEN'STEC

The Committee considered the following report:

“1 Background Information

- 1.1 A request for funding has been received from WOMEN'STEC for short term funding to address critical and immediate cash flow issues.**

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- 1.2 Based in Belfast, WOMEN'STEC provides training for women in non-traditional skills, specifically for the construction and ICT sectors and employs 5 staff. The aim of the organisation is to target social and economic disadvantage by supporting females back into employment, to promote workforce diversity and address skill shortages. The organisation operates training programmes across a number of disciplines including joinery, furniture making, plumbing, painting and decorating, ECDL, social media and digital services.
- 1.3 WOMEN'STEC is primarily funded through the delivery of a European Social Fund (ESF) project entitled 'Extend Training in the Community', expected to conclude in March 2015. To date over 300 women have benefited from this project, which supports females in disadvantaged areas to access soft skills, vocational skills and employability training to improve their ability to participate in the labour market or engage in further training.
- 1.4 Members will be aware that the ESF is an EU fund to address economic activity and increase workforce skills. In Northern Ireland the programme is administered by the Department of Employment and Learning (DEL). A call for projects under the new ESF programme was launched by DEL at the end of November 2014, closing 9 January 2015. Successful projects will be operational from 1 April 2015 to 31 March 2018.
- 1.5 Members will also be aware of the challenges faced by organisations in finding match funding for ESF projects. While projects may be approved for funding, many do not have their match funding identified and this is likely to generate significant demands on the council and other potential funders when the assessment process concludes in February 2015.

2 Key Issues

- 2.1 The current ESF project delivered by WOMEN'STEC entitled 'Extend Training in the Community (ETC)' will end in March 2015 and is the main source of income for the organisation. The programme is fully funded by ESF and the Belfast Regeneration Office (BRO). However changes to the rules in vouching expenditure of ESF projects and a delay in payments due to new audit requirements by DEL, have led to cash flow issues.
- 2.2 To alleviate financial pressures WOMEN'STEC has approached the Ulster Community Investment Trust (UCIT) to obtain a bridging loan of £20,000. However they have recently

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been advised that the application cannot proceed until additional resources are secured. In order to lever loan funding WOMEN'STEC must provide confirmation, by the end of January, that additional funding of £18,500 has been secured. If funding cannot be secured at that level, it is expected that WOMEN'STEC will cease to operate beyond February 2015.

- 2.3 WOMEN'STEC are continuing efforts to alleviate immediate cash flow issues and £1,500 has been secured through their social economy trading arm. Clanmil Housing Association has also committed £10,000 and engagement with private sector organisations is also taking place. However no further commitment has been confirmed. Despite these efforts a funding gap still exists to draw down the UCIT loan of £7,000.
- 2.4 WOMEN'STEC have submitted a project for consideration in the most recent call for applications for the new ESF programme. This new project 'Supporting People – Empowering Communities' (SPEC) will be delivered in partnership with Clanmil Housing Association. Targeting Clanmil Housing residents from across Belfast, this project will deliver training on DIY maintenance and money management. In addition the programme will offer apprenticeships and work experience placements to WOMEN'STEC students.
- 2.5 Delivery of this project will be dependent upon a successful ESF application and securing match funding requirements. Members will be aware that the ESF is a competitive process and that not all projects will be successful in receiving funding. WOMEN'STEC are seeking funding from a range of sources but they do not have all their match-funding in place at this point (like many other ESF applications).
- 2.6 To enable WOMEN'STEC to continue to operate in the short term and lever the loan from UCIT, members are asked to consider providing funding up to £7,000 to address the immediate cash flow issues faced by the organisation.

3 Resource Implications

- 3.1 The resource implication for this request is to provide £7,000 of funding to help the organisation access a bridging loan from UCIT. The Director of Development will be required to discuss this request with the Director of Finance and Resources given that no provision has been made within the current departmental budgets.

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4 Equality and Good Relations Considerations

4.1 None.

5 Recommendation

That the Director of Development engages with the Director of Finance and Resources to discuss the request given that no provision has been made within the current departmental budgets.”

The Committee agreed, in principle, to accede to the request and authorised the Director to discuss the matter with the Director of Finance and Resources to ascertain if a sum of £7,000 could be identified from within the Council’s budgetary underspend for that purpose. In addition, the Committee delegated power to the Directors to make the payment should sufficient funds be identified.

Chairman

Health and Environmental Services Committee

Wednesday, 7th January, 2015

MEETING OF HEALTH AND ENVIRONMENTAL SERVICES COMMITTEE

Members present: Councillor Corr (Chairman);
the High Sheriff (Alderman L. Patterson);
Aldermen Kingston and Stoker;
Councillors Austin, M. E. Campbell, Curran,
Clarke, Garrett, Jones, Keenan,
Kelly, Magee, McCarthy, McKee,
McNamee and Thompson.

In attendance: Mrs. S. Toland, Lead Operations Officer/
Head of Environmental Health;
Mr. T. Martin, Head of Building Control;
Mr. S. Skimin, Head of Cleansing Services;
Ms. N. Largey, Solicitor;
Mr. H. Downey, Democratic Services Officer; and
Miss. L. Francey, Democratic Services Officer.

Apologies

An apology was reported on behalf of Alderman McCoubrey.

Minutes

The minutes of the meeting of 2nd December were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 5th January.

Declarations of Interest

No declarations of interest were reported.

Presentation on Empty Homes Strategy

The Committee was reminded that, at its meeting on 4th June 2014, it had agreed to receive at a future meeting a presentation on the Empty Homes Strategy. It was reported that Ms. Elma Newberry, Assistant Director of Land and Regeneration, Northern Ireland Housing Executive, together with Mr. John McManus from the Housing Executive's Empty Homes Unit, were in attendance and they were welcomed to the meeting.

Ms. Newberry provided a brief overview of the Empty Homes Strategy, which was being delivered by the Department of Social Development in partnership with the Northern Ireland Housing Executive, which sought to raise awareness of empty homes

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within the public domain. She drew the Committee's attention to an Implementation Plan which had been formulated, the aims of which were primarily to develop an empty homes website for reporting purposes, to target 120 empty homes per year, to develop incentive programmes such as 'Repair and Lease' and 'Match-maker' schemes, and examine the enforcement process. She highlighted the fact that, as of 31st December, 2014, 484 homes within Belfast had been reported to the Housing Executive as being vacant and provided a breakdown of that figure on an area basis, details of which would be forwarded to Members in terms of specific streets.

During discussion, a Member raised the issue of unoccupied homes which had been causing a nuisance to neighbouring properties, by way of, for example, an overgrown garden or dampness, but which were not classified as being dangerous structures. The Head of Building Control advised that, under current legislation, the Council had limited powers in order to deal with such properties. Ms. Newberry explained that Empty Dwelling Management Orders had been introduced in England, but research had shown that they had been generally ineffective in addressing such complaints. She pointed out that important legislation was due to come into effect in Northern Ireland in September, 2015, which would allow for data-sharing between Land and Property Services and the Northern Ireland Housing Executive, which would enable the Housing Executive to access ownership details for vacant properties more easily, thereby expediting the process of enforcement.

A further Member expressed concern at the low uptake from Housing Associations in purchasing vacant properties to repair and let. Ms. Newberry explained that that had been due largely to the fact that most vacant properties were spread across the City, thereby creating significantly higher maintenance costs for Housing Associations. She stated also that Housing Associations generally favoured newly built developments as a more cost effective option.

A Member suggested that research be undertaken into more innovative ideas, such as "property guardianship" which was currently being used in parts of England, in order to restore empty properties to use. That initiative sought to encourage owners to rent their properties to suitable tenants at a reduced cost. In turn, the owner would have the benefit of a tenant residing in the property, thereby deterring squatters, vandalism and general deterioration, whilst the tenant would have the use of a house at a lower rent. Ms. Newberry and Mr. McManus were thanked for their presentation and left the meeting.

After discussion, the Committee noted the information which had been provided and agreed that a report be submitted to a future meeting detailing innovative initiatives for restoring empty homes to use, including property guardianship, and examples of best practice which had been implemented in other local authorities.

Tobacco Retailers Register for Northern Ireland

The Head of Environmental Health reminded the Committee that smoking was the single greatest cause of preventable illness and premature death in Northern Ireland, killing around 2,300 persons each year. She reported that the Northern Ireland Assembly had, since 2007, introduced a number of legislative controls to address this

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serious public health issue, the most recent of which had been the Tobacco Retailers Act (Northern Ireland) 2014. The Act provided for, amongst other things, the establishment of a central register of tobacco retailers, which it was envisaged would contain between 2,500 and 3,000 entries. Similar registers had already been established in the Republic of Ireland and Scotland.

She explained that the register would enable councils and the public to check the registration status of retailers in their area and would allow for nominated council staff to enter and observe information relating to regulatory action taken with regards to relevant tobacco control legislation. There would be no costs or conditions associated with registration for the business.

She reminded the Committee that, at its meeting on 8th October, it had been advised that the Department of Health, Social Services and Public Safety had requested that the Council assume the role of tobacco registration authority for Northern Ireland. The Committee had agreed, in principle, to the request, subject to that Department making available sufficient funding to cover in full the associated costs, and authorised officers from the Environmental Health Service and Digital Services to engage in further discussions around the proposal. She confirmed that the Department of Health, Social Services and Public Safety had since agreed to meet the full costs associated with the setting up and operation of the register, including officer costs.

Accordingly, the Committee agreed that the Council become the regional registration authority for tobacco retailers in Northern Ireland and delegated authority to the Head of Environmental Health to draft an appropriate Service Level Agreement and funding agreement in that regard.

Food Hygiene Rating Bill - Update

The Committee was reminded that, in June 2011, the Council had adopted the voluntary Food Hygiene Rating Scheme shortly after its introduction by the Food Standards Agency. The scheme was regarded as being a key public health measure and an incentive for businesses to improve and maintain their compliance with food hygiene legislation. Under the initiative, food hygiene ratings were published online and stickers displaying their rating were provided by the Council. However, the success of the scheme relied on consumers being able to access this information and businesses had not, to date, been obliged to display their rating.

The Head of Environmental Health reminded the Committee that the Food Hygiene Rating Bill had, on 4th November 2014, been introduced into the Northern Ireland Assembly, with a view to making it compulsory for food businesses, such as restaurants, takeaways and supermarkets, to display their hygiene ratings in a prominent position. She explained that the Bill was now at Committee Stage for detailed scrutiny and that the Council had received an invitation to submit by 12th December, 2014 to the Assembly's Committee for Health, Social Services and Public Safety, comments on its contents. The Committee had, on 2nd December, agreed that, due to the deadline, a response be submitted by officers, subject to subsequent ratification by the Committee.

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She drew the Committee's attention to a response which had been drafted by a specialist working group, comprising of the Council's Environmental Health Manager (Food Safety and Port Health) and which had been endorsed by the Chief Environmental Health Officer's Group (CEHOG) which represented all councils across Northern Ireland.

Accordingly, she recommended that the Committee endorse the following response and authorise the Environmental Health Manager (Food Safety and Port Health) to present, on 14th January, on behalf of CEHOG, oral evidence on the Food Hygiene Rating Bill to the Assembly's Health, Social Security and Public Safety Committee.

"FOOD HYGIENE RATING BILL

CEHOG supports the introduction of the Food Hygiene Bill requiring businesses to display food hygiene ratings and recognises this Bill has the potential to better inform consumers whilst encouraging business to comply with the hygiene requirements.

Some councils have expressed concerns about the detail of the Bill and particularly:

1. The scheme may be resource intensive and if, at some stage in the future, councils consider that the scheme is not making the best use of their limited resources to improve the health and wellbeing of its citizens, they would like an option to opt out. Consultation was carried out with the existing 26 councils and the support for a mandatory scheme may need to be re-assessed in line of the forthcoming Local Government Reform and resultant 11 councils. This scheme locks councils in at a time when FSA focus is increasingly on food standards work, food fraud and health improvement. These concerns are within the context of increasing budgetary stress, the aftermath of the horse meat scandal and the Elliot review. The focus is now shifting from Food Hygiene where compliance levels are high towards Food Standards.

2. Its prescriptive nature in terms of response times for councils and detailed requirements around provision of the service. CEHOG recognises the need for agreed standards but is of the opinion that they should not be absolute legal requirements and are more appropriate in statutory guidance rather than in the Bill itself.

3. Whilst recognising the need for safeguards to protect businesses the appeals and re-rating requirements may be overly protective of businesses awarded poor ratings. This could be to the detriment of the consumer – the main stakeholder.

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4. FSA policy to reduce the inspection burden through introducing flexibilities in the intervention requirements contained within the Food Law Code of Practice (FLCOP) and the financial stress councils are facing is likely to result in many food premises not being inspected as often or in the case of lower risk premises being removed from inspection programmes altogether.

CLAUSE 1: FOOD HYGIENE RATING

Clause 1(1)

Where a district council has carried out an inspection of a food business establishment in its district, it must rate the food hygiene standards of the establishment on the basis of that inspection.

Consumers may assume that all premises are subject to a reasonably frequent inspection programme to ensure ratings are periodically updated. This expectation may not be consistent with the FLCOP and FSA policy. The FLCOP encourages the removal of lower risk premises from inspection programmes and alternating between inspections and lighter touch interventions for the majority of other premises in an effort to reduce the regulatory burden on businesses. Therefore significant numbers of premises do not require inspection and most other premises are only required to be inspected every 3 or 4 years. Light touch interventions which may replace inspections would not collect sufficient information to produce a food hygiene rating. Therefore for some premises there is no mechanism to ensure the renewal of their rating and these will, over time, become out dated. Consumers can only expect that most premises have been rated within the previous 3- 4 years.

Clause 1(5)

A reference to carrying out an inspection of a food business establishment is a reference to carrying out an activity in relation to the establishment as part of official controls under Regulation (EC) 882/2004

Comments

What constitutes an inspection for rating purposes needs to be more clearly defined and consistent with requirements for an intervention rating within the FLCOP which states “The intervention rating(s) of a food business should only be revised at the conclusion of an inspection, partial inspection or audit, and in accordance with Annex 5. An officer must have gathered sufficient information to justify revising the intervention rating”.

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CLAUSE 2 - Notification & Publication

2(1) Within 14 days of carrying out an inspection of a food business establishment, a district council must, if it has prepared a food hygiene rating for the establishment on the basis of that inspection, notify the rating to the operator of the establishment.

(3) The notification must be in writing and accompanied by -
(relevant information as stipulated in a-h).

CEHOG agree that businesses should be notified of their rating in writing within 14 days as is the case under the voluntary scheme. There may be exceptional circumstances where this may not be possible and therefore an absolute legal requirement is not appropriate. CEHOG would suggest that the timeframe be detailed in (statutory) guidance rather than be prescribed in law. CEHOG are of the view that councils should monitor compliance with this requirement under section 14(1) and report performance to the FSA

Furthermore it may not be appropriate for all the information outlined under Clause 2(3) a-h to be provided at the same time, for example some councils may provide information on compliance in writing at the time of inspection and notify the Food Business Operators (FBOs) of their rating at a later time.

2(6) The Department may by regulations prescribe the form of sticker to be provided under subsection (3)(a).

Comments

2(6) As is the case with the voluntary scheme councils should be permitted to apply their own corporate branding to the stickers in addition to the FSA branding. This will reflect the major role the councils have in delivering the scheme and raise awareness that business and consumers should contact their local council if they have any queries. The FSA should cover the total costs of producing the stickers including the council branding as part of their contribution to the scheme.

CLAUSE 3 - Appeal

3(1) The operator of a food business establishment may appeal against the establishment's food hygiene rating.

Comments

CEHOG believe an appeal mechanism is an essential element of the FHRS, although some councils have expressed concerns about the potential resource implications. CEHOG supports clause 14 (3 b) which requires the FSA to review the operation of this section.

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CLAUSE 4 – Request for Re-rating

4(2) Within three months of receiving the request, the district council must -

a) inspect the establishment and review the establishment's food hygiene rating on the basis of that inspection

Comment

CEHOG fully supports the provision that businesses may request additional inspections for the purposes of re-rating.

The term *inspection* is used again in this section without definition although section 16 (2) states it is not to be read in accordance with section 1. The term *inspection* for the purposes of re-rating should be clearly defined and consistent with that in the *brand standard* under the voluntary scheme to be *any official control*.

4(2)(a) Under the proposed scheme the maximum period of time between initial inspection and re-rating is just approximately 4 months as opposed to the voluntary scheme which is just approximately 6 months.

Whilst this might be favourable to FBOs it may encourage temporary improvements which would defeat the purpose of the scheme. CEHOG supports clause 14 (3)(c) which requires the FSA to review the operation of this section. This should evaluate fluctuations in compliance rates.

There is currently no limit on the number of revisits that a business owner can request and the payment of fees may favour the larger businesses due to their ability to pay for multiple visits. CEHOG are of the opinion that businesses should only be able to demand one re-rating inspection in any 6 month period. This will help reduce demand on councils whilst allowing business sufficient opportunities for re-rating.

A flat fee for Northern Ireland has been suggested in previous consultation responses to be set at a level to help prioritise only reasonable requests.

4(3) Within 14 days of carrying out an inspection under subsection (2), the council must notify the operator of the establishment of its determination on reviewing the establishment's food hygiene rating

CEHOG would repeat the comments made under clause 2(1) to the effect that timeframes for notification should be stipulated in (statutory) guidance as opposed to legislation. And performance should be closely scrutinised by councils and reported to the FSA under section 14(1).

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CLAUSE 6 - Validity of rating

6(1) A food business establishment's food hygiene rating –
a) becomes valid when it is notified to the operator of the establishment under section 2, 3 or 4 (as the case may be), and
b) unless it ceases to be valid as a result of subsection (2), continues to be valid until, where there is a new food hygiene rating for the establishment, the end of the appeal period in relation to that new rating.

Comments – Offence

Clause (10) Concerns have been raised about implications on the potential council resources to monitor the display and accuracy of stickers on premises. Enforcement may prove to be a lower priority within some councils.

Some councils have concerns that the proposals allow a business to display their old rating until the end of the appeal period. Where a business's compliance has significantly fallen, this will mislead the consumer. CEHOG are of the opinion that a business should be required to display the new rating or an awaiting rating sticker until the end of the appeal period. Furthermore, councils should be given the power to remove FHRs stickers immediately should there be a significant drop in standards.

There is the potential for a delay in updating a new rating on the website. This may contrast with a more up-to-date rating on display at the premises.

CLAUSE 7 - Duty to display rating

7(1) The operator of a food business establishment must ensure that a valid sticker showing the establishment's food hygiene rating is displayed in the location and manner specified by the Department in regulations for so long as the rating is valid.

Comments

CEHOG is of the view that the sticker should be visible to consumers before they enter the premises so enabling customers to make an informed choice prior to entering.

It will be essential that the requirements of these regulations are clear and supported by guidance sufficient to ensure consistency of enforcement.

CLAUSE 8 - Duty to provide information about rating

8(1) The operator of a food business establishment or a relevant employee at the establishment must, on being requested to do so,

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orally inform the person making the request of the establishment's food hygiene rating.

Comments

CEHOG welcome this clause whilst recognising it may be difficult to enforce.

CLAUSE 10 & 11

CLAUSE 10 - Offences

10(7) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

CLAUSE 11 - Fixed Penalty

11(3) The Schedule (which makes further provision about fixed penalties) has effect.

Comments

CEHOG note the fixed penalty amount under the Welsh scheme is set at £200 and consider this an appropriate penalty. CEHOG are of the view a similar penalty is required in NI to provide a suitable deterrent.

CEHOG believe an additional offence should be considered to prevent an establishment making any misleading claims or false advertising with respect to a valid rating. A catch all clause of this nature could cover claims made other than by way of a FHRS sticker.

CLAUSE 12 - Provision of information for new businesses

12- (1) this section applies if an establishment which is or would be a food business establishment-

(a) is registered under article 6 of Regulation (EC) 852/2004 by a district council, or

(b) applies to a district council for approval under Article 4 of Regulation (EC) 853/2004.

(2) the district council must, within 14 days of making the registration or receiving the application, provide the person who is or would be the operator of the establishment with such information as the Department may specify in regulations.

Comments

A key objective of our enforcement and regulatory policy is to support the local economy and in particular to assist businesses in complying with their legal obligations. Councils adopt a range of techniques to do this including provision of seminars for new businesses, operating business advice centres, identifying and providing information to new business prior to their opening etc.

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CEHOG would encourage the FSA to engage with councils to agree standards or develop guidance on the provision of information for the FHRS and CEHOG supports an FSA review of this approach under section 14. However CEHOG is of the opinion that using a legislative instrument to require councils to provide information to all businesses within 14 days of making the registration is not appropriate. Councils should have some flexibility in how they achieve the overall objective, providing information in the most appropriate way.

We agree that councils will want to support businesses particularly new businesses to build compliance and specifying 14 days for information to be forwarded to newly registered businesses should not pose any particular problem for local councils. However it places an additional burden on councils and timeframes should, if required, be contained within guidance.

CLAUSE 13 – Mobile Establishments

13(1) The Department may by regulations make provision for enabling the transfer of the inspection and rating functions of a district council, in so far as they are exercisable in relation to mobile food business establishments registered with the council under Article 6 of Regulation (EC) 852/2004, to another district council.

Comments

Premises would usually be inspected during operating hours rather than at their home address where trading may not take place. It is envisaged that this would require agreements and co-operation between councils.

CLAUSE 14 - Review of operation of Act

14(1) Each district council –

- a) must keep the operation of this Act in its district under review, and
- b) must provide the Food Standards Agency with such information as it may request for the purpose of carrying out a review under this section.

Comments

This should give some more detailed direction on the type and extent of review that is expected. Information currently required by FSA should be revised to reflect the additional requirements so as to avoid an additional administrative burden.

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Under section 14(2) the FSA must carry out a review of the Act. Considering some of the concerns raised by councils CEHOG welcomes the inclusion of this clause.

14(3) The review must include a consideration of the following matters –

- a) where this Act specifies a period in which something may or must be done, whether that period is adequate for the purpose;
- b) whether section 3 is operating satisfactorily;
- c) whether section 4 is operating satisfactorily and, in particular, whether there should be a limit on the number of occasions on which the right to make a request for a re-rating under that section may be exercised.

FSA 14(3) The review should measure the progress of the statutory scheme in achieving the stated aims and objectives, in particular improving compliance (as determined by ratings, not re-ratings) and reducing foodborne illness in NI and providing value for money.

The review should estimate the resource burden placed on councils and seek their views as to how successful the scheme has been, considering value for money and where they would like to see the scheme improved.

The review should include consultation with all relevant stakeholders especially consumers.

CLAUSE 15 – Guidance

15 In exercising a function under this Act, a district council must have regard to –

- a) guidance issued by the Department, and
- b) guidance issued by the Food Standards Agency.

Comments

CEHOG consider that guidance should be definitive, clear and timely.

CLAUSE 16 – Interpretation

CEHOG believe this should include definition of inspection for rating and inspection for re-rating.

CLAUSE 17 - Transitional Provision

The Bill allows for the Department to make a transitional provision which would allow councils to use historical data to produce ratings.

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CEHOG are of the opinion that historical data should be used to produce ratings for all premises within scope, and CEHOG also supports the introduction of transitional provisions to facilitate this.

There must be a widely advertised campaign for food businesses, covering the whole of Northern Ireland, well in advance of the introduction of mandatory display legislation.

CLAUSE 18 - Regulations and Orders

Councils welcome the option for making regulations and orders under the scheme to permit necessary improvements/amendments following consultation with all stakeholders.

CLAUSE 19 - Crown Application

CEHOG agree that the duty to display should apply to Crown premises.

CLAUSE 20 - Short title and commencement

20(2) CEHOG believe that the timing of enactment date is very important to councils as they are preparing for LGR and transition to larger councils and welcome some space for this reform process to be embedded prior to enactment”

The Committee adopted the recommendations.

Tackling Anti-Social Behaviour – Internal Review

The Head of Environmental Health reminded the Committee that, at its meeting on 4th June, 2014, it had approved Terms of Reference relating to an internal review of practice and service delivery in relation to anti-social behaviour. The purpose of the review was to provide a level of assurance that the Council’s response to anti-social behaviour was effective and consistent. The review would consider also changing needs within the City, with a view to providing a more focused and cohesive approach in addressing anti-social behaviour. It would provide also an element of scrutiny in relation to anti-social behaviour related work, in keeping with the Council’s obligation to secure continuous improvement in the way in which its functions were exercised.

She reported that the Health and Environmental Services Committee had also appointed representatives to a Strategic Project Board in order to provide guidance and direction to those officers who were undertaking the review. The Board had met on 19th September and had approved a project plan which had identified a number of actions, under the themes of accountability, customer service, information and communication, prevention and early intervention and process, which would seek to tackle antisocial behaviour and improve the service which was provided to communities.

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She provided an overview of the progress which had been made to date, which had involved, amongst other things, the facilitation of workshops for frontline staff within the Community Safety and Parks Sections. A mapping exercise had been undertaken to collate information on anti-social behaviour across the City in order to identify areas of concern. That had identified four areas, namely, Falls Park/City Cemetery and Musgrave, Orangefield and Woodvale Parks. Staff from the aforementioned sections had met to examine ways in which to implement focused interventions in those areas and had drafted a plan, which would be monitored by a project team, for delivery in each area from mid-January.

After discussion, during which the Head of Environmental Health confirmed that Members would be invited to participate in the project teams, the Committee noted the information which had been provided and that a report providing an update on the effectiveness of the initiative would be submitted to a future meeting.

**Result of Judicial Review re: Application for a Dual-Language
Street Sign at Ballymurphy Drive**

(Ms. N. Largey, Solicitor, attended in connection with this item.)

The Head of Building Control informed the Members that the power for the Council to consider applications to erect a second street nameplate in a language other than English was contained within Article 11 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995. He explained that, in accordance with the Council's policy for the erection of dual-language street signs, a survey of all persons appearing on the Electoral Register for that street, together with tenants or owners of commercial properties, was required to be undertaken. At least 66.6% of those surveyed would be required to be in favour of the proposal before the application could be placed before the Committee for approval.

He reminded the Committee that, at its meeting on 6th August, 2014, it had been advised that, following an unsuccessful application by a resident of Ballymurphy Drive to have an Irish language sign erected in that street, the applicant had applied for a Judicial Review against both the decision and the Council's policy in relation to Dual-Language street signs. He explained that the figure of 66.6% of those surveyed in the street had not been attained and therefore the application had not been presented to the Committee.

He reported that the Judicial Review had been heard on 5th September and 10th November, 2014 before Mr Justice Horner and had been based on the following five grounds:

("Ground 1")

The refusal of the Council to consider the proposal to erect an Irish language Street name plate at Ballymurphy Drive was ultra vires, because the respondent fettered its discretion in applying the policy in such a way as to prevent due consideration being given to the particular circumstances of this application.

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(“Ground 2”)

The Council’s dual language street sign policy is unlawful because it requires two-thirds or more of the occupiers appearing on the Electoral Register to indicate that they are in favour of the proposal to erect a second language street sign and /or because it deems those who do not reply to the proposal as not being in favour of it and/ or set the level of expressions of approval at the same threshold as that formally required to change the street name.

(“Ground 3”)

The terms of the policy are inconsistent with the terms of Article 11 of the 1995 Order, insofar as Article 11 requires the respondent to have regard to the views expressed by the occupier, whereas the policy allows those who do not respond to be considered to have expressed opposition to it.

(“Ground 4”)

The policy is inconsistent with the council’s commitment to act in accordance with it’s obligations under the European Charter for regional or minority languages, and in particular the Charter obligation under 10(2)(g) to the use of adoption of traditional and correct forms of place-names in regional or minority languages.

(“Ground 5”)

The policy was ultra vires as it was an attempt to re-enact the substantive terms of (the repealed) Section 21 of the Public Health Amendment Act 1907, where no such legislative power exists.

He informed the Committee that Mr Justice Horner had, on 4th December, 2014, delivered his decision and had found that the Council’s decision making process had been lawful and that the applicant’s challenge had failed on each of the aforementioned five grounds. In particular he had determined that, as a general proposition, international treaties or agreements which had not been incorporated into national laws, were not enforceable. He had determined also that a public authority could not be obliged to treat itself as bound to act in compliance with an international obligation and that, even where it does so, the Courts would adopt a very light-touch review which would not extend to ruling on the meaning or effect of the international treaty.

The Head of Building Control reported that an order for costs had been made in favour of the Council, however, as the applicant was in receipt of legal aid, the order could not be enforced without further leave of the court.

The Committee noted the information which had been provided and noted that a copy of Mr Justice Horner’s decision could be viewed on the Mod.gov site.

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Building Control

Application for the Erection of Dual-Language Street Signs

The Head of Building Control reported that the undernoted application to erect an additional street nameplate in a language other than English had been received by the Council:

English Name	Non English name	Location	Applicant
Glenshane Gardens	Garraithe Ghleann Sheáin	Off Slieveban Drive, BT11	Ms Rosie McCorley

He explained that, in accordance with Council policy, a survey had been conducted which had ascertained that in excess of 66.6% of the residents of the street had been in favour of the above-mentioned second street nameplate. Accordingly, he recommended that the erection of the nameplates be authorised.

The Committee adopted the recommendation.

Extension of Cleansing Services Litter Bin Tender

The Head of Cleansing Services reminded the Committee that, at its meeting on 2nd February, 2011, it had granted approval to undertake a tendering exercise for the supply and installation of litter bins over a two year period. He explained that the contract, which covered both free standing and post-mounted bins, had ended on 31st August, 2014. However, the priority afforded to awarding vehicle tenders, in addition to Local Government Reform commitments, had meant that a tendering exercise had not been undertaken for the aforementioned bins. Following discussions with the Council's Central Procurement Unit and Legal Services, the contract had been extended for a further year, until August, 2015, which would allow for an assessment of the future litter bin requirements of the City in light of its extended boundary.

Accordingly, the Committee agreed:

1. to grant retrospective approval to extend the contracts for the supply and installation of free standing and post-mounted bins to 31st August, 2015;
2. to approve the commencement of a tendering exercise in early 2015 for the future supply and installation of those litter bins; and
3. that authority be delegated to the relevant Director to award the contract on the basis of the most economically advantageous tender received, in line with the evaluation criteria.

Chairman

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Licensing Committee

Wednesday, 21st January, 2015

MEETING OF LICENSING COMMITTEE

- Members present: Councillor Ekin (Chairman)
Aldermen McCoubrey and Rodgers;
Councillors Attwood, M. E. Campbell, Clarke,
Groves, Hussey, Hutchinson, Magee, McCarthy,
Mullan, Ó Donnghaile Reynolds and Spence.
- In attendance: Mrs. S. Toland, Lead Operations Officer/Head of
Environmental Health;
Mr. T. Martin, Head of Building Control;
Ms. N. Largey, Solicitor; and
Mr. H. Downey, Democratic Services Officer.

Apology

An apology was reported on behalf of Councillor Cunningham.

Minutes

The minutes of the meeting of 17th December were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 5th January, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

No declarations of interest were reported.

Invitation to Address the Licensing Committee

The Committee was reminded that, at its meeting on 17th December, it had agreed that Mr. Stephen McGowan, one of Scotland's leading legal practitioners on alcohol, gambling and civic licensing matters be invited to attend its monthly meeting in February in order to provide information on the acclaimed Scottish licensing model.

The Committee agreed, in view of the changes being proposed by the Department for Social Department to the licensing system in Northern Ireland, that all Members of the current and the Shadow Councils be invited to the meeting.

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**THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF
THE POWERS DELEGATED TO IT BY THE COUNCIL AT ITS MEETING ON
1st MAY, 2007 IN ACCORDANCE WITH STANDING ORDER 46**

Licences Issued under Delegated Authority

The Committee noted a list of licensing applications which had been granted under the Council's Scheme of Delegation.

**Application for the Renewal of a Seven-day Annual Entertainments Licence –
Dundela Football and Social Club, Wilgar Street**

The Head of Building Control informed the Committee that an application had been received for the renewal of a Seven-day Annual Entertainments Licence in respect of the above-mentioned premises. He explained that, under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, the Committee, in considering an application for the grant, renewal or transfer of an Entertainments Licence, must have regard to any convictions of the applicant relating to an offence under the Order which had occurred within a five-year period immediately preceding the date on which the application had been made.

He reported that a representative of the Club had, on 23rd July, 2013, been convicted at the Belfast Magistrates Court of an offence under the Order. The offence had related to an inspection of the premises whilst entertainment had been taking place which had found them to be overcrowded, there had been no means of counting and recording the number of patrons and an emergency exit had been obstructed. A fine of £400 and costs of £69 had been imposed.

He reminded the Committee that, at its meeting on 19th February, 2014, it had, having been advised of the conviction, renewed the Entertainments Licence, on the basis that the Building Control Service had been satisfied with the measures which had since been put in place to prevent further breaches. He pointed out that, during the past year, one inspection of the club had been undertaken whilst entertainment was being provided. That had revealed a number of minor issues, which had been resolved immediately. Officers had since met with the management of the club to review fire safety procedures and were satisfied that patrons could be evacuated safely from the premises in the event of an emergency. He confirmed that no written representation had been received in relation to the application and that the Police Service of Northern Ireland had offered no objection. In addition, the Council's Environmental Protection Unit had confirmed that, over the past year, it had not received any complaints regarding noise or other nuisance in relation to the premises.

The Committee agreed, in its capacity as Licensing Authority, to grant a renewal of a Seven-day Annual Entertainments Licence in respect of Dundela Football and Social Club, Wilgar Street.

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**Application for the Grant of a Seven-day Annual Outdoor Entertainments Licence
– Filthy McNasty's, 41-45 Dublin Road**

The Committee was reminded that, at its meeting on 21st September, 2011, it had agreed that, in future, all applications for Outdoor Entertainments Licences be placed before it for consideration. Accordingly, the Head of Building Control submitted for the Committee's consideration an application which had been received in respect of Filthy McNasty's, 41-45 Dublin Road. He explained that the premises held currently an Indoor Entertainments Licence and that the licensee was now proposing to offer entertainment in the car park immediately to the rear of the building. Under the terms of the Outdoor Entertainments Licence, entertainment would be required to cease at 11.00 p.m. and could only run beyond that time if approved in advance by the Licensing Committee.

He confirmed that no written representation had been received in relation to the application and that the Police Service of Northern Ireland had offered no objection. Should the application be granted, the Police Service, together with the Northern Ireland Fire and Rescue Service and other partner agencies, would be invited to attend pre-event meetings and would work with the Council's Building Control Service and Environmental Protection Unit and event organisers to ensure that all requirements were met.

The Committee was advised that Mr. P. Langsford, the applicant, together with Ms. S. Egerton, Marketing Manager, were in attendance in order to provide information on the proposal and they were welcomed to the meeting.

Mr. Langsford informed the Members that he had secured a one-year lease of the car park to the rear of Filthy McNasty's and had obtained approval from the landlord to hold events therein. He explained that the business had grown steadily over the years and that the proposal to utilise the adjacent car park represented an opportunity for further expansion.

He confirmed that entertainment would be provided primarily by live bands, with disc jockeys being used on occasions. In terms of the capacity of the car park, he stated that it could potentially accommodate up to 2,000 patrons, however, that number would be dependent upon the nature of the acts and, ultimately, the approval of the Building Control Service. He pointed out that the management of the premises would work closely with the Council, the Police Service of Northern Ireland and other agencies to ensure that they were satisfied with the arrangements which were being put in place to ensure the successful delivery of events. For example, a security firm would be employed to oversee the dispersal of patrons from the car park area and door supervisors would ensure that the capacity inside Filthy McNasty's, as stipulated within the venue's Indoor Entertainments Licence, would not be exceeded. Letters would be forwarded also to local residents advising them of proposed events and management would work with them in order to address any concerns.

Ms. Egerton outlined the nature of the acts which Filthy McNasty's would be seeking to attract and pointed out that hotels in Belfast and the local economy in general would benefit as a result. She highlighted the fact that Filthy McNasty's was a keen supporter of the work of the Downes Syndrome Association and that it had organised a number of events and other activities to raise funds for the Association. Discussions

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would take place with the Association around the continuation of that fundraising in 2015.

In response to a number of questions from the Members, Mr. Langsford confirmed that he would envisage that no more than twenty events would take place within the car park over the course of the year and that he would have no objection to the Committee limiting the Outdoor Entertainments Licence to that number. He added that it was possible that he might seek to run some events beyond the standard finishing time of 11.00 p.m. and accepted that that would necessitate for each event the submission of an application to the Building Control Service and approval by the Licensing Committee.

Ms. Egerton and Mr. Langsford were thanked by the Chairman and they left the meeting.

After discussion, the Committee agreed, in its capacity as Licensing Authority, to grant a Seven-day Annual Outdoor Entertainments Licence in respect of Filthy McNasty's, 41-45 Dublin Road, with entertainment being permitted to take place till 11.00 p.m. on up to a maximum of twenty occasions over the term of the Licence and to the following conditions being attached:

- (i) maximum numbers will be agreed at the discretion of the Building Control Service and will vary depending upon individual event set up proposals;
- (ii) prior to any event taking place the promoters are required to demonstrate evidence of early consultation and have in place a robust system of dealing with any complaints, which has been agreed in advance with the Council;
- (iii) any requests to provide entertainment later than 11.00 p.m. must be considered by the Licensing Committee and, therefore, must be made at least 3 months in advance of the proposed event; and
- (iv) should an application to provide entertainment beyond 11.00 p.m. be granted and the Council then receive a significant number of complaints regarding noise or the complaint is of such significant impact, authority is granted to the Lead Operations Officer/Head of Environmental Health, in consultation with the Town Solicitor, to reduce the finishing time for any subsequent nights of the event, in which case the promoter will be required to make contingency arrangements.

**Application for the Grant of a Temporary Street Trading Licence –
Lower Garfield Street**

The Committee was advised that Section 14 of the Street Trading Act (Northern Ireland) 2001 permitted the Council to issue a Temporary Street Trading Licence for special events, such as fairs and festivals, where a full-term Licence may not be

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appropriate and to attach to it any conditions which it might deem necessary. Such a Licence could not, however, be granted for a period exceeding seven days and no more than five could be granted to a person in any year.

The Head of Building Control reported that an application for the grant of a Temporary Street Trading Licence had been received from Mr. B. McGeown, the licensee of Aether and Echo, 1-3 Garfield Street. The applicant was proposing to sell, between the hours of 8 p.m. and 11 p.m. on Friday, 27th February, food, alcoholic and non-alcoholic beverages from outside his premises, as part of a music event which he was organising. However, in order to enable him to apply to the Petty Sessions Court for an Occasional Liquor Licence, he required from the Council a Temporary Street Trading Licence. He explained that the event would necessitate the erection of a stage outside Aether and Echo, which would face into Lower Garfield Street in order to avoid creating a distraction for drivers in nearby Lower North Street. The applicant would be seeking from Transport NI the necessary consent to place the stage and crowd barriers on Lower Garfield Street and had confirmed that pedestrian access between that street and others nearby would be maintained at all times. The Head of Building Control added that the views of Belfast City Centre Management, the Police Service of Northern Ireland and Transport NI had been sought as part of the application process and that no issues had been raised by them.

He reported further that Mr. McGeown had, earlier that day, requested that the Committee give consideration also to granting the Temporary Street Trading Licence for the night of Saturday, 28th February, between the hours of 8 p.m. and 11 p.m., and had indicated that he might wish to hold further events throughout the year. The Head of Building Control pointed out that an additional consultation exercise would be required to be undertaken for that night, as would be the case for any further applications submitted by the licensee. He suggested that the Committee might wish to obtain from Mr. McGeown clarification around his request and any other issues arising from the application. The Committee agreed that that would be beneficial and Mr. B. McGeown was admitted to the meeting.

Mr. McGeown informed the Committee that the events which he was proposing to hold outside his premises would bring much-needed vibrancy to the Lower Garfield Street area of the City. He explained that the music event which was planned for 27th February would bring to a close in Northern Ireland the 'Guinness Amplify' series of events, which had replaced the annual 'Arthur's Day' within the licensed trade. He explained that his request to include the night of Saturday, 28th February within his application had been due to the fact that the stage would not be dismantled until after that weekend, which presented him with an opportunity to offer additional entertainment. He added that he had engaged fully with the Council, the Police Service of Northern Ireland and other agencies and that that process would continue in the lead up to and during the events.

Mr. McGeown thanked the Committee and retired from the meeting.

After discussion, the Committee agreed, in its capacity as Licensing Authority, to grant to Mr. B. McGeown a Temporary Street Trading Licence permitting him to sell on Friday, 27th February, between the hours of 8.00 p.m. and 11.00 p.m., food, alcohol and

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non-alcoholic beverages outside Aether and Echo, 1-3 Lower Garfield Street. The Committee agreed also that, should no objections be received as a result of the consultation exercise in relation to Saturday, 28th February, authority be granted to the Lead Operations Officer/Health of Environmental Health to extend the Licence to cover that night.

**Competing Applications for the Grant of a Stationary Street
Trading Licence – Boucher Crescent**

The Committee was advised that competing applications had been received from three persons wishing to trade from a vacant designated site in Boucher Crescent. The Head of Building Control reviewed the applications, one of which had been submitted by Mr. C. Heggan, who had applied to sell, from a hot food trailer measuring 4 metres by 2.15 metres, hot food and non-alcoholic beverages from Monday to Saturday between the hours of 7.00 a.m. and 4.00 p.m. He explained that the applicant's food business was registered currently by Lisburn City Council and that it had been awarded a 5* rating under the Northern Ireland Food Hygiene Rating Scheme. Mr. Heggan had, since June, 2014, been licensed to trade from a designated site in Apollo Road and had indicated that, should his current application be successful, he would vacate that site. The Head of Building Control pointed out that Council officers had found that the applicant had, on two occasions, breached the conditions of his Stationary Street Trading Licence by leaving his trailer on that site once trading had ceased. Mr. Heggan had been advised of the breaches and, whilst no further action was being considered, officers would continue to monitor his adherence to the Street Trading legislation.

He reported that the second applicant, namely, Mr. S. Johnston, was seeking to sell, from a hot dog cart measuring 1.5 metres by 1.5 metres, hot food and non-alcoholic beverages on a Monday, Tuesday and Saturday between the hours of 10.00 a.m. and 5.00 p.m. and on a Wednesday, Thursday and Friday from 10.00 a.m. till 9.00 p.m. He confirmed that the applicant had never held a Street Trading Licence within Belfast and, given that he was only in the process of applying to have his food business registered by the Council, had not as yet attained a rating under the Food Hygiene Rating Scheme.

He informed the Members that the third application had been submitted by Mr. K. McWilliams, whose food business was registered currently by Newtownabbey Borough Council and had been given a 5* food hygiene rating. Mr. McWilliams was seeking to sell, from a hot food trailer measuring 5.5 metres by 2.15 metres, hot food and non-alcoholic beverages on a Monday, Tuesday, Wednesday and Saturday between the hours of 7.00 a.m. and 3.30 p.m. and on a Thursday and Friday from 7.00 a.m. till 7.30 p.m. It was pointed out that the applicant had held previously a Stationary Street Trading Licence for a designated site in Dargan Crescent, however, he had cancelled that Licence after a period of one month due to a lack of trade.

The Committee was informed that the three applicants were in attendance in order to outline their proposals for the site and Mr. C. Heggan was admitted firstly to the meeting.

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Mr. Heggan informed the Members that he had worked within the catering sector in Northern Ireland for the past twenty-five years and that his business had attained a 5* hygiene rating from Lisburn City Council, in whose area he resided and where his hot food trailer was stored when not in use. He displayed a unique range of foods which he offered for sale and pointed out that they were sourced from specialist suppliers. In addition, biodegradable, as opposed to polystyrene or plastic, food containers and cutlery were used in the business, appropriate waste bins were provided and all litter was removed from the site at the end of each day. He explained that he worked on the trailer on a full-time basis and that he employed a part-time chef. However, should his application be successful, it would be his intention to employ two additional staff, who would each receive training on all aspects of food hygiene. He concluded by assuring the Committee that his hot food trailer would be removed from the site at the end of each day.

Mr. Heggan thanked the Committee for receiving him and he retired from the meeting.

Mr. Johnston, who was then admitted to the meeting, explained that he was proposing to sell hot dogs and similar food products from a cart which was similar in style to those found in New York and which would be environmentally friendly in that it did not generate fumes or grease. He pointed out that market research had revealed that those products, which would be prepared in advance, would be likely to prove popular for customers. He added that he was in the process of registering his food business with the appropriate council and, having thanked the Committee, he left the meeting.

Mr. K. McWilliams, the third applicant, was thereupon welcomed to the meeting.

He reported that his food business possessed a 5* food hygiene rating from Newtownabbey Borough Council and that he had provided catering for a number of events and private functions within Belfast. His trailer was based upon the theme of an American diner and he confirmed that, should his application be successful, it was his intention to offer to customers a wide range of fresh foods, such as bagels and sandwiches. He concluded by stating that the site where he would be trading would be kept free of litter at all times and that he would ensure that his trailer would be removed once trading had ended.

The Chairman thanked Mr. McWilliams for his contribution and he retired from the meeting.

After a lengthy discussion, it was

Moved by Councillor Hussey,
Seconded by Alderman Rodgers,

That the Committee, in its capacity as Licensing Authority, agrees, on the basis that he currently holds a Stationary Street Trading Licence in Belfast and is, therefore, an established and experienced trader, that it is minded to grant to Mr. C. Heggan a Stationary Street Trading Licence

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permitting him to sell hot food and non-alcoholic beverages from Monday to Saturday between the hours of 7.00 a.m. and 4.00 p.m. in Boucher Crescent, at a site which has been designated previously for the sale of those commodities, subject to:

- (i) the applicant providing all necessary documentation; and
- (ii) the receipt of the appropriate licensing fees.

Amendment

Moved by Councillor McCarthy,
Seconded by Councillor Mullan,

That the Committee, in its capacity as Licensing Authority, agrees, in view of the fact that he does not hold a Stationary Street Trading Licence currently and that, when trading previously at a designated site on Falcon Road, he had operated in accordance with the conditions of his Licence, that it is minded to grant to Mr. K. McWilliams a Stationary Street Trading Licence permitting him to sell hot food and non-alcoholic beverages on a Monday, Tuesday, Wednesday and Saturday between the hours of 7.00 a.m. and 3.30 p.m. and on a Thursday and Friday from 7.00 a.m. till 7.30 p.m., in Boucher Crescent, at a site which has been designated previously for the sale of those commodities, subject to:

- (i) the applicant providing all necessary documentation; and
- (ii) the receipt of the appropriate licensing fees.

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

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

As a consequence of the decision to grant the Licence to Mr. McWilliams and the fact that there was only one designated site available, the Committee agreed that it was minded to refuse the applications which had been submitted by Mr. C. Heggan and Mr. S. Johnston, on the grounds set out in Sections 9(1) (a) (i) and (iv) of the Street Trading Act (Northern Ireland) 2001, namely, that the location at which they wished to trade was unsuitable and that there were sufficient traders trading at that location in the articles, things or services in which they wished to trade.

The Head of Building Control informed the Members that the unsuccessful applicants would be advised that, in accordance with Section 12 (2)(b) of the Street Trading Act (Northern Ireland) 2001, they would be permitted to make written representation to the Council within twenty-one days from the date of notice.

Chairman

Town Planning Committee

Thursday, 8th January, 2015

MEETING OF TOWN PLANNING COMMITTEE

Members present: Councillor Hanna (Chairman);
the Deputy Lord Mayor (Councillor Hendron);
the High Sheriff (Alderman L. Patterson);
Aldermen Rodgers and McCoubrey;
Councillors Austin, Beattie, Curran,
Garrett, Haire, Hutchinson and McCabe.

In attendance: Mr. B. Flynn, Democratic Services Officer,
Miss E. McGoldrick, Democratic Services Officer;
Ms. K. Mills)
Ms. C. Reville) Divisional
Ms. U. Caddell) Planning Office.

Apologies

Apologies were reported on behalf of Alderman M. Campbell and Councillors Carson, Cunningham, McCarthy, Mullan and Newton.

Minutes

The minutes of the meeting of 4th December were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 5th January, subject to the omission of those matters which had been delegated to the Committee.

Declarations of Interest

No declarations of interest were reported.

Requests for Deputations

It was reported that no requests had been received.

Routine Correspondence

The Committee noted the receipt of the undernoted items of correspondence:

Transport NI / Roads Service

- Notification of a proposed one-way traffic system at Mount Eagles Square;
- Notification of a Blue Badge parking bay at 11 Eastleigh Crescent;
- Notification of a Blue Badge parking bay at 19 Tyndale Green;
- Notification of the abandonment of a footpath at Templemore Avenue; and
- Notification of the abandonment of an area of road at Parkside Gardens.

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Northern Ireland Environment Agency - Confirmation of Listed Status

- Clonard Church and Monastery;
- Sinclair Seamen's Presbyterian Church;
- 9 Sandown Park;
- 82 Sandown Road;
- Former Northern Bank, 108-110 Victoria Street Belfast;
- Belfast Royal Academy, Cliftonville Road;
- 7 to 13 Lower Garfield Street;
- 82 North Road;
- St. Patrick's Roman Catholic Church;
- 7 to 19 Royal Avenue;
- 31 to 39 Royal Avenue;
- 63 to 73 Royal Avenue;
- Martyrs' Memorial Free Presbyterian Church;
- Musgrave Wing, and the East and West Wings, Royal Victoria Hospital; and
- Former Factory 3 to 19 Rydalmere Street.

Northern Ireland Housing Executive

- Notification of the extinguishment of Public Rights of Way at Ainsworth RDA;
- Notification of the extinguishment of Public Rights of Way at Boyne Court.

Application Previously Rejected

The Committee noted that correspondence had been received from the Planning Service in relation to a planning application for the change of use of ground floor premises at 23 Shaftesbury Square. That proposal would, if permitted, allow for the amalgamation of 22 with 23 Shaftesbury Square for use as an amusement arcade. The Council, at its meeting on 1st December, had rejected the Planning Service's recommendation to approve the application.

The Democratic Services Officer reported that, despite the issues which had been raised by the Council, including those relating to the Amusement Permit Policy, specifically in respect of an over-proliferation of such outlets within the vicinity of Shaftesbury Square, the Planning Service remained of the view that the application should be approved and, accordingly, the relevant notice would be issued.

Noted.

Streamlined Decisions Issued

The Committee noted a list of decisions which had been issued by the Planning Service between 2nd and 22nd December.

New Applications

The Committee noted a list of decisions which had been issued by the Planning Service between 18th November and 15th December.

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Deferred Items Under Consideration

The Committee noted a list of deferred items which were still under consideration by the Planning Service.

Appeal Dates Notified

The Committee noted information which had been received regarding the dates for the holding of planning appeals.

Application Withdrawn

The Committee noted that the application Z/2014/0792/F, which related to 79 Fruithill Park, had been withdrawn at the request of the Planning Service to enable amended plans to be considered.

**THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE
OF THE POWERS DELEGATED TO IT BY THE COUNCIL**

Reconsidered Item – Application Deferred

The Committee considered further the undernoted planning application, in respect of which the Divisional Planning Manager had proposed a change of opinion from approval to refusal, and agreed that the application be deferred under criteria 5 to enable a further office meeting to take place:

<u>Site</u>	<u>Proposal</u>	<u>Opinion</u>
Wastebeater Offices, Blackstaff Road	Demolition of existing office block and proposed erection of building for use as a waste treatment and transfer facility for non-hazardous waste and ancillary works including weighbridge, offices and concrete hard-standing for access and parking.	Refusal

Reconsidered Items

The Committee considered further the undernoted planning applications and adopted the recommendations of the Divisional Planning Manager thereon:

<u>Site</u>	<u>Proposal</u>	<u>Opinion</u>
Falls Park, 513 Falls Road	Proposed changing pavilion and 3G pitch, with associated perimeter fencing, floodlighting and additional car parking facilities (light spill report received).	Approval

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Land South of No. 2 Mill Valley Place and East of No. 11 Mill Valley Crescent	Erection of 9 dwellings, landscaping and associated site works.	Approval
Caffrey Court, 149 Glen Road	Alteration and conversion of existing vacant retail units to form 9 apartments with associated landscaping, site works and ancillary infrastructure.	Refusal

Schedule of Planning Applications

The Committee considered the schedule of planning applications and agreed to adopt the recommendations contained therein, with the exception of those referred to below:

<u>Site</u>	<u>Proposal</u>	<u>Opinion</u>
St Thomas' Hall 138a Lisburn Road	Demolition of existing building and erection of 19 apartments, associated amenity space and site works (Amended plans received). [Deferred at the request of the Committee - Criteria 5]	Refusal
St Thomas' Hall 138a Lisburn Road	Demolition of St Thomas' Hall. [Deferred at the request of the Committee - Criteria 5]	Refusal
4a Connsbrook Avenue	Proposed extension to existing storage/warehouse building and internal alterations. Proposed alterations to access and increased parking. [Deferred at the request of the Committee - Criteria 5]	Approval
Queen's University Boat House, Lockview Road	Proposed extension to existing rowing club to provide additional boat storage, installation of new floating pontoon and erection of new 2.4m high site boundary fencing/gates. [Deferred at the request of the Committee - Criteria 5]	Approval
McDonalds Restaurant Ltd, Westwood Centre	Various site signage including 1 gateway, 2 directional signs and 7 freestanding signs. [Deferred at the request of the Committee - Criteria 5]	Consent
McDonalds Restaurant Ltd, Westwood Centre	Erection of new pole-mounted sign. [Deferred at the request of the Committee - Criteria 5]	Consent

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McDonalds Restaurant
Ltd, Westwood Centre

Refurbishment of restaurant and patio area including associated works to the site, reconfiguration of drive-thru lane for side by side ordering installation of 2 canopies, 1 pedestrian crossing and 1 raised island. [Deferred at the request of the Committee - Criteria 5].

Approval

Chairman

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Alderman R. Patterson to move:

Northern Ireland Driving Licences

“This Council condemns and deplores the decision made recently by the Transport Secretary for the United Kingdom to treat Northern Ireland citizens differently to citizens in England, Scotland and Wales by not approving the displaying of the National Flag on all future Northern Ireland driving licences. It hereby calls upon the Transport Secretary to immediately rescind that decision and recognise that Northern Ireland is an integral part of the United Kingdom and, furthermore, calls for all driving licences issued to every part of the United Kingdom, including Northern Ireland, to have the Union Flag displayed. The citizens of Belfast and Northern Ireland deserve to be treated as equals and in the same way as all other parts of the United Kingdom.”

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Councillor Kyle to move:

Interface Barriers

“This Council recognises that:

- Belfast as a city is seeing continued economic growth and regeneration but some communities are failing to derive significant benefit and, in fact, are falling further behind;
- interface barriers are recognised as having a negative impact on investment, regeneration and the health of those living in close proximity to them;
- the power/function of regeneration is being devolved to the City Council;
- in many cases, removing the barriers is not a realistic proposition until adequate confidence and a social infrastructure is built between the neighbouring communities; and
- the removal of barriers is a clear commitment from the Northern Ireland Executive in the ‘Together – Building a United Community’ Strategy.

Accordingly, the Council agrees to write to OFMDFM requesting that it provide a progress report on the development of this strategy and that it provide resources to enable the Council to take the lead with other statutory agencies in order to work with local communities to create a process leading to removal of these barriers.”

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