

# Development Committee

Tuesday, 3rd December, 2013

## MEETING OF DEVELOPMENT COMMITTEE

Members present: Councillor Hargey (Chairman);  
the Deputy Lord Mayor (Alderman Stalford);  
the High Sheriff (Councillor Kingston);  
Aldermen Ekin and Stoker;  
Councillors Austin, Beattie, Hussey,  
Keenan, Kelly, Kyle, Magee,  
Mac Giolla Mhín , Ó Donnghaile,  
Spence, Verner and Webb.

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

### **Minutes**

The minutes of the meeting of 19th November were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 2nd December.

### **Apologies**

Apologies were reported on behalf of Councillors Convery, Garrett and Reynolds.

### **Declarations of Interest**

No declarations of interest were reported.

### **Schedule of Meetings 2014**

The Committee noted the contents of a report which set out the schedule of monthly meetings until May, 2014, details of which were available on the Mod.gov website.

### **Markets Community Centre Committee**

The Committee agreed that Alderman Stoker, Councillors Curran and Councillor Hargey be appointed to the newly-formed Markets Community Centre Committee.

### **Community Mosaic Artwork**

Pursuant to notice on the agenda, Councillor Beattie outlined the plans which had been formulated for the production of a Community Mosaic Artwork within the Beechmount area and requested that, if deemed feasible, officers from within the Department would undertake to work with representatives of the local community in the delivery of the project.

The Committee agreed that an update in this matter be submitted to a future meeting.

### **Northern Ireland European Regional Fund**

The Committee considered the undernoted report:

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

- 1.1 Members will be aware that BCC launched the NI EU Regional Forum (NIERF) in May 2011 with the NI Junior Ministers. This Forum was formerly known as the Belfast in Europe group, and before that the Belfast Quartiers En Crise network. It existed to create a collaborative platform for stakeholders in Belfast who were engaged in EU activity.**
- 1.2 The NIERF has been in existence for over 2 years, it is Co Chaired by OFMDFM and has a membership of over 100 Members from all sectors across all of NI. The Forum meets four times a year and addresses EU policy issues and funding opportunities across a wide range of sectors including social inclusion, competitiveness and employment, climate change and energy and innovation and technology essentially mirroring the work of the NI Barroso Task Force on Europe. The ultimate aim is to increase NI access to EU funding in the current and upcoming EU funding rounds.**
- 1.3 One of the common challenges facing Forum members is capacity to engage in EU activity, achieve funding leverage and develop transnational partnerships. To address this, the Office of the First and Deputy First Minister has offered the Forum an opportunity to bid for grants for improving capacity across the NI region for EU engagement. A total of £375,000 over two years has been offered to Belfast City Council as the Forum secretariat, to manage and administer a grants programme for the Forum to provide 4 elements of funding. A total of £60,000 would be made available within this for Belfast City Council to recruit an appropriate officer post to manage the rolling grant fund and also manage the growing responsibilities of running the Forum including calling meetings, and maintaining and developing the information portal.**

## **2 Key Issues**

**2.1 The detail of the criteria of the capacity grant fund for the Forum has to be developed in coming weeks, however the proposed four elements will include:**

- **Costs for partner search for EU project development**
- **Assistance for EU funds application processes and mentoring for participation in EU activity**
- **Support for costs of EU event participation and**
- **Match funding of last resort**

**Members are asked to agree to accept the transfer of grant funding amounting to £375k from OFMDFM to manage on behalf of the NI EU Regional Forum. This will include recruitment of an appropriate officer post to manage the grants process over 2 years as well as manage the general running of the forum, its membership and portal development. This work would be at no additional cost to Belfast City Council and would be managed within the councils EU unit by the EU manager. Members will receive details of the grant criteria templates and processes in the near future. All such templates and processes will be in full accordance with Belfast City Council's governance and audit arrangements.**

## **3 Recommendations**

**3.1 To accept the offer of £375k transferred budget from OFMDFM to create an EU capacity building grants fund for members of the NI EU Regional Forum.**

**To approve the recruitment of an officer on a 2 year fixed term contract to manage the capacity fund and forum secretariat. Both recommendations are made on the basis that there is no additional cost to BCC."**

The Committee adopted the recommendations.

### **Business Improvement Districts Academy**

The Committee was advised that correspondence had been received on behalf of Belfast City Centre Management and the Lisburn Road Business Association seeking its endorsement for applications which both bodies would be submitting to the consortium overseeing the pilot projects which would be established as part of implementation of the

Business Improvement District Act. The Director provided the Committee with an overview of the remit of both bodies and outlined the extensive work which they had undertaken in conjunction with the Council in the past.

The Committee agreed to provide letters of endorsement for the applications of Belfast City Centre Management and the Lisburn Road Business Association.

### **Investors in People - Company Programme**

The Committee was advised that the Department for Employment and Learning had introduced a programme which sought to improve the performance of small businesses by assisting them to achieve accreditation under the Investors in People (IiP) initiative. That programme enabled companies to engage with customer service specialists to assist them in the attainment of the IiP standard. The Director reported that ten companies would partake in the next phase of the programme and the Department for Employment and Learning had indicated that it would contribute 30 per cent of the total cost of £11,200, viz., £3,360. The Council, he added, had been requested to allocate £4,840, and the remaining amount of £3,000 would be contributed by the participating companies. The Director provided an overview of the economic benefits which the City would accrue should it agree to contribute towards the programme and recommended that the Committee endorse the contribution as outlined.

The Committee agreed to contribute £4,840 towards the programme.

### **Consultation Response: Draft Innovation Strategy for Northern Ireland 2013/2025**

The Committee endorsed a response to the Northern Ireland's Executive's consultation exercise on the Draft Innovation Strategy for Northern Ireland 2013-2025, a copy of which was available on the Council's Mod.gov system.

### **Transport Issues - Update**

The Committee noted the contents of a report which provided an update in respect of the Belfast Rapid Transit Initiative; the Transport Hub and the measures which would be introduced by the Department for Regional Development to enhance access to Belfast City Centre during the Christmas period. In addition, the Committee was informed that public information sessions in respect of the Belfast Rapid Transit proposals had been held in the Ballyhackamore Library on Thursday, 28th and Friday, 29th November and that further events would take place across the City in due course, information on which would be notified to all Members.

The Committee noted the information which had been provided and agreed that an invitation to provide a presentation on transport issues at a future meeting would be extended to representatives of the Department for Regional Development.

**Revised Draft Planning Policy Statement –  
Planning and Flood Risk**

The Committee endorsed the undernoted response to the Department of the Environment's consultation on the Revised Draft Planning Policy Statement 15 viz., 'Planning and Flood Risk', which would close on 16th December, 2013:

**Background**

- 1.1 Recent flooding incidents within the Council area have resulted in increased attention on flood risk and prevention of flooding, particularly in densely populated urban areas. These events triggered the Council to undertake flooding research in conjunction with external consultants in 2009.
- 1.2 The existing PPS 15 informed this research which also addressed the various flooding emergency response recommendations, flooding emergency plans and work on flooding alleviation schemes/drainage studies that are either being developed or have been implemented over the past few years. Accordingly the Council welcomes the revised PPS 15 and the efforts to prioritise protecting areas within flood plains and areas known to be at risk from flooding.

**General Comments**

- 1.3 The revised draft PPS 15 sets out the Department's policies in order to minimise the risk of flooding to people, property and the environment. It acknowledges the role of land use planning in flood risk management by influencing where development takes place and also preventing development in areas at risk from flooding. The main objectives of the revised draft are therefore to prevent inappropriate new development in areas known to be at risk of flooding, or that may increase the flood risk elsewhere.
- 1.4 In addition, the revised draft seeks to ensure that the most up to date information on flood risk is taken into account when determining planning applications and zoning/designating land as part of the process for the proposed development plans. In future planning authorities will be required to consider a catchment wide approach to flood risk management (i.e. River Lagan catchment from source to lough). With the reform of local government and the transfer of planning functions, PPS 15 will also have implications for the Council, which will be required to assess the flood risk of planning, regeneration or community proposals to determine if the development is feasible or appropriate.

- 1.5 PPS 15 explains that where flood risk changes with higher frequencies being experienced, the Development Plan may be reviewed and amended to restrict future development. In this regard, the Council would require further clarification on the approach to such modifications being proposed and the formal relationship with Rivers Agency in relation to their input into the preparation of development plans. Paragraph 4.7 highlights that the Strategic Flood Maps are available on the Rivers Agency website however further information is requested on how the maps will inform decision making and be integrated into the plan.
- 1.6 PPS 15 will apply to any building or infrastructure works undertaken by the Council that requires a planning application. It is recognised that the onus will rest on the Council to identify and assess the potential flood risk of the development by referring to the Strategic Flood Maps. The Council notes that the Strategic Flood Maps indicate that areas of the City Centre along the River Lagan are at risk from fluvial and coastal flooding.
- 1.7 It is noted that an assessment of flood risk will have to be undertaken if the proposal is located within or adjacent to a flood risk area. The revised draft seeks to protect development that is permitted within flood risk areas by ensuring that adequate and appropriate measures are employed to mitigate and manage the flood risks. A drainage assessment may have to be undertaken if there is a risk of pluvial flooding.
- 1.8 Furthermore, where flooding is identified as a potential development constraint and it is considered within the policy that there may be no justification for the development to proceed; the Council will be required to give consideration to an alternative site.
- 1.9 The Council has responsibility for significant areas of 'green' land in the City and may come under pressure from developers and others (Rivers Agency) to allow Council owned land to be used for flood alleviation measures. This could involve swales, attenuation ponds etc and may restrict future use of the land. Whilst this will need to be borne in mind when future developments are planned for Council assets, the ownership of these areas should not be assumed to contribute to the mitigation or alleviation of risk associated with other non-Council developments.

- 1.10 It is noted that from reviewing the Strategic Flood Maps, the Council owned North Foreshore site appears not to be affected by potential coastal, fluvial or pluvial flooding. The site will have a minimum height of c7 metres OD and maximum height of c24m OD. Nevertheless, due to its coastal location, PPS 15 may require a planning application for development of the North Foreshore site to be accompanied by a Flood Risk Assessment to demonstrate that there is no risk of flooding. The Council is also proposing to implement Sustainable Drainage Systems (SuDs) on the site to manage the volume of surface water.
- 1.11 In terms of implementing the policies within PPS 15, the Council would encourage early identification by the Department of potential flood risk assessment issues within development proposals and early notification of these issues to the development sector/ applicants in order to achieve expedient processing of planning decisions and an approach that should seek to provide certainty for land owners.
- 1.12 The Council also welcomes the inclusion of new Reservoir legislation which is due to come into effect next year.

**Specific Comments**

- 1.13 Policy FLD 1 'Development in Fluvial (River) and Coastal Flood Plains' sets a presumption that no development will be permitted in areas of high flood risk. Exceptions may include:
- a) Development of previously developed land protected by flood defences that are confirmed by DARD;
  - b) New development within the coastal floodplain where the land is raised to an acceptable level above the flood plain;
  - c) Replacement of an existing building;
  - d) Development for agricultural use, transport and utilities infrastructure which for operational reasons has to be located within the flood plain;
  - e) Water compatible development which for operational reasons has to be located within the flood plain;
  - f) The use of land for sport and outdoor recreation, amenity open space or for nature conservation purposes; or
  - g) The extraction of mineral deposits and necessary ancillary development.

**1.14 Policy FLD 1 explains that a Flood Risk Assessment is required to demonstrate that:**

- a) all sources of flood risk to and from the proposed development have been identified;
- b) There are adequate measures to manage and mitigate any increase in flood risk arising from the development.

The Council would suggest providing further clarification to the wording to reflect that both elements will need to be provided.

**1.15 Development proposals of overriding regional or sub-regional economic importance may also be permitted subject to:**

- demonstrating the exceptional benefit to the regional or sub-regional economy;
- demonstrating that the proposal requires a location within the flood plain and justification of why possible alternative sites outside the flood plain are unsuitable.

The Council would again suggest providing clarification if applicants will be required to meet either or both criteria. In addition, the Department should assess whether the proposed development will require the modification of the flood plain boundary.

**1.16 Policy FLD 2 'Protection of Flood defence and Drainage Infrastructure' explains that development will not be permitted if it would impede the operational effectiveness of flood defence and drainage infrastructure or hinder access to enable their maintenance. The Council recognises the important role of well maintained gulleys and drainage channels in the reducing the risk and impact of flooding. The continued maintenance of the on-street infrastructure and protected access for regular cleaning are important considerations for proposals in sensitive or at risk areas.**

**1.17 Policy FLD 3 'Development at Surface Water (Pluvial) Flood Risk Outside Flood Plains' identifies development proposals which will require a Drainage Assessment. The policy states that where there is potential for surface water flooding, it is the developer's responsibility to assess the flood risk and drainage impact and to mitigate the risk to the development and any impacts beyond the site. The explanatory text (paragraph 6.37) suggests that consideration should be given**



to the use of SuDs as the preferred drainage solution. In an effort to promote greater use of SuDs and to minimise potential pluvial floods, it is recommended that a reference to SuDs should be incorporated into the main policy outlined in FLD 3.

- 1.18 The annexes are considered to be very comprehensive covering all aspects of flooding impact and mitigation including emergency preparedness, individual property protection and insurance for those properties already flooded or at risk in flood plains.
- 1.19 Annex B (B7) explains that flood insurance in Northern Ireland was provided for through a temporary agreement between the Association of British Insurers (ABI) and the Northern Ireland Assembly. This ensured that subject to conditions, private flood insurance remained widely available as a standard feature of domestic property insurance and where possible at an affordable price. It is noted that this agreement expired in June 2013 and is unlikely to be renewed. Consequently, those living in flood risk areas will either have to pay significantly more for flood insurance or could be denied cover. The Council recognises that this could potentially affect commercial investment decisions, and may naturally deter any new commercial development in high risk areas.
- 1.20 In addition, the section on SuDs is very comprehensive and is an area where significant progress and improvement is essential. Uptake of SuDs in Northern Ireland for new development is less than 5%. We are now dealing with the consequences of massive surface water run-off from new development and also from existing properties where permeable gardens and surfaces have been replaced by hard non-permeable surfaces. As noted above, it is suggested that there should be greater effort to promote the use of SuDs therefore the priorities in Annex C should be incorporated into Policy FLD 3.”

### Animation Beyond the City Centre

The Committee considered the undernoted report:

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

- 1.1 At the Strategic Policy and Resources Committee of 5th November 2013 a proposal was passed to support an enhanced Christmas in Belfast campaign. Members approved the following: to provide £150K towards and Animation programme

to include the outlying areas and the arterial routes; £50K for additional advertising and public relations for a pre-Christmas campaign and £75K towards advertising and post-Christmas activities for January to March 2014.

- 1.2 The key purpose of the campaign is to help drive footfall to retailers which have been struggling with falling numbers and sales over the last year and in recent months due to a variety of causes. Animation was a successful element used last year as part of the Backin' Belfast campaign according to the evaluations carried out as it bolstered the existing offering in the City Centre and added to the atmosphere and ambience of the City Centre. The animation programme offered additional reasons for shoppers to choose Belfast, encouraging longer dwell times and added overall to enjoyable and positive leisure time experiences.
- 1.3 Members agreed that the animation programme for 2013 should extend beyond the City Centre and complement activity taking place elsewhere as part of Christmas programmes. This report is seeking Members agreement on how animation beyond the City Centre should be carried out including agreed locations for inclusion, method of deployment or organisation of activities and linkages to existing activity. Members should note that a procurement exercise has been completed for the engagement of an events management company to co-ordinate an animation programme in the City and that provision has been made to include the programming of animation beyond the City Centre.

## **2 Key Issues**

- 2.1 Animation is a wide-ranging term, but in this context, refers to the programming of activity in streets or public spaces, (largely outdoor, but can also be indoor) using artists and performers to create vibrancy and atmosphere. As part of our work under Backin' Belfast last year, a range of performers were used including street circus acts; roaming costumed characters; children's activities, such as face painting, balloon modelling, arts and crafts, musicians and bands, petting zoos, urban sports such as skateboarding, BMX biking, free-running and urban art.
- 2.2 Following a procurement exercise, Smallworld has been appointed by Council to deliver an animation programme for Belfast as part of an enhanced Christmas in Belfast campaign. Their contract covers both the City Centre and locations beyond the City Centre to be confirmed to them upon appointment. The animation programme is designed to attract people to existing retail areas to help increase potential purchasing from retailers and associated businesses.

- 2.3 Within the City Centre the animation programme will commence from 1st December and continue on Saturday and Sundays for the following 3 weekends between 12 and 5/6pm. Smallworld's proposal centres around Christmas themed weekends with a wide variety of entertainers and participative children's activity. It may be appropriate to programme any animation of this type for Saturdays only beyond the City Centre.
- 2.4 Following the Council's decision on animation, a number of Members have approached officers identifying locations and methods of delivery for use in areas beyond the city centre. In order to ensure an equitable approach and consistency across Belfast and to guide officers in carrying out this work, Members' views are now sought through this report on how animation beyond the city centre should be deployed and on precise locations to be used.

2.5 Options for Consideration

- a) Enhance existing Christmas activity planned by trader groups and programme activity in other retail cluster areas not covered by this.

Members are reminded that through the Council's retail plan a range of trader/retail groups are able to apply to Council for resources to support local activity in marketing or delivery of special events for their neighbourhoods. Presently Council supports 12 trader groups across Belfast with some new groups forming also; there is a difference in the capacity of groups to deliver and spend funding available and not all groups access the funding options at the same time or undertake the same time of activity.

Some areas have already plans in place for delivery of Christmas events to include animation and support local retailers attract additional trade.

It is possible for Council to add in additional animation to planned events where time permits and to programme animation in other retail cluster areas where none exists at present. Council would focus on the existing retail cluster locations identified under the Retail support plan supplemented by other areas should Members wish to specify at Committee.

b) Allocate funding available to appropriate competent third party agencies in each area of City for animation purposes.

Officers have been approached by some Members in support of a request from the West Belfast Traders Association suggesting the monies for West be used to support the provision of an ice rink, which Féile would wish to manage and operate in Falls Park. Other Members have suggested that a similar facility be provided at Woodvale.

Legal Services has advised that due to the potential for a large number of claims, events of this nature should only proceed if they are being facilitated by a competent third party, with public liability insurance which fully indemnifies the Council and an acceptable event management plan is in place.

It should also be noted that events of this nature would in normal circumstances require the approval of the Parks and Leisure Committee, however, this would not be possible in the timescale available.

It may, therefore, be more appropriate for Council to agree, where acceptable, to provide proportionate funding to relevant third parties for animation purposes and contract with them to deliver in accordance with a letter of offer. Given the extremely limited timescale Council would need to be satisfied that the monies could also be spent on animation pre-Christmas 2013. As indicated above, there would need to be safeguards and checks built in over public liability insurance as required.

c) Apportionment of Funding

Members may wish to advise on the appropriate split between local areas i.e. that used for distribution of the Local Investment Fund monies or for Intervention monies. Given the contracted timelines animation will have to be delivered between 6th December and 22nd December.

### **3 Resource Implications**

3.1 A budget of 150K was allocated for animation. 20K of this is for management purposes leaving a budget of 65K for animation beyond the City Centre.

### **5 Recommendations**

5.1 The Committee agrees an option to deliver animation beyond the City Centre and to advise on the most appropriate model for the allocation of funds.”

The Director outlined the principal aspects of the report and clarified a number of issues which had been raised by Members.

### **Proposal**

Moved by the High Sheriff (Councillor Kingston),  
Seconded by Councillor Verner,

That the Committee agrees to distribute the £65,000 sum allocated for 'Animation Beyond the City Centre' on an equal basis among the five areas which were administered by the Council's Area-Based Working Groups viz., a sum of £13,000 each to North, South, East and West Belfast and the Greater Shankill areas.

On a vote by show of hands, five Members voted for the proposal and eight against and it was declared lost.

After further discussion, the Committee agreed that the £65,000 sum allocated for 'Animation Beyond the City Centre' would be distributed in accordance with the percentage breakdown which the Council had approved in respect of the Local Investment Fund, that is, as follows:

- East Belfast – 22.55% - £14,657.50
- Greater Shankill – 9.8% - £6,370.00
- North Belfast – 22.55% - £14,657.50
- South Belfast – 22.55% - £14,657.50
- West Belfast – 22.55% - £14,657.50

Regarding the delivery of the animation activities, the Committee agreed that the Council would oversee their management and, if deemed appropriate, it would allocate funding to a competent third party to deliver such activities on its behalf.

### **Legal Agreement - Belfast Welcome Centre**

The Committee considered the undernoted report:

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

- 1.1 Visit Belfast formerly known as Belfast Visitor and Convention Bureau was established in 1998, following a widespread consultation process undertaken by the Council which identified the need for a collective and collaborative approach to marketing within the City. Council have agreed that Visit Belfast will promote Belfast as a tourist destination and deliver visitor servicing activity through the Gateway Welcome Centre, two airport tourist information centres and other outreach activity at cruise ships in accordance with the Business Plan approved by Council.**

- 1.2 Under the Investment Programme 2012-2015 Council committed to supporting the relocation of Belfast Welcome Centre to new premises at 8-9 Donegall Square North on 2 April 2012. Council has received part funding from the European Regional Development Fund managed by the N. Ireland Tourist Board for the capital works to the new premises. The works were completed on 5 November 2013 and Visit Belfast plan to open the building on 10 Dec 2013 with an official opening by the Lord Mayor and Minister for Enterprise, Trade and Investment on 12 Dec 2013.
- 1.3 The legal aspects of the relocation of the Welcome Centre involving securing a lease on the premises and developing a Management Agreement for occupation by Visit Belfast are being progressed by the Property and Projects Dept and Legal Services Dept of Council.

## 2 Key Issues

- 2.1 Belfast City Council has entered into a 15 year lease with the Northern Bank Ltd commencing 16 July 2013 for the basement, ground and mezzanine floors of 8-9 Donegall Square North therefore Council is the legal tenant of the premises.
- 2.2 Council is developing a Management Agreement with Visit Belfast to manage the Welcome Centre which will presently be for one year in line with the current funding arrangements. The Agreement can be terminated by the Council under a variety of circumstances including failure to keep the premises to a standard acceptable to Council, any of the monies provided by Council not being applied entirely for the purposes of marketing and visitor servicing, significant increase in costs and failure to reach agreement on revisions to the business plan.
- 2.3 Visit Belfast however will be responsible for reimbursing all expenditure in relation to the operation of premises incurred by Council. Visit Belfast will not have a business tenancy as the premises are provided for the delivery of services on behalf of Council.
- 2.4 Visit Belfast is in the final stages of developing a sponsorship agreement with Translink which will be considered at a Special Board meeting on 29 November. This sponsorship agreement will include a physical presence within Belfast Welcome Centre. The Council's lease permits this arrangement, no business tenancy will be created.

Translink's services are vital in moving people across the city and beyond as they enjoy the visitor experience and therefore are a key partner in the delivery of travel related services for visitors.

- 2.5 Visit Belfast will be responsible to Council for the provision of services within the premises which market Belfast as a tourist destination and for undertaking visitor servicing activities. Visit Belfast will manage the Welcome Centre in accordance with the Business Plan approved annually by Council, the Project Document agreed with the Tourism, Culture and Arts Unit and the letter of offer for financial assistance from the N Ireland Tourist Board.

5 **Recommendations**

- 5.1 To note that a Management Agreement has been developed with Visit Belfast for the their occupancy of the new Welcome Centre at 8-9 Donegall Square North; and to note that Council has provided space for a Translink desk under a legal sharing agreement as part of their sponsorship."

The Committee noted the information which had been provided.

**Olympia Community Centre**

The Committee considered the undernoted report:

"1 **Relevant Background Information**

- 1.1 Members will recall that the SP&R committee agreed 'in principle' to progress both the Olympia and Andersonstown Leisure Centres to Stage 2 of the Capital Programme to form the first phase of the citywide leisure transformation review

In order to inform the investment decision for the Olympia project, in June members agreed that external support should be commissioned to carry out an optional appraisal on community provision and support requirements for the area. The research should develop options; determine the strengths and weaknesses of the identified options; ensure options are framed within the overall strategic framework and action plan for area wide development; provide outline costs for each viable option and to highlight and explore the potential sources of capital and revenue funding; and identify the resources required to carry through and ultimately the prospects for success.

1.3 The report outlining the shortlist of options was presented to committee in October. Given the complexity, committee requested the report to be deferred to allow for party briefings. The purpose of this paper is to summarise any comments and / or concerns in relation to the identified options for the future delivery of community centre and service support for the Olympia/Windsor/Village area of the city in the context of the broader regeneration of the Olympia/Windsor stadium.

## 2 Key Issues

2.1 The option appraisal was commissioned in order to inform any Development Committee decision on the best approach to address any gap left in community service provision as a result of the planned closure of the Olympia CC as part of the broader Stadia Development.

2.2 The consultants completed an area profile in order to inform supply and demand and communicated findings from their community engagement exercise. To summarise, this identified 6 options around 3 primary areas:

1. Do nothing: This is based on the current council consideration to develop the site i.e. where there would be no Council-managed community centre or services on site (with the exception of the play areas accommodated within the stadium redevelopment) and no replacement centre or services elsewhere in the local area.
2. Extend Existing Service Provision: Options 2 & 3 relate to the relocation and extension of existing service programmes both within other BCC community centres, bookable space in the new Leisure facility and other community sector facilities in the area. These options relate to any conclusion that there is adequate current provision for community bookable space in the area.
3. The remaining options relate to any alternative conclusion which proposes there is a demonstrable need for additional community space in the area. The report considers 2 potential methods: support for existing community organisation's plan to extend community space (Option 4) or alternatively council consideration of new community build (2 possible locations – Options 5 & 6)



- 2.6 Following monetary assessment, risk assessment and optimism bias adjustments, the consultant's recommendation is to support Option 4: namely supplementing the proposed further use of Council and community sector buildings in the area with the provision of additional community space via the refurbishment of St Simon's Hall. Their assessment suggests this proposal will meet local need and demand and will do so at a much lower cost level (both capital and recurrent) than the new build options at Tate's Avenue and the Village area respectively
- 2.7 The primary issues raised at the Party Briefings are summarised as:
- 2.8 Current Service Users
1. Elected members sought clarity on the ongoing needs of the current users of the Olympia Community Centre. They noted that the majority of the block bookings were from regional groups or individual providers and that these users could be accommodated elsewhere within the community and leisure centre estate in the city.
  2. They sought assurance that the proposals set out at option 3 would meet the needs of the remaining user groups who would need / wish to continue to access local services at the new planned development.
  3. All parties discussed how the Development Committee might inform the programming of the community facilities within the new building to ensure that the community space identified within the plans facilitate local community provision. They further considered how to ensure that related booking systems, etc would not be detrimental to community access.
- 2.9 Additional bookable Community space
4. Parties noted the preferred option to address the perceived need for additional bookable community space in the Village area, however, some parties did so within the context of the variety of current community service providers all of whom are financially supported through the service grant programme.
  5. In considering the balance of service need and provision in the area, elected members sought clarity on how the sum £1.3m was identified for replacement community facilities currently included in the strategic outline case for the Stadium development. They recognised is a provisional planning figure based on the cost for similar council community facilities, uplifted for inflation.

6. Members noted that Option 4 presents an alternative solution which does not require capital build but would require capital investment of approximately £520,000.
  7. While Members were generally supportive in principle of this approach they stated that any future capital investment in St Simon's Hall should be tentative and subject to a full economic appraisal.
  8. Some parties felt that any future capital investment decisions for community centre provision should be part of a city wide needs analysis.
- 2.10 The Committee received a deputation of representatives from the recently formed Olympia Community Centre Support Group at the November meeting. Group representatives summarised their assessment of community need and asked committee to favour Option 5 (new build: Tates Avenue) which they contend is ranked second in the consultants assessment. The recommendation noted in the consultancy report however ranks Option 5 third of the 3 options which they shortlisted for appraisal (pg 38 section 11.1 Preferred Option).
- 2.11 Summary  
All parties agree that the programming within any replacement leisure facility must accommodate articulated community needs. Parties considered an opportunity for the South Area Working Group to influence the level of community programming and related community facing systems.
- 2.12 Based on the independent needs assessment and the sought assurance re the community programming above, there was no support for any new community build option in the Tates Avenue area (Option 5).
- 2.13 The majority of parties supported the recommended Option 4 to extend bookable community space in the village area. Members should be aware this will require a potential council contribution for capital costs which have been estimated at £520,000 but would necessitate more detailed financial appraisal.
- 2.14 The majority view was therefore to support the mix of options (Option 3 & 4) on the basis this would ensure there would be no displacement of service provision for the local users from the immediate area while also allowing for a future decision to meet the demand for additional accommodation in the village area.

**5        Recommendations**

- 5.1        Members are asked to note the contents of the report and to agree any related recommendation for associated capital investment to the SP&R committee.”**

The Committee agreed that the Strategic Policy and Resources Committee be recommended to endorse Option 4 as set out, viz., to extend the extent of bookable community space currently available in the Greater Village area, as part of an emerging capital project. It was noted that local Members would be consulted on an ongoing basis in respect of the project.

**Bursary Scheme - Update**

The Committee considered the undernoted report:

**“1        Relevant Background Information**

- 1.1        Members will be aware that the Council made £300,000 available through the Investment Programme for the Achieve: Belfast Bursary Fund. The Fund is administered through Belfast Metropolitan College (Belfast Met) and The Prince’s Trust. Hundreds of young people are supported in the city to take part in further education and training and to improve their employment prospects.**
- 1.2        The Prince’s Trust bursary (with funding allocated through the charity’s Development Awards programme) is open to young people aged 16-25 residing in the city who are not in education, training or employment. The scheme aims to help recipients overcome barriers which may prevent them from undertaking training and education or moving into employment.**
- 1.3        At BMC, full-time students who began their first year of study, who are resident in the Council area, aged between 16-24 years and whose annual household income is £23,820 or less were eligible to apply for grants of up to £500. This award applied to students on one of the 10 recognised Achieve: Belfast Bursary Fund training courses. The courses identified were at Levels 2-5 and in some of the future growth sectors including IT, multimedia, renewable energies, science, tourism and hospitality. This is the first year of the programme and Belfast Met was allocated £120,000 to administer 240 awards at £500 each.**
- 1.4        The Belfast Met scheme has just closed to applications but only around 50 applicants met the criteria for the bursary. Following engagement with the college, it is proposed that**

consideration be given to widening the bursary to other courses, still within the priority growth areas.

## **2 Key Issues**

**2.1 Applications for the Achieve: Belfast Bursary Fund opened on 2 September 2013 and closed on 15 November 2013. A targeted promotion and awareness campaign was undertaken to extensively advertise the Bursary Scheme from August to November 2013. The Bursary was promoted in the Belfast Met prospectus, on Belfast Met's website within the Student Finance section, online within Student's Blackboard Learning resource, through word of mouth and on notice boards. Belfast Met and Belfast City Council worked together to produce promotional flyers and application forms. These were distributed to the relevant course co-ordinators. Student Finance Officers gave presentations in classrooms and provided application forms to students enrolled on the 10 courses. All staff and students were sent an email reminding them of the closing date. The Bursary was promoted on the Council's website and Belfast Business Info Facebook page and ran alongside Belfast Met's Facebook promotion. Students were encouraged to apply for the award and also advised of the forthcoming closing date.**

**2.2 Despite extensive advertising and promotion, Belfast Met gave the following analysis as to why take up was lower than expected:**

- **Given that Achieve: Belfast Bursary Fund is a new pilot initiative, it was difficult to predict uptake levels of the award, particularly around the income level criteria at or below £23,820;**
- **Belfast Met recruits a high percentage of students from outside the Belfast area who travel each day to the college. This is up to 50% in some of the courses identified and this has limited the pool of students who are eligible to apply for the Bursary;**
- **It was difficult to determine the number of applicants as students typically tend to submit application for bursaries just a few days before or, on an award's closing date. All 350 printed applications were taken by students and a further reprint was required;**
- **A large number of students on the two Access courses fell outside the 16-24 age range which restricted the number of eligible applicants; and**
- **If the closing date was extended among students on the existing 10 courses, Belfast Met does not believe this would attract significant additional applicants, given the volume of promotion.**

2.3 The following table shows the number of applicants received who met the criteria for each of the eligible 10 recognised courses.

Level	Qualifying Courses Title	No. of applicants
2	Edexcel BTEC Diploma in Travel and Tourism	1
2	Edexcel BTEC Diploma in Creative Media Production (Games, Web and iMedia)	12
3	Edexcel BTEC Extended Diploma in Electrical/Electronic Engineering	9
3	Edexcel BTEC Extended Diploma in Hospitality	6
3	Edexcel BTEC Extended Diploma in Creative Media Production (TV and Media)	7
5	Edexcel BTEC HND Diploma in Computing and Systems Development	1
3	Access Certificate in Foundation Studies Maths and Computing (QUB)	1
3	Access Diploma in Computing with Business and Multimedia (UU)	3
5	Foundation Degree in Building Services and Renewable Energies	3
5	Foundation Degree in Product Design and Development	0
	<b>Total number of eligible applicants</b>	<b>43</b>

2.4 Belfast Met have undertaken further analysis of their registrations and have identified a potential 284 additional students on a further 27 courses within IT, multimedia, renewable energies, science, tourism and hospitality sectors.

Level	Course Name	Number of Belfast residents 16-24 years
2	BTEC First Diploma ICT Practitioner	18
2	BTEC Diploma Engineering (Electrical)	5
2	BTEC Ext Diploma Procom (Systems Support)	22
2	BTEC Diploma in Applied Science	14
3	BTEC Extended Diploma in Applied Science	22
3	BTEC Extended Diploma in Creative Media Production (Media)	16
3	BTEC Extended Diploma in IT	41
3	BTEC Extended Diploma Creative Media Production (Interactive media)	12

Level	Course Name	Number of Belfast residents 16-24 years
3	BTEC Extended Diploma Creative Media Production (Games Development)	15
3	BTEC Extended Diploma Creative Media Production (Games Development)	15
3	BTEC Extended Diploma Creative Media Production (Games Development)	15
3	BTEC Extended Diploma Creative Media Production (Games Development)	15
3	BTEC Extended Diploma Construction and Built Environment	8
3	Access Biological/Biomedical Science	15
5	BTEC HND Applied Science (Biology)	7
5	BTEC HND Applied Science (Chemistry)	3
5	BTEC HND Diploma in Graphic Design	6
5	Foundation Science Degree in Hospitality and Tourism Management	6
5	Foundation Science Degree in Event Management for the Tourism Industry	8
5	BTEC HND Diploma in Creative Media Production (Computer Games Design)	12
5	BTEC HND Diploma in Electronic Engineering	5
5	Foundation Degree in I Media	7
5	Foundation Degree in Architectural Technology with Sustainable Design	3
5	Foundation Degree Software Engineering	26
5	Foundation Degree Travel and Tourism Management	5
5	Foundation Degree in Sustainable Construction	3
5	BTEC HND Electrical and Electronic Engineering	5
	<b>Total</b>	<b>284</b>

2.5 The College's database has been used to collate information on the current intake of students and the following details have been considered:

- The numbers of students who meet the age and Belfast domicile criteria who are studying full-time and in first year at the College;
- More than 50% of students on the proposed courses live outside the Council area and projected figures represent a potential pool of Belfast residents;

- It is not possible to identify student income and whether it is likely to be above or below the £23,820 threshold.

2.6 In the early planning stage of this bursary programme, a longer list of eligible courses had been included but this had been scaled back to 10 on the advice of Belfast Met staff who considered that the numbers could be met within the 10 identified courses. However, staff now suggest that, this year in particular, there has been a significant increase in students from outside Belfast.

2.7 Subject to Council approval, Belfast Met also propose to undertake immediate and extensive promotion of the Bursary Fund to students on the 27 additional courses and to set the closing date for end January 2014 to engage students' attention and ensure maximum participation. Current eligible applicants will have their funds administered as per existing arrangements before Christmas.

## 5 Recommendations

5.1 Members are asked to consider the request to extend the Achieve: Belfast Bursary Fund to a potential 27 courses in IT, multimedia, renewable energies, science, tourism and hospitality sectors to meet the targets set for sign-up."

After discussion, during which it was agreed that the future manner in which the fund was distributed would be re-evaluated, the Committee adopted the recommendation and agreed that the Strategic Policy and Resources Committee be requested to consider the removal of the age restriction criteria within the bursary fund, as administered by the Belfast Metropolitan College on behalf of the Council, in its final year.

### External Market Applications

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

The Committee considered the undernoted report:

#### "1 Background Information

1.1 Members will recall that at its meeting of 20 August 2013, an application was received from Folktown Community Interest Company (Folktown) to hold a weekly market in Banks Square for 42 weeks of the year. It is envisaged that this Market would take place every Thursday from March to December 2015 and the opening hours will be from 12.00pm to 8.00pm. There will be a minimum of 25 stalls and a maximum of 31 stalls in any week. It is planned for this market to be a long term venture.

1.2 Members will also recall that Fine and Dandy was also granted a licence to operate a small market in the Crescent Arts Centre on the last Sunday of each month until December 2013.

**2**     **Key Issues**

- 2.1**     Folktown CIC made 3 requests to Committee. The first was to be granted a Market Licence, the second was to have the fee for their application and stall fees waived and thirdly to receive financial support to set up the Market, including first year administration and running costs.
- 2.2**     Members agreed to grant the market licence and to refuse the application for financial support to set up the Market. It is worth noting that the request for financial support included paying market management and event team wages, office rent, insurance, the purchase of market stalls and waste bins, business plan fees, design fees and the purchase of computer and printer.
- 2.3**     In relation to the application to have the application fee and stall fees waived Committee agree to defer consideration of the request to waive all or part of the fees to allow further clarification to be provided on the Council's Markets Policy and in relation to Community Interest Companies.
- 2.4**     Folktown CIC intends to charge a fee of £30.00 per stall per Market but in the first year they aim to charge £20.00 per stall per Market. Year one is estimated to bring in between £21,000 and £26,040.00 depending on the final number of traders attending each week.
- 2.5**     Section 2.3 of the Appendix to the Markets Policy sets out the provisions in respect of a speciality market, which is defined as a market where there is a specialised theme or grouping of produce or goods that make the event more than a car boot sale or a traditional market.
- 2.6**     Section 2.8 of the Appendix states that fees will be waived for any market which is organised by a charity or operated for 'solely charitable purposes'. At the time of developing the Markets Policy, Community Interest Companies were not envisaged as being likely applicants for a market licence.
- 2.7**     Folktown is registered with the Community Interest Company Regulator. Community Interest Companies were created by the Companies (Audit, Investigations and Community Enterprise) Act 2004 and are a special type of limited Company which is intended to benefit the community rather than private shareholders. A Community Interest Company (CIC) is a Social Enterprise and is a business with primarily social objectives whose surpluses are principally reinvested for that purpose in the business or in the community.
- 2.8**     In order to become a CIC, an application needs to be lodged with Companies House to include a Community Interest



Statement which explains the company's business plan and creates an asset lock, which is supposed to be a legal promise stating that companies' assets will only be used for its social objectives and setting limits to the money it can pay to Shareholders.

- 2.9 In addition to registering with Companies House, the company must also be registered with the Community Interest Regulator, who assesses whether the company meets the criteria to become a CIC. The benefit in establishing a CIC as opposed to a Charity is, in part, due to the restrictions which are imposed on the trading abilities of Charities. No such restrictions apply to a CIC. In addition, the founder of a CIC can be paid for their work, can sit on the Board and be responsible for the strategic control of the company.
- 2.10 A copy of the relevant documentation lodged with Companies House, together with the applicant's Community Interest Statement is attached to members' papers for consideration. The applicant has also provided a copy of its Memorandum and Articles of Association, together with a copy of its Certificate of Incorporation on becoming a Community Interest Company, which is also attached to members' papers.
- 2.11 The issue to be determined is whether the reference to markets held for "solely charitable purposes" could include events run by a CIC.
- 2.12 The definition of charitable purpose is set out in Northern Ireland in the Charities Act (Northern Ireland) 2008. It states that charitable purpose is a purpose that falls within a number of descriptions including the advancement of citizenship or community development (which includes rural or urban regeneration) and the advancement of the arts and culture. In addition, any purpose recognised as a charitable purpose under the Recreational Charities Act (NI) Act 1958 may also be considered a charitable purpose. Said legislation provides that it is charitable to provide or assist in the provision of facilities for recreation or other leisure time occupation if the facilities are provided in interests of social welfare for the public benefit.

- 2.13 In addition, the 2008 Act states that charitable purpose also includes any purposes that may reasonably be regarded as analogous to or within the spirit of any of the purposes referred to above.
- 2.14 It would therefore appear that a CIC can be considered to be an organisation which runs events for charitable purposes. The difficulty however is that the policy refers to markets which are held for 'solely charitable purposes'. It was envisaged at the time of drafting the policy that such a provision would be used for fund raising type events for a specific purpose. CIC's are different to charities in that they are specifically set up so as to allow for board members and directors to be paid for the work that they carry out and have social objectives as opposed to charitable status.
- 2.15 According to the Community Interest Company Regulator's annual report for 2012-2013, there were nearly 8,000 registered CIC's. That is coupled with 6,738 organisations which are deemed charities in Northern Ireland. As members may be aware, charity registration has not as yet begun in Northern Ireland. In the interim period, the Charity Commission deems organisations which have registered with HMRC for charitable tax purposes to be charities.
- 2.16 If it is decided to waive fees for this particular CIC, then it may be difficult in future to refuse applications to waive fees from other CIC's. In addition, members are reminded that the market rights which the Council hold are a private valuable right and should be treated as such.
- 2.17 In relation to the subject application, the applicant intends to run a large weekly market for most of the year. There will obviously be resource implications for Council staff in regulating the market. Such costs are unlikely to be fully met by the application fee and the stall fees that would be payable. It is also noted that there are only two members of the company who are also the only directors of the company.
- 2.18 Folktown's Articles of Association permit the directors to be paid both remuneration and also expenses. The Community Interest Statement also states that 'if the Company makes any surplus, it will be used for further development of our activities, in particular the festival, in the strive for better quality, better programmes, bigger acts and larger catchment area'. It does not however set a limit in terms of the percentages of income etc. that would be reinvested in the

company or on what directors would be paid out of any income. Whilst that is understandable, members have to be satisfied that this market would be held for 'solely charitable purposes'.

2.19 Having taken advice from Legal Services, it is arguable that a CIC may be considered an organisation which runs events for charitable purposes. However, there is also case law which states that just because an event or organisation is benevolent does not necessarily mean that it is charitable in the legal sense. In the absence of any express provision in the policy relating to CIC's, each application will have to be considered on its own merits. Generally however it is unlikely that a CIC will meet the test set out in the policy in respect of events for 'solely charitable purposes'.

2.20 It is noted that the Policy is due to be reviewed in February 2014 and it is recommended that, at that time, specific reference is made to CICs. Further research will need to be undertaken to establish what would be a reasonable approach to take to CIC market applications. Based on early investigations it seems that the approach most in keeping with the Council's objectives would be to assess each CIC on its own merits against a number of criteria. These would consider: how beneficial the proposed market is to the area; how much support there is for a market with local people and relevant stakeholders; how much preparation has been put into setting up the market; how much of the CICs profits will be reinvested into the local area; and how well the application meets the existing policy criteria. On that basis, it is likely that Folkton's application would be approved and the licence fee waived. The award of a licence under these circumstances would be subject to annual review.

#### Fine and Dandy

2.21 Permission was granted for a market licence to Fine and Dandy in August 2013. Fine and Dandy have used this market to allow some art/craft students to trade to help promote their new goods. Due to demand Fine and Dandy wish to continue the market until July 2014 when the application expires.

2.22 Fine and Dandy have paid the annual £100 multiple market application fee and fees for the markets held.

2.23 Fine and Dandy have supplied the relevant details such as insurance and any food traders' food safety registration details. Therefore it is recommended that Council agrees to

the granting of a licence to Fine and Dandy until July 2014 when their application is up for renewal.

**5 Recommendations**

1. To accede to the request of Folktown CIC to waive the application and stall fee and this decision to be reviewed in 12 months time.
2. To review the Markets Policy in February 2014 and ensure there is suitable reference to applications from CICs; and
3. To agree to extension of Fine and Dandy market licence until July 2014.”

**Proposal**

Moved by Alderman Stoker,  
Seconded by Councillor Hussey,

That the Committee agrees to adopt recommendations two and three only and defers consideration of recommendation one, viz., to accede to the request by the Folktown Community Interest Company to waive the stall hire fees at the Bank Square Market, pending the outcome of the review of the Council's Markets' Policy.

**Amendment**

Moved by Councillor Mac Giolla Mhóin,  
Seconded by Councillor Ó Donnghaile,

That the Committee agrees to adopt the three recommendations as set out in the report.

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

The proposal standing in the name of Alderman Stoker and seconded by Councillor Hussey was thereupon put to the meeting when eight Members voted in favour and seven against and it was declared carried.

**Recruitment of Head of Waterfront and Ulster Halls**

(All members of staff present at the meeting, with the exception of the Director and the Democratic Services Officer, remained outside the room whilst this item was under discussion.)

The Committee considered the undernoted report:

**“Background Information**

Members will be aware that the post of Head of Belfast Waterfront and Ulster Hall has been vacant since June 2011. The post was publicly advertised in January 2012 but no appointment was made. Members will also be aware that as part of the Council’s Investment Programme, £29.5m is being invested to develop the Waterfront Hall’s potential to host larger international conferences, and to create significant economic benefits to the City.

Given this significant investment and programme of work, the Department now wishes to recruit this post on the basis of a two year fixed term contract. The successful post-holder will lead and manage ‘business as usual’ activities effectively and efficiently while making a significant contribution to the planning of a new and different future.

**Key Issues**

Given the future plans for the Waterfront Hall and the need to promote it on an international scale, it is vital that the successful candidate has previous relevant experience of managing a major commercial entity, preferably in the entertainment or conference markets.

There are limited comparable entertainment and conference venues operating within the sector in NI and it is recommended, given the specialist nature of the post that the council externally advertises this post in the relevant newspapers and undertakes an executive search exercise with an extended closing date for applications for the purpose of identifying and attracting suitably qualified and experienced individuals to apply for this role.

In accordance with the Local Government Staff Commission’s (LGSC) Code of Procedures on Recruitment and Selection:

- the selection panel to recruit this post should comprise the Chair of the Committee and two other elected members from political parties not represented by the Chair, along with the Director of Development and another director (or Head of Human Resources);
- the entire panel should be representative of gender and community background with all panel members having attended recent training in non-discriminatory recruitment and selection techniques; and

- an observer from the LGSC and a professional assessor may also be in attendance during the selection process, if required, but they will not have any voting rights.

#### Financial

Any executive search activity will be procured in line with council guidelines but it is anticipated that this will cost less than £3,000.

#### Equality Implications

All selection panel members will have received appropriate training in non-discriminatory recruitment and selection techniques, including awareness of the Equality Commission's statutory Codes of Practice and Guidance documents.

#### Recommendations

It is recommended that:

- the Committee agrees the composition of the selection panel comprising the Chair of the Committee, two other elected members from political parties not represented by the Chair, the Director of Development and another director (or Head of Human Resources);
- the Committee agrees to an element of executive search being conducted to identify and attract suitably qualified and experienced candidates to this post;
- the selection panel, following council ratification of this proposal on 6 January 2014, agree the recruitment schedule for the post with public advertisement of the post scheduled for mid-January 2014; and
- in the interests of making an early appointment, that the selection panel be given delegated authority to offer the post to the recommended candidate, with the outcome of the appointment being reported back to the next committee meeting, for notation.

**Proposal**

Moved by Councillor Keenan,  
Seconded by Councillor Kelly,

That the Committee adopts the recommendations within the report, subject to the amendment that the selection panel to be formulated to oversee the appointment of the Head of Belfast Waterfront and Ulster Halls be comprised of the Chairman and the Deputy Chairman, together with Councillor Kelly (or their nominees).

**Amendment**

Moved by Alderman Stalford,  
Seconded by Alderman Ekin,

That the Committee adopts the recommendations within the report, subject to the amendment that the selection panel to be formulated to oversee the appointment of the Head of Belfast Waterfront and Ulster Halls be comprised of the Chairman and the Deputy Chairman, together with Councillor Webb (or their nominees).

On a vote by show of hands, seven Members voted for the amendment and one against and it was declared carried.

The amendment was thereupon put to the meeting as the substantive motion when seven Members voted in favour and one against and it was declared carried.

Chairman