

Development Committee

Tuesday, 17th February, 2015

MEETING OF DEVELOPMENT COMMITTEE

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

In attendance: Mr. J. McGrillen, Director of Development;
Mrs. L. Toland, Head of Economic Initiatives
and International Development;
Miss E. McGoldrick, Democratic Services Officer; and
Mr. B. Flynn, Democratic Services Officer.

Apologies

Apologies were reported on behalf of Alderman Stalford and Councillors Keenan, Kelly, Magee, Reynolds and Verner.

Minutes

The minutes of the meeting of 20th January 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 February.

Declarations of Interest

No declarations of interest were reported.

Request to Address the Committee

The Committee agreed to receive, at its meeting scheduled for 10th March, a deputation from the Folktown Community Interest Company in relation to its request for a review of the fees to be levied on market traders at the newly-established Bank Square market.

Pubs of Ulster – Campaign

The Committee considered the following report:

“1 Background Information

- 1.1 Pubs of Ulster is the professional body of the Retail Licensed Trade in Northern Ireland, with members drawn from pubs,**

bars, café-bars, hotels and restaurants. Pubs of Ulster is leading a campaign calling on the Government to reduce VAT rates for businesses in the tourism sector in Northern Ireland. They have written to Council to seek support for the campaign and permit the incorporation of the Council logo on campaign material.

- 1.3 There is currently a sustained campaign ('Cut the Tourism VAT') by the various representative voices across the UK to get a reduction on tourism VAT to be bring it into line with competitor countries.

2 Key Issues

- 2.1 The key issues raised in the letter include:

- The Republic of Ireland's meaning VAT rate has disproportionately affected the industry
- Reduction in VAT could create approximately 3,300 jobs locally and help stimulate economic growth
- Independent research by the HM Treasury's economic model shows that a VAT cut would drive the economy by £4 billion in new revenue in the UK and would save consumers an average £50 per head on visitor accommodation and attractions.

- 2.2 21 countries in the EU have a lower VAT rate for the hotel sector and 13 for the overall hospitality sector. In France, tax was reduced from 19.65% to 5% and led to the creation of 21,700 jobs in the first year.

- 2.3 Members will be aware that the Council will launch the new Integrated Tourism Strategy for Belfast in 2015. The overarching strategic goal of the new strategy is to double the value of tourism by 2020. This will result in tourism being worth £870m per annum in five years, based upon current metrics.

- 2.4 The strategy has identified several issues that bring a competitive disadvantage to Belfast, which have to be addressed. As well as air accessibility, licensing laws and opening hours, the strategy also identifies visa and VAT matters. The strategy states that 'unless these are tackled they will continue to prevent the city achieving its full tourism potential'.

- 2.5 The Integrated strategy also highlights research by Deloitte (2013) that notes reducing tourism VAT would not only enhance the UK's competitive position but would be the most

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efficient way of generating GDP gains for the Exchequer, creating an extra £0.6bn in revenue for the HM Treasury and creating 10,000 jobs in tourism over the next ten years.

2.6 In light of the ambition to grow tourism in the city, Members are asked to consider the request from Pubs of Ulster to support the campaign for VAT reduction in the tourism sector.

3 Resource Implications

3.1 No resource implications.

4 Equality and Good Relations Considerations

4.1 No equality and good relations considerations.

5 Recommendations

5.1 To consider the request from Pubs of Ulster and endorse the campaign to reduce VAT on businesses operating in the tourism sector.”

The Committee agreed to endorse the campaign.

Belfast Technology Conference

The Director reminded the Committee that it had agreed to provide funding of £15,000 towards the hosting of the inaugural Belfast Technology Conference, which had taken place in April, 2014. He outlined the key aims of the 2015 conference, which would take place in Titanic Belfast and the City Hall from 29th April until 1st May. He gave an overview of the programme for the conference, together with an outline of the range of speakers who would provide keynote addresses. He indicated that a request for £15,000 in sponsorship had been received from the organisers and he gave an overview of the key benefits which would be accrued by the Council should it agreed to provide funding.

After discussion, the Committee acceded to the request for sponsorship and agreed that further work be undertaken in the creation of a policy which would oversee the Council's future support of similar-type conferences.

International Relations Framework - Update

The Committee noted the contents of a report which provided an overview of the work which had been undertaken in respect of the Council's International Relations Framework in 2014/2015, and which outlined the programme of activities that would be delivered as part of the Framework in 2015/2016.

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Employability and Skill Strategy - Update

The Committee noted the contents of a report, which had been endorsed by the Shadow Strategic Policy and Resources Committee at its meeting on 30th January, which gave an overview of the future scope of the Council's Employability and Skills Strategy.

Artist-led Street Furniture

The Committee agreed to defer consideration of a request for sponsorship, which had been received from the PLACE organisation, which related to a project which would oversee the creation of a number of artist-led street furniture pieces across the City. It was noted that a report in respect of the Council's future support of the project would be submitted to the appropriate Council committee in due course.

Markets Rights Policy - Clarification

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

The Committee considered the following report:

"1 Background Information

- 1.1 Members will be aware that, in June 2012, the Development Committee approved a new Markets Rights policy for the Council. This policy set in place a framework which allowed the Council to utilise its historic rights to hold markets and to extend these rights to third party organisations to allow them to operate independent markets.**
- 1.2 The main driver of this policy was the growing number of requests for Council from private operators to establish their own markets. A public consultation on the policy was carried out in the Summer of 2011 and the policy was endorsed by the Development Committee at its June 2012 meeting.**
- 1.3 The policy sets out the various types of markets, the relevant conditions and the fees applicable to each. Currently, there are two elements to the market licence fee, namely a one-off licence fee and a fee per stall for each market day. The policy states that both the licence fees and the fees per stall will be waived for any market which is organised 'for solely charitable purposes'. It also notes that discounted licence fees will be payable for events run by charities or non-commercial operators.**

2 **Key Issues**

- 2.1** At the time of drafting the markets rights policy, the reference to markets held for 'solely charitable purposes' was intended to cover one-off fund-raising events for a specific purpose, for example a car boot sale in aid of a child's medical treatment. However, with the policy now in operation for over two years, it has become apparent that there is some ambiguity around what types of activities this might incorporate.
- 2.2** Officers have therefore engaged with colleagues from the Legal Services section to consider how the policy could be amended to clarify this point. Given that there are a number of applications pending, a proposed clarification has been provided within the report. This simply seeks to provide additional clarity around the terminology used in the existing policy with regard to fees payable. It is proposed that a full review of the policy will be carried out in the coming months, with the revised policy to be brought back to the relevant Council committee for endorsement.
- 2.3** At present, fees (both licence fees and stallage fees) are waived in the case of car boot sales/speciality markets 'operated for solely charitable purposes'. Discounted licence fees and full stallage fees are payable in the case of car boot sales/speciality markets operated by a non-commercial organisers/operators or by a registered charity.
- 2.4** The current fee levels are:
- £50 for a one-off licence
 - £100 for a licence to cover multiple markets
 - £6 per stall at markets/£3 per stall at car boot sales.
- 2.5** While the policy refers to a 'discounted licence fee' in certain instances, no discounted fees have been applied to date. In all instances, markets have been either considered as 'solely for charitable purposes' with no fees payable, or operated on a commercial basis, with full fees payable.
- 2.6** There are a number of different business entities working for charitable, non-commercial and commercial purposes. The Charity Commission estimates that there are between 7,000 and 12,000 charities currently operating in Northern Ireland.

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- 2.7 Community Interest Companies (CICs) 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 CIC is a social enterprise and a business with primarily social objectives whose surpluses are principally reinvested for that purpose in the business or in the community. According to the Community Interest Company Association there are nearly 10,000 CICs across the UK (no figures are currently available for Northern Ireland).**
- 2.8 The benefit of 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.**
- 2.9 Advice from our Legal Services team suggests that it is unlikely that a CIC will meet the criteria set out in the policy in respect of events for 'solely charitable purposes' as there is no requirement for them to comply with this objective. While a CIC has a community focus as opposed to pursuing solely commercial interests, it does not have to exist for 'solely charitable purposes'. In this regard, it is suggested that it does not meet the current stipulations of the policy in terms of organisations exempt from fee payments but that it benefits from the discounted licence fee that is applied to non-commercial organisers/operators or by registered charities.**
- 2.10 If stall fees were waived for both charities and CICs, this could represent a significant loss of potential income to the Council. Given the management associated with processing these markets applications, there is a need to allocate officer time to this activity and this is likely to increase as interest as markets grow. By way of example, based on a 30 stall weekly market at £6 per stall, a full fee waiver would mean an annual loss of income of £9,000 to the Council for that market alone.**
- 2.11 In order to address the confusion with the existing policy, the following clarification is proposed:**

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Description of organiser	Licence fee payable?	Stallage fees payable?
Organisation operating for 'solely charitable purposes', namely a charity, sporting group, social group, church or one-off fundraising market where the event is staffed by volunteers and the groups receives full proceeds of the sale	No	No
Registered charity, non-commercial organisation including CICs, social enterprises and organisations where the primary purpose is not for commercial return	Discounted licence fee payable	Yes
All other markets	Yes	Yes

2.12 It is also proposed that the discounted licence fee rate is set at 50% of the full licence fee, i.e. £25 licence fee payable for a one-off market and £50 licence fee for a recurring market. The full stallage fees would be payable.

2.13 Should Members agree this clarification on the fees, a full review of the policy will be undertaken by the Markets Unit and Legal Services in the coming months and the revised policy will be brought back to the relevant Council committee for endorsement.

3 **Resource Implications**

3.1 No specific resource requirements, apart from officer time to process and manage market applications. The policy is currently generating small levels of income the Council each year but the management costs are currently in excess of the licence fees generated.

4 Equality and Good Relations Considerations

4.1 Equality and good relations considerations were taken account of in developing the original policy.

5 Recommendations

5.1 Members are asked to:

- Note the current markets rights policy and references to fee waiver/discounted fee rates**
- Agree the clarification provided at 2.10 regarding licence fees and stallage fees payable by market operators**
- Note the proposal to review the markets licence policy and to bring the revised policy back to the relevant Council committee for endorsement.”**

The Committee adopted the recommendations.

St. George’s Market – Enforcement of Rules and Regulations

The Committee considered the undernoted report:

“1 Relevant Background Information

1.1 All Market Traders renting a pitch from Belfast City Council at St George’s Market are given a set of rules and regulations that includes their Traders Permit, Market Bye laws and a Code of Conduct that they must adhere to in order to trade at the market. Their continued trading is conditional on compliance with these regulations.

1.2 While some enforcement does take place, a number of the traders continue to breach regulations on an ongoing basis. This makes it difficult for management to maintain the integrity of the market and ensure compliance with issues such as Health and Safety, while also ensuring that the market is presented properly for customers and that those visiting have a positive experience.

1.3 In order to manage this more effectively, it is proposed to introduce a ‘penalty point’ system whereby traders would incur penalties for breaches of the regulations.

2 Key Issues

2.1 In line with market management in other locations, it is proposed that if a trader breaches any section of their

trader permit, Market Bye-Laws or Code of Conduct, a penalty point will go on their file and will remain on it for 3 years. If they have accrued 4 penalty points on their file at any one time they will automatically lose their stall in the market. They then will have to wait 12 months before they can reapply for another pitch at the market and will have to go through the application process in place currently. Should a breach occur, management will undertake an investigation to establish whether the imposition of the penalty points is valid. If it is considered that the penalty point is justified, the trader will be advised in writing, confirming the reason for applying the point.

2.2 Some of the most specific areas that we propose to manage through the penalty point system include:-

- Absenteeism
- Late opening/early closing/general time-keeping
- Non-compliance with storage policy
- Encroaching beyond designated area without authorisation
- Abusive behaviour towards staff, other traders and customers
- Sale of goods other than those set out on their trading permit
- Plagiarism
- Theft – specifically electrical leads
- Late payment
- Moving stalls when market is still open to the public.

2.3 All St Georges traders have copies of the rules and regulations for trading at the market. This will not be an additional document but will be a system to ensure compliance.

3 Resource Implications

3.1 The system will be managed by the Markets team.

4 Equality and Good Relations Considerations

4.1 None.

5 Recommendation

- 5.1 To approve the introduction of a ‘Penalty Point’ system for St George’s Market Traders in order to support more effective market management.”**

The Committee adopted the recommendation.

Volunteer Charter

The Committee considered the following report:

“1 Relevant Background Information

- 1.1 The Council currently offers volunteering opportunities across a range of departments which bring many benefits to both the individuals involved and Council. The Volunteering Strategy for NI describes volunteering as ‘the commitment of time and energy, for the benefit of society and the community, the environment or individuals outside (or in addition to) one’s immediate family. It is undertaken freely and by choice, without concern for financial gain.’**
- 1.2 This definition refers to both formal volunteering (carried out with, or under the auspices of an organisation/group) and informal volunteering (carried out outside an organisation, often at neighbourhood level but outside the immediate family). It comprises the widest spectrum of activity, for example, community development, arts, sport, faith based, education, neighbourliness, youth, environmental, health and direct care.**
- 1.3 The unique quality of volunteering, as an activity, is its ability to shape and change itself to the needs of the community. In public services, volunteers bring a range of expertise to particular tasks or projects. Their expertise should complement the skills of staff. In many instances, volunteers can develop the range of support to users that cannot be provided solely by paid staff.**
- 1.4 The volunteering opportunities Council currently offer cut across a number of departments notably; Development, Parks and Leisure, Health & Environmental Services and Human Resources.**
- 1.5 Volunteers are involved in supporting our community centre programmes, our play service, through our play programmes and through the Belfast Youth Forum. Additionally, volunteers support our parks and open spaces;**

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and complement the work of Zoo staff through carrying out surveys and environmental work; they enable council to offer summer scheme opportunities to a greater number of young people than would be possible without them. Within the Development department alone Council benefitted from 73,693 volunteer hours during 2013/14.

- 1.6 Volunteer involvement works best when there are good procedures, clarity of roles, mutual trust and support between paid staff and volunteers. The Development Department, through Community Services, has been leading on developing volunteering within council.
- 1.7 Community Services has developed its own volunteering framework in line with the Investing in Volunteers quality standard to support volunteering hours within its projects and facilities. This work has been undertaken in partnership with Volunteer Now, the lead organisation for volunteers and volunteering in Northern Ireland.
- 1.8 This framework has allowed for the development of a number of procedures including specific volunteer role descriptions and the production of a draft guide to involving volunteers for use by Community Services staff. This framework and the associated procedures provide the basis for the development of a corporate policy and procedures.
- 1.9 Community Services has also been involved in promoting volunteering opportunities within council at events such as Belfast Metropolitan College's Volunteering Fair in October 2014. Officers are also working with the Older People's Reference group to develop and deliver the Age-Friendly Belfast Older Volunteer Awards. The Service has also begun work with Volunteer Now on a volunteer impact assessment which will measure the impact of volunteers on the community and play centre service users.
- 1.10 More recently, as part of her priorities to celebrate and showcase the Heroes of Belfast, the Lord Mayor asked officers to consider how Council can recognise the contributions made by volunteers to life in the city.
- 1.11 As a result the Lord Mayor has asked the service to consider how BCC might develop a Volunteering Charter as a key contributor to the recent motion at SP&R in September 2014 for the development of a Compassionate City Charter as a vehicle to encourage city leadership and bring together efforts towards increasing compassion through local initiatives, policy and projects.

1.12 This paper outlines how such a Volunteer Charter might be progressed in Council.

2 Key Issues

2.1 Community Services has been working in conjunction with Volunteer Now to agree how we might develop a draft volunteering charter for BCC. An illustrative draft Volunteer Charter is attached for member's consideration.

2.2 This volunteering charter will underpin Belfast City Council's role as a civic leader in providing a statement of principles and good practice around volunteering. It is a set of guiding principles that sets out the rights and responsibilities of volunteers and the organisation. These principles will be used as a framework to develop more detailed policies and procedures that reflect needs and circumstances.

2.3 Additionally the volunteering charter will support greater recognition of volunteers and volunteering within council and provide a clear basis from which to build on the work begun by Community Services. It would also aid the roll out of a corporate volunteering policy and guidance for the effective involvement and management of volunteers.

2.4 A volunteering charter is a formal document that sets out the rights and responsibilities of volunteers and the organisation. A volunteering charter would support greater recognition of volunteers and volunteering within council and provide a clear basis from which to build on the work begun by Community Services. It would also aid the roll out a corporate volunteering policy and guidance for the effective involvement and management of volunteers.

2.5 It is envisaged that the charter will outline the key principles and underpinning ethos of volunteering which may include;

- Advocating Council's commitment to their volunteers by agreeing to abide by the principles of volunteering and the rights and responsibilities chosen by volunteers across the organisation**
- The charter would provide reassurance for volunteers that a minimum set of standards will be met by Council.**
- Raises the standard and quality of volunteering provided by Belfast City Council.**
- The charter is a terms of reference for those responsible for managing volunteers in ensuring**

full support of and commitment to volunteering in the organisation.

- At present there is no corporate volunteer policy or consistent volunteer management and support procedures and the development of a charter provides the basis for having in place a corporate approach to volunteering across the various departments.**

2.6 Community Services has examined the process by which other volunteer charters have been developed across other organisations and as part of this, have looked at models in Salford, Edinburgh whilst taking advice from Volunteer Now who have previously worked with the Royal College of Nursing (RCN) in Northern Ireland to develop its volunteering charter. This is based on the Trade Union Congress and Volunteering England's joint Charter for Strengthening Relations Between Paid Staff and Volunteers. The attached draft reflects this practice.

2.7 To ensure a corporate approach to embedding the guiding principles in the practice of services involving volunteers it is proposed that a cross-council officer working group is established to refine the charter and identify actions needed to support the development of a corporate volunteering policy. This group will invite officers from those sections which currently involve volunteers as well as Chief Executive's and Human Resources.

2.8 As the Charter would primarily be for and about volunteers, it is imperative that volunteers are involved in the design of the Charter and have some sense of ownership of the document. It would therefore be proposed to establish a focus group of volunteers who would contribute to the development process of the Charter.

3 Resource Implications

3.1 The development of a volunteering charter for council would have limited budget implications for Volunteer Now's facilitation at a cost of £500 which is within the current Community Service budget.

3.2 However, if Council adopt this good practice model for volunteering, officers would need to formally assess any potential additional cost implications, for example, in relation to the proposed standard of support for travel and subsistence costs incurred by volunteers, training for BCC officers and volunteers, etc.

4 Equality and Good Relations Considerations

4.1 A volunteer charter for council would recognise that volunteers involved by council should reflect the diversity of the communities that council works with and for.

5 Recommendations

5.1 We recommend the following:

- That Committee consider and adopt the draft Volunteer Charter**
- Note and agree the proposed approach to refine the charter and identify actions needed to support the development of a corporate volunteering policy.**
- Note the immediate and potential future budget implications.”**

The Committee adopted the recommendations and endorsed the contents of the draft Charter, a copy of which was published on the Council’s website.

Outstanding Accounts

In accordance with the Council’s Financial Regulations, the Director sought the Committee’s authority to have a number of outstanding debts, amounting to £23,759.81, written off, a schedule of which had been submitted for the Committee’s information. He pointed out that all reasonable measures had been taken to recover the debts.

The Committee agreed that the debts be written off.

Gilpin’s Project

The Committee considered the following report:

“1 Relevant Background Information

1.1 In May 2012 the Development Committee agreed to support a review of the viability of any future redevelopment, technical constraints and potential options for the Gilpins site, Sandy Row. There were three projects in South Belfast (Lagan, Gilpins and Markets Tunnels) endorsed by the Strategic Policy & Resources Committee (SP&R) as the preferred Belfast Investment Fund (BIF) proposals to be taken initially to Stage 1 - whereby testing of their feasibility through a Strategic Outline Business Case (SOC) was proposed.

2 Key Issues

- 2.1** In November 2014, with the SOC complete, the SP&R Committee were updated on the Gilpins project and in particular the requirement for capacity building to support the local groups to explore the potential for the establishment of a Trust as a vehicle for the development and future management of the project.
- 2.2** Members were asked to note that there was no budget available under BIF for this type of project development activity and the recommendation was to refer this request back of the Development Committee for consideration.
- 2.3** In line with this recommendation from SP&R members are asked to consider the possibility for the provision of assistance for the groups in the Sandy Row interested in coming together and work on the development of a proposal to take forward the project. The work by the consultants on the SOC highlighted the need for a vehicle or collaborative grouping that could provide the required local leadership and governance.
- 2.4** The assistance would seek to address the current capacity issues through support towards the exploration of a Trust or similar vehicle that could provide the conduit and focus as a development partner for the project.
- 2.5** The projected funding required requirement for the initial work to support the local groups in the exploration of the potential for a Trust model alongside the necessary governance requirements is estimated this could be completed for £3,000. This is based on the cost of ongoing pilot work by Development Trust Northern Ireland and would focus on the potential for the establishment based on initial engagement with the potential partners and focussed work to raise awareness of the potential/issues of Trust or similar arrangements.
- 2.6** It should be noted that there is currently no provision within the budgets for the proposed support requested by the Area Working Group.

3 Resource Implications

- 3.1** It is anticipated that the cost of the proposed consultancy work would not exceed £3,000.

4 Equality and Good Relations Considerations

4.1 There are no Equality and Good Relations considerations attached to this report.

5 Recommendations

5.1 It is recommended that Committee:

- notes the current budget position in respect of the support requested by the Area Working Group; and**
- considers the request for support from the South Area Working and the approval of £3,000 towards the engagement work with local groups on the exploration of the potential for Trust or similar vehicle to take forward the Gilpins project.”**

The Committee adopted the recommendations.

Chairman