

# People and Communities Committee

Tuesday, 8th December, 2015

## MEETING OF PEOPLE AND COMMUNITIES COMMITTEE

Members present: Councillor Corr Johnston (Chairperson);  
the High Sheriff (Alderman McKee);  
Aldermen McCoubrey and Rodgers; and  
Councillors Austin, Beattie, Bradshaw,  
Brown, Copeland, Corr, Garrett, Jones,  
Lyons, McCabe, Newton, O'Neill and Sandford.

Also attended: Alderman Kingston; and  
Councillors Boyle, McDonough-Brown and  
Ó Donnghaile.

In attendance: Mr R. Cregan, Director of Finance and Resources;  
Mrs. R. Crozier, Assistant Director of Parks  
and Leisure;  
Mrs. S. Toland, Lead Operations Officer/  
Head of Environmental Health; and  
Miss. E. McGoldrick, Democratic Services Officer.

### Apologies

Apologies were reported on behalf of Councillor Heading.

### Minutes

The minutes of the meeting of 10th November were taken as read and signed as correct.

### Declarations of Interest

Councillor Brown declared an interest in respect of Item 5(b) in so far as representing the Council on the board of Groundwork NI.

### Dates and time of Committee Meetings 2016

The Committee approved the following schedule of meetings for the People and Communities Committee during 2016:

- Tuesday, 12th January;
- Tuesday, 9th February;
- Tuesday, 8th March;
- Tuesday, 12th April;
- Tuesday, 10th May;
- Tuesday, 7th June;

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- No meeting in July;
- Tuesday, 9th August;
- Tuesday, 13th September;
- Tuesday, 11th October;
- Tuesday, 8th November; and
- Tuesday, 6th December.

**Request to present to Committee - Christians Against Poverty**

The Committee agreed to invite the Christians Against Poverty to present to the Committee at its meeting on 9th February, 2016 to provide information on their Debt Centre, Job Clubs and the Release Group services they provided.

**Request to present to Committee - Age Sector Platform**

The Committee agreed to invite the Age Sector Platform to present its Belfast City Pensioners Parliament 2016 proposal and their request for funding to the Committee at its meeting on 12th January, 2016.

**Presentations**

**Northern Ireland Housing Executive**

The Chairperson welcomed to the meeting Ms. S. McCauley, Director Regional Services, Mr. T. Waide, Affordable Warmth Manager, Mr. L. Kinney, Homelessness Manager, and Mr. P. Isherwood, Director of Asset Management, representing the Northern Ireland Housing Executive (NIHE).

Ms. McCauley indicated that the purpose of the meeting was to update the Council of its Homelessness Strategy and Rough Sleeping Audit, the Affordable Warmth Programme and Cavity Wall Insulation.

Ms. McCauley and Mr. Kinney provided Members with a presentation on the NIHE Homelessness Strategy 2012-17 and pointed out that the NIHE aimed to eliminate long term homelessness and rough sleeping across Northern Ireland by 2020. They reminded the Committee that their objectives were homelessness prevention; to reduce the length of time households experience homelessness; to remove the need to sleep rough; and to improve services to vulnerable households. They advised the Committee of the work that was being undertaken to tackle those issues, which included:

- comprehensive housing advice;
- regional good practice guidance for young people;
- private rented access scheme: Smartmove;
- evaluating housing first pilot;
- street outreach;
- day centres;
- street needs audit;

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- realignment of services ;
- domestic violence and sexual abuse helpline; and
- young people: enhanced services; accommodation and support.

They outlined the facts and figures surrounding homelessness along with key trends and pointed out that, over the last five years, Northern Ireland had had a 3 percent decrease in individuals presenting themselves as homeless. They advised that, in regards to funding for Homelessness, £13 million had been directed to Homelessness Services in Belfast and that £3.3 million of the Supporting People Programme and NIHE Homelessness funding in Belfast had been directed to low threshold emergency homelessness services.

They reported that initiatives introduced in Belfast since the 2006 Rough Sleepers Strategy included street outreach teams; 20 emergency crash beds and a night time reception centre; a day centre for the homeless; a wet hostel; Dispersed Intensively Managed Emergency (DIME) Accommodation; and a Multi Disciplinary Homeless Support Team.

They summarised the Belfast Street Needs Audit which had been commissioned in 2015 in order to establish a clear and factual picture of current street activity. They advised that it took place over a 12 week period from May to July 2015 between 10pm and 8am in collaboration with Belfast City Centre Management, the Council and PSNI. They advised that the results showed that:

- there were 42 entrenched individuals frequently engaging in street activities – occasionally Rough Sleeping;
- there was a wider visible group observed primarily street drinking and begging;
- all 42 individuals were now being case managed by NIHE's Housing Solutions team;
- the average number of actual Rough Sleepers per night was found to be 6 individuals; and
- many of the group of 42 individuals had accommodation of their own or hostel accommodation.
- that a Multi-Agency approach, led by the Northern Ireland Housing Executive, was required to address the matters raised during the Belfast Street Needs Audit and meet the requirements of all stakeholders; and
- an action plan would be developed and jointly implemented;

Mr. Waide provided the Committee with a presentation on the Affordable Warmth Scheme and Cavity Wall Insulation. He advised the Committee of the progress of the Scheme to date which included:

- by the end of December, 3,500 approvals (£13m) would be completed, of which £9 million would be spend by the end March;
- the NIHE had received 12,000 referrals from the Councils, of which, 10,000 had been processed; and

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- 1116 Belfast Referrals had been received, of which 454 were not proceeding; 224 were awaiting applicant response; and 438 were formally approved, leading to 166 currently completed.

It was reported that the measures which had been undertaken to deal with the delays in the process included Shortening the applicant processing time; Councils to take on the role of obtaining eligibility documents at the front end of the process; and the use of NIHE staff to assist applicants after approval to get an installer, start works on site, and produce documents.

Mr. Waide referred to the complexities of the scheme. He explained that approximately 40 percent of the referrals were not eligible and that there were issues arising from the targeted nature of the scheme of fuel poverty areas and the use of multiple installers. He informed the Committee, however, that the NIHE would continue to try to reduce the lead times and overall costs of the scheme.

Mr. Waide outlined that wall insulation was available as part of the Affordable Warmth Scheme and that 15% of those households that had been approved through the scheme had required some sort of cavity wall work.

During Members' questions, the Committee was apprised of the difference between the Affordable Warmth Scheme and the Warm Homes Scheme, 'no-fines' properties insulation measures, assessment costs of the Affordable Warmth Scheme, how areas in fuel poverty would have been identified and the potential for future cavity wall insulation and inspections.

During discussion, the Committee drew the attention of the officers to the delay in payments to contractors and the affordability of households to pay out at the start of the Affordable Warmth process. Ms. McCauley advised that this would be looked at as part of the review of the scheme.

The Chairperson thanked the Northern Ireland Housing Executive officials for attending and the Committee noted the contents of the presentation, in particular:

- that a Multi-Agency approach, led by the Northern Ireland Housing Executive, was required to address the matters raised during the Belfast Street Needs Audit and meet the requirements of all stakeholders; and
- an action plan would be developed and jointly implemented;

The Committee also agreed that the process of how the Council currently identify households to refer to the Affordable Warmth Scheme be submitted to the Committee for information.

**Branial Community Group**

The Chairperson welcomed to the meeting Miss. D. Dawson and Mr D. Parks representing the Branial Community Group.

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Miss. Dawson provided the Committee with a presentation on the proposed future development of a new community facility at a new site close to the Braniel Primary School. She gave an outline of the community survey which had been undertaken to identify the needs of the residents in the area and summarised the responses that had led to the development plan for the new facility. She reported that the proposed new facility would preferably be a manned site and would include a community sports facility, 4G indoor facility, meeting rooms and a kitchen, dining and multi use room. Miss Dawson advised that the Group would require help to develop the proposal further and would wish to work in partnership with the Council.

During discussion, the Committee noted that the current Braniel Community Centre would undergo agreed planned maintenance, in line with compliant practice, as outlined at the last Committee meeting and that, as part of the Community Centre Strategy, Deloitte MCS Limited were undertaking research into the Community Centre provision across the city.

After discussion, the Committee agreed that the Council would establish the feasibility and capacity of the outlined proposal regarding the development of the Braniel Community Centre and update the Committee in due course.

**Matters referred back from Council/Notices of Motion**

**Motion - Support for the Homeless**

The Committee was reminded that the Council, at its meeting on 1st December, had considered the following Notice of Motion, which had been moved by Councillor Ó Donnghaile and seconded by Councillor McDonough-Brown, that:

**"This Council will dedicate itself to tackle the plight of the homeless this winter by scoping out available Council premises that may be made available for evening and overnight accommodation for our city's rough sleepers. We will engage all relevant Council departments on this matter, including the Lord Mayor's Office, and act as convener to ensure all relevant Government Departments with legal responsibilities are round the table as a matter of urgency to make the necessary physical and financial resources ready. We will also work with charities, the community/voluntary sectors and private companies to ensure the proper human resources and management is in place for this purpose."**

Following on from Item (3.a) - the presentation from the Northern Ireland Housing Executive (NIHE) regarding Homelessness - the Committee agreed that the issues of the Motion would be referred to the intended Multi-Agency Forum to be dealt with under the wider strategy of the NIHE following the Belfast Street Needs Audit.

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**Motion - Deposits for Private Tenancies**

The Committee was reminded that the Council, at its meeting on 1st December, had considered the following Notice of Motion, which had been moved by Councillor Mullan and seconded by Alderman Convery, that:

**“This Council notes that the Department for Social Development introduced legislation from 1st April 2013 in relation to deposits paid in connection with Private Tenancies. From that date, landlords must protect deposits in a Tenancy Deposit Scheme within 14 days of receipt and make sure it remains protected in an approved scheme for the length of a tenancy.**

**During the course of an investigation, a Council solicitor determined that the wording of the legislation does not make the breach of the legislation a continuing offence. This means that a case must be brought in front of the courts within six months of the offence occurring. Unfortunately, many tenants do not discover that their landlord didn't secure their deposit until they are leaving the property, which would normally be 12 months after paying the deposit. This effectively means that the only redress for tenants is through the civil courts.**

**Accordingly, the Council agrees to write to the Minister for Social Development urging that this flaw in the legislation is redressed as a matter of urgency and that the scheme is brought into line with England, Scotland and Wales in that there is 30 days from the receipt of the deposit for landlords to comply.”**

The Committee agreed to raise the issue of redressing the legislation regarding 'Deposits for Private Tenancies' at the planned meeting of an all-party deputation from the Council and the Social Development Minister, Mervyn Storey MLA, on 16th December.

**Committee/Strategic Issues**

**Strategic Cemetery and Crematorium Development – Update**

The Committee approved and adopted the minutes of the meetings of the Strategic Cemeteries and Crematorium Working Group of 5th and 18th November.

**Children and Young People – Update**

(Mrs. C. Taggart, Community Development Manager, attended in connection with this item.)

With the permission of the Chairperson, the Community Development Manager tabled an additional appendix regarding the Children's Services Co-operation Bill. She summarised the report on key developments in the Children and Young People

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environment, which included an update on the Children's Services Co-operation Bill; the Regional Children and Young People Strategic Partnership (CYPSP) extended action plan up to 2017; and Safeguarding Board Northern Ireland mandatory audit.

She advised the Committee of the additional improvements that would be implemented to engage Children and Young People and invited each party to nominate a Children's and Young People's Political Champion (formerly known as Youth Champions) to help shape the outcomes framework and related activities.

The Committee noted the contents of the report and agreed to seek one nomination from each Party to be a Children's and Young People's Political Champion.

**Physical Programme & Asset Management**

**Review of Grass Pitch Allocation**

The Committee considered the following report:-

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

**The purpose of this report is to update Members on the situation in relation to the allocation of the grass soccer pitch in the Waterworks (Westland end) and the process that will be undertaken to review the allocation of grass pitches.**

**2.0 Recommendations**

**Members are asked to note**

- The update provided in relation to the allocation of the grass soccer pitch in the Waterworks (Westland end) and the process that will be undertaken to review the allocation of grass pitches.**
- That it is anticipated that the review will commence in early January and the recommendations will be brought to this Committee in April 2016.**

**3.0 Main report**

- 3.1 Members will be aware that a paper was brought to the August meeting of the People and Communities Committee regarding an issue over several requests for the use of the pitch in the Waterworks (Westland end). It was agreed that officers would meet with stakeholders to reach a mutual agreement on the use of the Westland pitch. It was also agreed 'that a review would be undertaken in respect of the allocation of playing pitches, in consultation with the Belfast Leagues, ready for implementation by June 2016, in due course.'**

- 3.2 Officers have met with league secretaries and representatives of various teams who wish to use the pitch in the Waterworks. It was agreed unanimously by all teams that a ground sharing arrangement should be in place and that one of the weeks should be used by a Westland team. As all teams wished to use the alternative week there was no consensus reached. There were suggestions on the process for allocation such as an expression of interest based on agreed criteria.**
- 3.3 The current soccer pitches allocation policy was approved by Committee in September 2003 and involves the Council allocating 66 grass soccer pitches to nine Leagues at the start of the season. The leagues are then responsible for allocating the pitches to their teams for Saturday and Sunday matches in the winter season. The one exception to this is the Down Area Winter Football League (DAWFL) who declined to comply with the Council's policy and pitches were therefore allocated directly to two of their teams, due to LGR this has now increased to five teams.**
- 3.4 Due to a number of changes as outlined below it may now be an opportune time to review our process:**
- the introduction of Local Government Reform which resulted in an increase in the number of teams and pitches;
  - general under usage of pitches identified within the previous season;
  - requests received for use of pitches from Leagues outside of Belfast; and
  - we are receiving competing requests for recently upgraded facilities such as the new pitch in the Waterworks (Westland end).
- 3.5 Officers are currently in the propose of procuring consultancy support to undertake a review using the following staged approach:**

**Stage 1a – Supply and demand analysis**

This stage will include consultation with relevant stakeholders including leagues and governing bodies and will analyse the demand for our grass pitches from all users.

**Stage 1b – Appraisal of management options**

This stage will look at the various options that are available for the allocation of our pitches and include the cost and resource implications for the Council for both the allocation of soccer



pitches and the subsequent management of fixtures throughout the season.

**Stage 2 – Recommendation of option and process to be used for allocation**

Using the findings of stages 1a and 1b a recommendation will be made around the preferred option for the allocation of pitches. It will also provide a process of how the allocation should work including criteria that should be applied: if there is more than one request for a site/pitch; where there is spare capacity; where there is under usage of pitches during the season and where there is displacement as a result of the closure of facilities.

It is anticipated that the review will commence in early January and the recommendations will be brought to this Committee in April 2016. It is also proposed that information sessions would be held during May 2016 with key stakeholders to present the preferred option and to ask for their comments on the implementation and management process.

**Financial & Resource Implications.**

Based on previous experience it is estimated that the cost of the consultancy support would be in the region of £5,000 - £7,000 and this can be met through existing departmental budgets.

**Equality or Good Relations Implications**

The policy will be screened in line with the Council's process and the consultant will be asked to provide a preliminary equality screening to identify any potential differential impacts and possible mitigating action and also any potential good relations impacts. An EQIA was also carried out on the Playing Pitches Strategy which is the overarching strategy to which this piece of work relates."

The Committee noted the contents of the report, in particular:

- an update in relation to the allocation of the grass soccer pitch in the Waterworks (Westland end) and the process that would be undertaken to review the allocation of grass pitches; and
- that a review was anticipated to commence in early January and the recommendations be submitted for consideration in April 2016.

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**Outdoor Classroom - Alexandra Park**

The Committee was reminded that the Alexandra Park Steering Group presented their proposal for an outdoor classroom at Alexandra Park to the North Area Working Group, at its meeting on 23rd November. The Assistant Director advised that the Group sought approval to undertake a public consultation exercise in relation to the creation of the outdoor classroom which would require the reduction or removal of a section of the interface barrier.

She confirmed that the proposed consultation would involve consulting with key stakeholders in the area and local residents through the holding of several public meetings which be independently facilitated, at different times and locations to maximise attendance. She advised that the independent consultant would be expected to deliver a report outlining:

- feedback on the development of the park to date;
- emerging priorities for the Council to consider in its planning cycle with the Steering Group;
- options on community engagement in the park; and
- a position on the outdoor classroom, and any mitigating actions.

The findings of which would be report to the North Area Working Group and the Committee for consideration.

She pointed out that the consultation would also provide an opportunity to review and refresh the terms of reference for the Steering Group as per the recommendations from the Harrison report in February, 2014 and an opportunity to re-connect with local residents and revitalise the broader plan for the park, in-keeping with the Council's standards for community engagement and outreach work.

The Committee approved the outlined public consultation exercise which would take place on the development of an outdoor classroom in Alexandra Park and noted that a maximum of £6,000 had been set aside from existing departmental resources for this.

**Finance, Procurement and Asset Management**

**Parks Events - Small Grants Scheme**

The Committee was reminded that approval had previously been granted to transfer the responsibility for the Parks Events Small Grants Scheme to the Central Grants Unit, with the Assistant Director being granted delegated authority to approve applications for funding.

It was reported that, out of the 19 applications which had been received for support within the current tranche, 8 had met with the criteria.

The Committee noted the contents of the report regarding the decision taken by the Assistant Director, under delegated authority regarding the applications received in

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Tranche 2 for events taking place in parks between 1 October, 2015 and 31 March, 2016, a copy of which was published on the Council's website.

**Community Development Grant Programme 2016/17**

The Committee considered the following report:-

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

**1.1 The purpose of this report is to obtain approval from members for a one year extension of the 15/16 large grants awarded under the Community Development Grant Programme.**

**1.2 The budget for the current contracts is made up of the following sources of funding, including; £1,404,000 from the Department for Social Development under the Community Support Programme, £1,050,483.00 from Council and an additional investment of £635,523 from Council in 15/16.**

**2.0 Recommendations**

The committee is requested to approve the following;

- (i) To extend the current large grant contracts for a further one year period up to the 31st March subject to a review and submission of the 16/17 programme.**

**3.0 Main report**

**Key Issues**

Members were advised in an update report on the Transfer of Urban Regeneration and Community Development in June 2015 that the DSD budget transferring included £1.4million funding towards the Council's own £2.5 million Community Development Grants Programme which covers General Advice Grants, Capacity Building Grants and Revenue Grants for Community Buildings. In preparation for the transfer of Urban Regeneration and Community Development in April 2015, and to align with transition and transformation, Council held an open call for the three large Community Development Grants in June 2014.

As part of the process applicants were invited to submit proposals for a 2 year period (2015-2017) and were assessed on that basis. However, as the transfer of regeneration powers was delayed until 2016, and the associated financial support package was not yet agreed, contracts could only be awarded for a one year period up to March 2016.

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- 3.2** In order to facilitate effective engagement with the sector and to enable timely notification to groups in line with the Public Account Committee's 'Code of Conduct and Addressing Bureaucracy report in Grant Making' which was launched earlier this year, it is recommended that current contracts should now be extended until 31 March 2017. The extension would be subject to a review of performance and the submission of a programme for 16/17.
- 3.3** Officers also recommend that those organisations which failed to meet the grant threshold and who Council agreed to fund for a one year period are offered the same contract extension.
- 3.4** Any decision to extend would facilitate funding for 29 Capacity Building grants, 82 Revenue for Community Buildings grants, and support the 5 Generalist Advice Consortia. Project and summer scheme grants would be subject to an open call for applications.
- 3.5** The proposal to extend these 3 large grants is subject to Council receiving the same level of grant income of £1,404,000 from the DSD Community Support Programme 16/17 given the postponement of the Transfer of Regeneration and Community Development.

**Financial & Resource Implications**

- 4.0** The additional resource required from Council to extend the existing grants for 2016/17 is £635,523.00. This was agreed by the Strategic Policy & Resources Committee meeting on 20th November 2015.

**5.0 Equality or Good Relations Implications**

**There are no equality or Good Relations implications."**

The Committee approved the extension of the current large grant contracts for a further one year period up to 31st March, 2017 subject to a review and submission of the 16/17 programme.

Operational Issues

Amateur Boxing Strategy – Update

The Committee considered the following report:-

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

**1.1** The purpose of this report is to provide Members with an update on ‘the eligibility of clubs which were affiliated to the Northern Ireland Boxing Association, as opposed to the Irish Amateur Boxing Association, to apply for funding under the Council’s Amateur Boxing Strategy’ as requested at the November Council meeting.

**2.0 Recommendations**

**2.1** Members are asked to note the update provided.

**3.0 Main report**

**3.1** As advised in the October 2015 report to the People and Communities Committee, a process has begun to establish a governing body for boxing in Northern Ireland. Boxing is currently governed on an all island basis and the recognised governing body is the Irish Amateur Boxing association (IABA) based in Dublin. The Northern Ireland Boxing Association (NIBA) has now been established as a separate entity and whilst it is not yet a recognised governing body several clubs have now affiliated with it.

**3.2** The total fund allocated to the Amateur Boxing Strategy is £200K per annum for a three year period. Under the strategy there is only one fund to which clubs can directly apply for funding. This is the ‘Start up Fund’ of £10k per annum which newly established boxing clubs can apply for a grant of £2,500. One of the criteria as agreed by Council is that the club must ‘be established as a boxing club (not Mixed Martial Arts (MMA) or other activities) and be working towards IABA or Nation GB recognition’. As the NIBA is not currently a recognised governing body, newly established clubs which are affiliated to them are not currently eligible to apply for this funding.

**3.3** A key element of the Boxing Strategy is the promotion of boxing across the city through events such as the Belfast Day of Boxing and Try it events. Clubs that take part in events such as these will be reimbursed for expenses such as facility hire and coaching time. The Council will only use clubs that

are affiliated to a recognised governing body and where possible clubs that have 'Clubmark'. Affiliation to a recognised governing body gives the Council assurance that a club is operating to a high standard and that they have the correct policies and procedures in place around areas such as:

- Health and safety
- Child protection
- Governance and management
- Coach education and vetting
- Training and vetting of volunteers

This is particularly important in a high impact sport such as boxing to ensure that any risk of injury is mitigated. Affiliation to a recognised governing body also gives us assurance that the correct insurance is in place which is important if we are to use a club and/or its coaches for an event that is open to the public.

**3.4 Coach education and development is one of the key strategic challenges of the Strategy and the Council has funded a number of coaching courses. Generic courses such as child protection and first aid are open to coaches from any club including those affiliated to the NIBA. However boxing specific qualifications such as Level 1 and 2 have to be delivered through a governing body that is recognised by the AIBA (International Boxing Association) and currently the only body recognised to deliver these courses in Northern Ireland is the IABA.**

**3.5 Club support and development is another key strategic challenge and one of the key actions under this was the introduction of a Sports Development Officer and two community based boxing coaches. The Sports Development Officer works with all boxing clubs across the city irrespective of affiliation advising and assisting as required around issues such as Club Development Plans, good governance and funding.**

The Council has also recently commissioned a boxing club development support programme which will be offered to 15 clubs on a first come first serve basis. This will provide a mix of training sessions on topics including funding, facility development, event management and governance and 1-1 mentoring support for clubs on areas they have identified for development. This programme will be open to all clubs across the city whether affiliated to the IABA or NIBA. If demand exceeds the number of places available we will explore the potential of rolling it out again in the next financial year.

**3.6 There are other Belfast City Council grants available including a range of Support for Sport grants. The eligibility criteria for both the large and small development grants is that an organisation must: Be a club or a constituted community group with a current membership affiliated to a governing body that is recognised by Sport NI or Belfast City Council (National Governing Bodies are not eligible to apply).**

**3.7 Financial & Resource Implications.**

**£200,000 per year for a period of 3 years was agreed for the implementation of the strategy.**

**3.8 Equality or Good Relations Implications**

**The strategy has been equality screened in line with the Council's equality process. The screening showed that there were potential adverse impacts on a number of groups including females and people with a disability and mitigating actions were added to the strategy."**

Noted.

**Use of Sports Pavilions by Stakeholders**

The Committee was reminded that, following the transfer of Tullycarnet Park in April, as part of Local Government Reform, it had been established that a number of groups and clubs used this facility, namely:

- TAGIT Boxing Club;
- Gilnahirk Men's Bowling Club;
- Gilnahirk Ladies' Bowling Club;
- Gilnahirk Bowling Veteran's Club; and
- Royal British Legion, Tullycarnet Branch.

The Assistant Director reported that those groups had had an informal key holding arrangement with Castlereagh Borough Council, and approval was being sought to formalise those arrangements as the Park was now part of the Council's remit. She pointed out that, while the pavilions would not be normally staffed, it was intended that key holding arrangements could be put in place to support better use of the facilities. She explained that these partners would open and close the facilities in line with the club or user requirements, under a legal agreement with the Council, and that bookings would be handled by the Outdoor Leisure Unit. She confirmed that Groups at Tullycarnet would be paying customers and would continue to pay for all such bookings.

She explained that, as part of the key holding arrangements, users would receive an induction in relation to all health and safety issues related to the management of the pavilion as well as requirements for safeguarding children, young

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people and vulnerable adults and key holders would be required to sign up to a binding legal agreement, outlining their responsibilities.

She advised that, in addition, a request had been received from East Belfast Partnership for key holding and free use of the pavilions at Orangefield and Victoria Parks for community events and initiatives, some of which would be undertaken in partnership with the Parks outreach team.

The Committee agreed that permission be given to formalise key holding arrangements by means of a legal agreement with appropriate terms of use with the groups using Tullycarnet Pavilion.

It was also agreed that the East Belfast Partnership be granted free use of the Orangefield and Victoria Park Pavilions on a three month trial basis and that a review of the trial be reported to the Committee for consideration.

**Street Naming - New Street Proposals**

(Mr. T. Martin, Head of Building Control, attended in connection with this item.)

The Committee approved the undernoted applications for the naming of new streets, in respect of which the Royal Mail had offered no objection:

<b><u>Proposed Name</u></b>	<b><u>Location</u></b>	<b><u>Applicant</u></b>
Harberton Park Gardens	Off Harberton Park, BT9	Dimensions Architects
Harberton Crescent	Off Harberton Park, BT9	Dimensions Architects
Harberton Green	Off Harberton Park, BT9	Dimensions Architects
Harberton Lane	Off Harberton Park, BT9	Dimensions Architects
Harberton Square	Off Harberton Park, BT9	Dimensions Architects

The Committee refused the proposed naming of Glenalina Court, Off Glenalina Road to allow the developer to submit a further proposed name.

**Proposed Naming of CS Lewis Square**

It was reported that, as part of the Connswater Community Greenway (CCG) that was currently being delivered by the Council as part of our Investment Programme, a civic square was being constructed at Hollywood Arches adjacent to the Newtownards Road which would be capable of hosting outdoor performances, markets and local celebrations.

The Assistant Director advised that the square was being themed in honour of the locally born author C.S Lewis and would be home to a series of public art pieces inspired by his classic children's novel – The Lion, the Witch and the Wardrobe.

The Committee agreed to name the civic square being constructed at Hollywood Arches as part of Connswater Community Greenway - the 'C.S. Lewis Civic Square'.



**Court of Appeal Hearing Update - Dual Language Street Sign  
at Ballymurphy Drive**

(Mr. T. Martin, Head of Building Control, and Miss N. Largey, Divisional Solicitor, attended in connection with this item.)

The Committee considered the following report:-

**“1.0 Purpose of report or summary of main issues**

**1.1 To update the Committee on the recent Court of Appeal hearing in relation to the application for the erection of a dual language street sign at Ballymurphy Drive. The Committee is also asked to determine this application.**

**2.0 Recommendations**

**2.1 That the Committee:**

- note the determinations made in both the legal proceedings connected with this application, and
- consider whether to exercise its discretion on the application to erect a second street nameplate in Irish at Ballymurphy Drive.

**3.0 Main report**

**Background**

**3.1 An application was received on 23 May 2013 from Glór na Móna to erect a second street nameplate at Ballymurphy Drive, showing the name of the street expressed in a language other than English. The second language was Irish. The Council’s Street Naming Policy requires two thirds of the persons on the street appearing on the electoral register to respond in favour of the application. However, the policy does permit the Council to depart from that policy in exceptional circumstances.**

**3.2 Despite the extension of the time within which responses could be submitted, the applicant failed to meet that threshold. No exceptional circumstances were provided by the applicant as to why the Council should depart from its Policy and the application was not placed before Committee for recommendation for approval.**

**3.3 Subsequently a resident of Ballymurphy Drive, Ms Eileen Reid, of 13 Ballymurphy Drive (the Applicant), judicially reviewed that decision. That judicial review**

primarily sought to challenge the validity of the Council's Policy itself. This case was subsequently heard on 5th September and 10th November 2014 before Mr Justice Horner.

- 3.4 The decision of Mr Justice Horner was delivered on 4th December 2014 and a copy of this Judgment is attached at Appendix 1. As appears from that Judgment, the Judicial Review failed on each of the five grounds advanced.
- 3.5 The decision was reported to the Heath Environmental Services Committee in January 2015.
- 3.6 Ms Reid then sought to appeal the decision of Mr Justice Horner to the Court of Appeal. The appeal was opened before the Court of Appeal on 17th November 2015.
- 3.7 In the early exchanges at the hearing it became clear that a key consideration for the Court was the discretion which exists within the policy. Although it was accepted by the appellant that this application had not received the required support, the appellant asserted that exceptional circumstances existed in this application and the Council should consider exercising its discretion to depart from the policy.
- 3.8 The Council's case – accepted by Mr Justice Horner – was that, as the policy operates, the Head of Building Control considered in the first instance whether there were exceptional circumstances which warranted an application which does not meet the usual requirements of the policy being put before the then Health and Environmental Services Committee ('the Committee') in order for it to consider whether it wished to depart from the policy. In this case, no such purported exceptional circumstances had been raised at the time of the application – although the appellant's lawyers raised a number of matters in the course of the judicial review proceedings themselves which they claimed amounted to such exceptional circumstances.
- 3.9 However, given that the Council accepted that it had a discretion to depart from the policy but that the Council had not at any time, in advance of the proceedings brought by the appellant, considered the issues belatedly raised by her as a basis for it departing from the policy, the Court of Appeal questioned whether it would be more appropriate, at this juncture, for the matter to be sent back to the Committee for consideration of those issues now.

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- 3.10** After consideration and consultation Council officers agreed to the application being referred to Committee to allow consideration of the exceptional circumstances now relied upon by the appellant. The appellant was agreeable to this course of action and the appeal was therefore disposed of on this basis, without further order and without costs.
- 3.11** This means that the judgement of Mr Justice Horner dated 4 December 2014, dismissing the challenge to the policy and to the purported refusal by the Council to consider the proposal to erect an Irish language name-plate at Ballymurphy Drive, remains in place.
- 3.12** The decision in this case will hopefully reassure the Council, not only in relation to the process it carried out in this decision but also in the legality of its policy especially in accordance with its obligations under the European Charter for Regional or Minority Languages.

**Key Issues**

- 3.13** The power for the Council to consider applications to erect a second street nameplate in a language other than English is contained in Article 11 of the Local Government (Miscellaneous Provisions) (NI) Order 1995.
- 3.14** The subject application relates to Ballymurphy Drive, Belfast and it is to erect a second street nameplate showing the name of the street in Irish – which is Céide Bhaile Uí Mhurchú. The Application was lodged by Glór na Móna.
- 3.15** The translation was authenticated by Queens University, the approved translator for Belfast City Council.
- 3.16** In accordance with the Council's policy for the erection of dual language street signs surveys of all persons appearing on the Electoral Register for the above street were carried out.

**Survey outcome**

- 3.17** 52 people (57%) are in favour of the erection of a second street nameplate;
- 1 person was not in favour and 39 people (43%) did not respond to the survey.

It is worth noting that this survey was carried out over 2 years ago and therefore Officers are concerned that these figures may not represent the current views of the residents.

- 3.18** The Council's policy on the erection of a second street nameplate requires that at least two thirds (66.6%) of the people surveyed must be in favour of the proposal to erect a second street sign in a language other than English. There is however discretion within the policy to dispense with its requirements where the applicant can demonstrate that exceptional circumstances exist which would warrant departure from the policy.
- 3.19** The circumstances which were relied upon by Ms Reid were as follows:
- 1)** The survey carried out demonstrated clear support for the above proposal.
  - 2)** The Council is now aware, if it was not before, that Ballymurphy Drive derives its name from the Irish language townland name of Baile Uí Mhurchú.
  - 3)** The Council is now aware, if it was not before, that there is widespread use of and popular support for the Irish language in this area and that such is recognised as part of the council's tourism strategy for the city.
  - 4)** The council has an obligation to promote the use of Irish in public life under the European Charter for Regional and Minority Languages.
- 3.20** The Head of Building Control has also written to Ms Reid asking her to submit the exceptional circumstances upon which she wishes the Council to exercise its discretion in respect of this particular application. At the time of writing this report no further circumstances have been provided by Ms Reid.
- 3.21** In relation to the circumstances set out at point 1, Members are referred to the decision of Mr Justice Horner and in particular paragraphs 32-34. Points 2, 3 and 4 are broadly discussed in paragraphs 35-41 of the Judgement.
- 3.22** The tourism strategy which was referred to is understood to be the 'Integrated Strategic Framework for Belfast Tourism 2010-2014' as a skeleton argument lodged on behalf of Ms Reid stated that this street is in the Gaeltacht Quarter as described in that document. Members are advised that this street was not in the original boundary as established by the Dutton Report under the Framework but is within the

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**Extended Gaeltacht Quarter Boundary that was agreed by Council on 1 November 2012.**

- 3.23 The Committee is therefore requested to consider whether the circumstances which are set out above are such that it wishes to dispense with the requirement for the applicant to demonstrate that two thirds of those surveyed were in favour of the proposal.**

**Financial & Resource Implications**

- 3.24 There is a cost of approximately £250 covering the cost of the manufacturing and erection of the dual language street signs. The cost for these street signs has been allowed for in the current budget.**

**Equality or Good Relations Implications**

- 3.25 There are no direct Equality implications.”**

After discussion, it was

Moved by Councillor Corr,  
Seconded by Councillor Beattie,

That the Committee agrees to use their discretion and approve the application to erect a second street nameplate in Irish at Ballymurphy Drive.

**Amendment**

Moved by Councillor Jones,  
Seconded by Alderman Rodgers,

That the Committee agrees that a further survey be undertaken regarding the application to erect a second street nameplate in Irish at Ballymurphy Drive.

On a vote by show of hands seven Members voted for the amendment and six against and it was declared carried. Accordingly, the amendment was put to the Committee as the substantive motion and passed.

The Committee also noted the determinations made in both the legal proceedings connected with this application.

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**'Live Here Love Here' Campaign**

The Committee was reminded that the Live Here Love Here (LHLH) Campaign Programme was being managed by Keep Northern Ireland Beautiful to create a movement in Northern Ireland communities which focused on Civic Pride and encouraged residents to take action in their local communities through volunteering activities.

It was reported that the Project had engaged with 94,542 volunteers during 2015/16 and would be expected to exceed its target in this area by the end of year three.

The Committee was reminded that the original agreement was for three years funding, however, the commencement of the project had been delayed by a year. It was suggested that the council supported the funding for an additional year 2016/17 at the cost of £41,000.

The Committee adopted the following recommendations:

- I. note the progress made with the LHLH campaign to date and the benefits in collaborating in a wider behavioural change campaign.
- II. commit to Belfast City Council continuing to support the campaign for a further year during 2016/17 at a maximum level of £41,000 from within the existing Cleansing Services anti-litter campaign budget, following a review of the project at each year end. This would ensure that the campaign still meets with the aims of the Belfast Agenda. Funding would also be dependent on other contributors maintaining funding at levels which make the programme viable.

**Winter Warmth Packs – Update**

The Committee was reminded that over the past three years the Council and the Public Health Agency (PHA) had provided over 3,000 winter warmth packs to vulnerable households in the city and was given an update on the plans for the provision of packs for the coming winter.

The Lead Operations Officer reported that the PHA, through the Healthy Ageing Strategic Partnership (HASP), would link with 'Engage with Age' to procure and distribute packs to those over 65's most at risk. It was pointed out that, as was the case in previous years, the PHA would be funding children's packs and had asked the Council to procure them on their behalf.

She confirmed that, as the Council also had a number of packs in reserve, it was proposed that these would be used to support vulnerable adults or groups and to assist the Council's response in the event of an exceptional cold spell.

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The Committee noted the contents of the report and agreed to the proposals for the use of its own stock of Winter Warmth Packs.

The Committee also agreed that the potential to distribute Winter Warmth Packs on a wider scope than the eligibility criteria outlined in the report would be investigated.

**Volunteering Charter Update**

(Mrs. C. Taggart, Community Development Manager, attended in connection with this item.)

The Committee was reminded that Community Services had been working in partnership with Volunteer Now to develop a Volunteering Charter for the Council and an implementation plan which would embed the Charter principles in the practice of those departments involving volunteers. The Community Development Manager advised that the results of a scoping exercise had highlighted the need for the Council to develop a policy on Volunteering which would enable strategic direction and enable consistency in the approach of managing and recruiting volunteers.

She reported that a draft Policy would be presented to the Strategic Policy and Resource Committee in early 2016 and an action plan developed to support the launch of the Policy in April, 2016.

The Committee noted the progress with the implementation of the Volunteer Charter and agreed to the development of a Volunteering Policy for Council.

**Request for use of BCC Premises**

**Barnett Demesne**

The Committee agreed to the request from the County Grand Lodge for the use of Barnett Demesne on the 12th July, 2016, subject to an appropriate legal agreement being prepared by the Town Solicitor.

**Ulster Rugby - Use of the Overflow Car Park at Cregagh Youth and Community Centre**

The Committee agreed to recommend to the Strategic Policy and Resources Committee, the occasional use of the overflow car park by way of a licence agreement to Ulster Rugby, subject to detailed terms to be agreed by the Estates Manager and Legal Services.

Chairperson