

Health and Environmental Services Committee

Wednesday, 6th February, 2013

MEETING OF HEALTH AND ENVIRONMENTAL SERVICES COMMITTEE

Members present: Councillor McCarthy (Chairman);
the High Sheriff (Councillor B. Kingston);
Alderman M. Campbell; and
Councillors Austin, M. E. Campbell, Corr, Curran,
Garrett, Haire, Hartley, Jones, Keenan, Kyle,
McKee, Mullan, O'Neill, Reynolds and Thompson.

In attendance: Mrs. S. Wylie, Director of Health and
Environmental Services;
Mr. T. Martin, Head of Building Control;
Mr. S. Skimin, Head of Cleansing;
Mrs. S. Toland, Head of Environmental Health;
Mr. T. Walker, Head of Waste Management; and
Mrs. P. Scarborough, Democratic Services Section.

Minutes

The minutes of the meeting of 16th 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 4th February, subject to the amendment of the minute under the heading "Applications for the Erection of Dual Language Street Signs" to provide that a report be submitted to the Committee which would outline the legal implications to the Council should it agree to reject any requests for the erection of dual language street signs which had met the pre-agreed criteria.

Declarations of Interest

No declarations of interest were reported.

Directorate

National Association of Councillors Transport and Emergency Services/Flood Management Conference

The Committee was advised that notification had been received regarding a National Association of Councillors Conference which would be held in the Hallmark Hotel, Derby from 1st until 3rd March, 2013. It was pointed out that, in light of the increasing incidences of flash flooding, the programme for the event would be relevant to the work of the Committee. The approximate cost of attendance would be £350 per delegate plus accommodation and travel costs. Accordingly, it was recommended, in accordance with the Council's policy for events of this nature, that the Committee authorise the attendance at the conference of the Chairman, the Deputy Chairman, the Council's representatives on the National Association of Councillors, Northern Ireland

Region (or their nominees) and a representative of each of the Parties on the Council not represented by those Members.

The Committee adopted the recommendation.

Cleansing Services

Consultation on Designation of Areas of Land within the Belfast City Council Area for the Free Distribution of Printed Matter

The Committee considered the undernoted report:

“1 Relevant Background Information

- 1.1 **The Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 came into force on 1st April 2012. It introduced new powers to control the distribution of free printed matter in those areas of the city where there is a history of significant littering problems as a result of leaflet distribution.**
- 1.2 **The powers to control leaflet distribution cannot be used until the Council has the land designated by Order following a consultation exercise. Following designation of the land, anyone who wishes to hand out free leaflets or other printed matter, will need to apply to the Council for a permit. The Council will determine how many people can distribute leaflets, within the designated areas at any given time, and can apply conditions to each consent to control the litter problems arising from the consequences of issuing flyers and leaflets.**
- 1.3 **Once a Designation Order comes into force it will be an offence for anyone to distribute any free printed matter without a permit, within the designated areas. Council Enforcement Officers and Litter Wardens can issue an £80 fixed penalty notice for this offence, to either the individual who is handing out the leaflets or to the person who was responsible for organising the leaflet distribution. The Order also allows areas to be designated in which no permits will be granted.**
- 1.4 **On 5th September 2012, a report was presented to the Committee detailing:**
 - **the proposed areas of land within the district that are to be designated for the purpose of implementing the scheme, namely the city centre and the university area (including Botanic Gardens) (Appendix 1)**

- the proposed scheme, including the conditions to be attached to the permits to control the distribution of free printed matter.(Appendix 2)
 - The fees that are to be charged for issuing the permits.(Appendix 2)
 - The arrangements for making an Order to designate the areas of land including a period of consultation prior to the introduction of the designated areas.
- 1.5 The Committee, at its meeting in September 2012, endorsed the proposal to designate the land for the purposes of controlling the distribution of free printed matter within the two areas of the city which are outlined on the map contained in Appendix 1.
- 1.6 The arrangements for making an Order to designate areas of land are set out in the Clean Neighbourhoods and Environment Act (NI) 2011 and the “Guidance on Litter” issued by the DoE. The Council is required to seek views by consultation, in advance of designating areas of land by Order. A consultation exercise has been conducted to seek opinions from all interested parties regarding this proposal.
2. **Key Issues**
- 2.1 A consultation exercise commenced on 12th December 2012, which ran until 29th December 2012. A Notice setting out the proposal and details of the land to be designated was placed in the local daily papers and the weekly South Belfast News. The Notice also indicated that the Order will come into force on 1 May 2013. This communication was supplemented by placing;
- (i) Details of the Order and the guidelines for the scheme on the Belfast City Council’s website www.belfastcity.gov.uk.
 - (ii) A Public Notice was displayed in every street located within the land to be designated by the Order.
 - (iii) A map providing the definitive area affected by the Order was made available from www.belfastcity.gov.uk or by visiting Belfast City Council, Cleansing Services, 5th Floor, and 9 Lanyon Place, Belfast, BT1 3LP.

- 2.2 Comments were invited via e-mail and in writing within 14 days of the publication of the notice.
- 2.3 There have been no formal responses, comments or objections received in response to the publication of the proposed scheme to designate land within the 14 day deadline outlined in the public notice. However, Belfast City Centre Management (BCCM) have provided some feedback and recommendations to Cleansing Services on the proposed scheme.

The main comments were:

- The inclusion of Donegall Place, Castle Place and College Street in the prohibited streets list, where no permits would be given.
 - Clarification around the total number of distributors who will be allowed to operate in a street under a permit at any one time.
 - The hours and timeframes within which permits will operate
 - A relaxation of the scheme for public interest groups such as Translink and a lower cost permit for all government agencies to use the cobbled areas in front of the City Hall.
 - That permits are only issued to local business so as to prevent 'out of town' promoters advertising in the city centre.
- 2.4 A written response has been sent to BCCM in response to each of the issues raised in their feedback letter. Some of the issues can be considered after the scheme has been operating for a time and in light of operational experience. Therefore, it is not proposed to change the scheme that was presented to Committee in September 2012, at this time
- 2.5 Now that the consultation exercise has been undertaken, the Council must publish a further notice in the local daily newspapers, on the land and on the Council's website to announce that the Designation Order will come into force on 1st May 2013.
- 2.6 Once declared, details of the scheme including how to apply for a permit will be published on the website. Where possible, signage will be placed in the designated areas. Businesses which, Officers are aware, have previously engaged in the distribution of leaflets, will be informed of the new scheme by letter before 1st of May 2013.

After the scheme has been in operation for a year a review will be undertaken to determine any changes or improvements that can be made and an update report will be brought to Committee. This will include the issues raised by Belfast City Centre Management.

3. Resource Implications

3.1 There will be additional administrative and enforcement resources required to administer and police the scheme. Resources have been previously approved by committee and are now in place in advance of the scheme becoming operational on 1st May 2013.

4. Equality and good relations implications

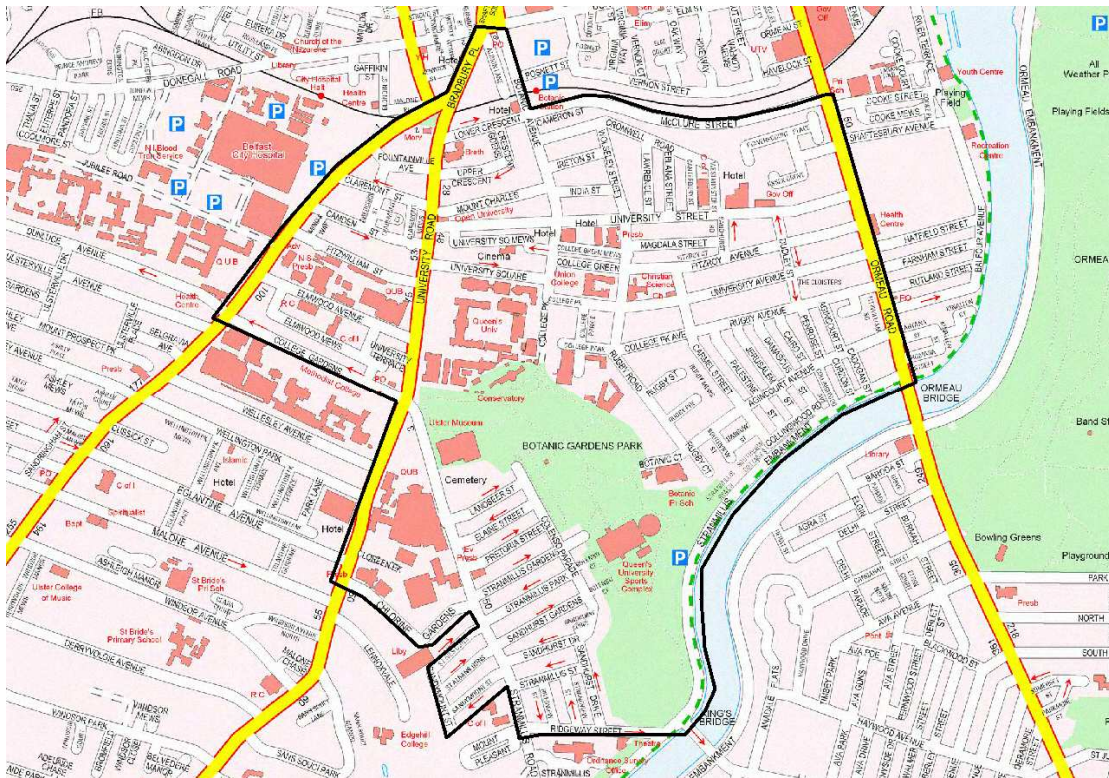
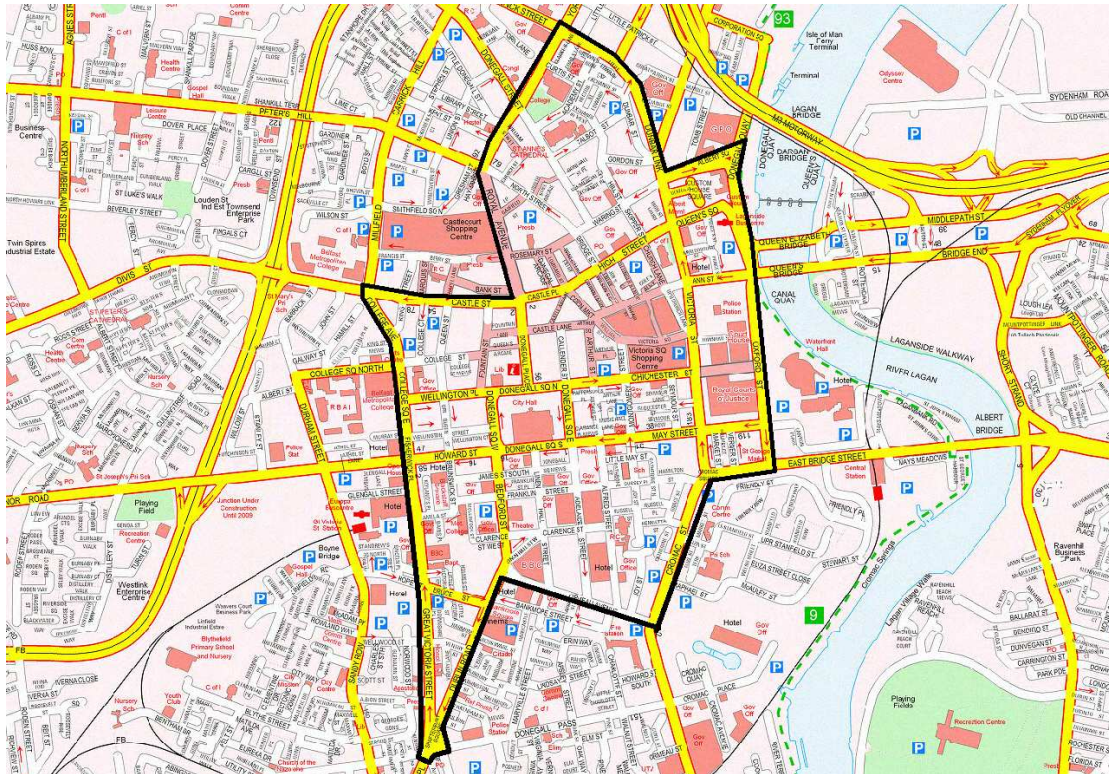
4.1 There are no Equality or Good Relations considerations associated with this report.

5. Recommendations

5.1 The Committee is requested to;

- (i) note the results of the consultation exercise;
- (ii) agree that the city centre and the university areas, including Botanic Gardens outlined in the attached maps, be designated by Order for the control of free distribution of printed matter, commencing 1st May 2013 (including the list of prohibited streets);
- (iii) agree that Fixed Penalty Notices, at the level agreed by the Committee in December 2011, (£80, discounted to £60 for prompt payment) will be issued from 1st May 2013 following further public communication; and
- (iv) agree that the fees to be charged for permits be set at £450.00 for an annual consent and £75 for daily consent (to be reviewed after one year)."

Appendix 1



Appendix 2

Guidelines on the Distribution of Free Printed Matter Within Designated areas of Belfast

1. **Distribution of free printed matter on Designated Lands**
The Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 enables Belfast City Council to designate certain areas of land and council-owned land where the distribution of free printed matter is permitted only with the prior consent of the Council. The Council may place limitations on consent as to:
 - The material that may be distributed
 - The times or dates when it may be distributed
 - The area of designated land in which it may be distributed.
 - A particular distribution.

The purpose of the legislation is to help control the problem caused when leaflets and other materials are subsequently dropped as litter, which can blight public spaces. This places an additional burden on the Council's street cleansing services.

2. **Designated streets and places**

Areas that are proposed for designation by Order are:

Belfast City Centre

Bounded by and including all roadway of:
Shaftesbury Square, Great Victoria Street, Fisherwick Place
College Square East, College Avenue, Castle Street, Royal Avenue, York Street to Dunbar Link, Waring Street, Albert Square, Donegall Quay, Oxford Street, East Bridge Street to Cromac Square, Cromac Street, Ormeau Avenue, Bedford Street, Dublin Road to Shaftesbury Square.

University area including Botanic Park

Bounded by and including all roadway of:
Bradbury Place, Lisburn Road to College Gardens, University Road, Malone Road to Chlorine Gardens, Stranmillis Road *including* St. Ives Gardens *and* Sandymount Street to Ridgeway Street, Stranmillis Embankment, Ormeau Road to McClure Street, Cameron Street, Botanic Avenue to Bradbury Place.

Maps of these areas are available in Appendix 1 and on the Council's website on www.belfastcity.gov.uk

However, the designated area will apply to all streets within the area boundary shown on the maps.

If free printed matter is to be distributed outside of these areas, then no consent is required. However, the council reserves the right to change the designated areas dependent upon there being sufficient evidence for us to do so.

3. What does distribution of free printed matter mean within a designated area?

To 'distribute' printed matter means to give out, or offer or make available to, members of the public and includes material that is given out by hand or by means of placing newspapers, leaflets etc. in a stand on designated land. Printed matter placed on or affixed to vehicles is included within the definition, but the offence does not extend to material put inside a building or letterbox.

Printed matter is 'free' if it is distributed without charge to the persons to whom it is distributed.

Some examples of free printed matter includes (this list is not exhaustive)

- Leaflets
- Printed balloons
- Printed stickers
- Printed carrier bags
- Printed wristbands
- Printed t-shirt/clothing
- Printed catalogues/brochures/newspapers left in a stand outside a shop.

Some examples of activities that are covered are given below;

- A promoter for an entertainment venue e.g. night club giving out flyers to passing members of the public promoting an event at a venue.
- The owner of a shop giving out leaflets to passing members of the public promoting the sale of goods at their premises.
- Bus tour companies who are handing out leaflets to promote their tours.
- Stall holders/promotional stands who have a selection of leaflets on display for members of the public to select.
- A business placing leaflets under the windscreen of parked cars.
- An Estate Agent who leaves a box of property newspapers on the street at the entrance to their premises.
- A pile of flyers left sitting on the top of a piece of street furniture or on a seat.

4. Permits

Permits in the City Centre

Organisations and individuals have the option of applying for either an Annual Permit or a Temporary Permit to distribute free printed matter within the designated city centre area.

In order to ensure fairness to all applicants, only one permit can be issued per business undertaking. Any third party application for a permit for the purposes of distributing free printed matter relating to their business undertaking will be refused.

Anyone holding an Annual Permit is not eligible to apply for a Temporary Permit for the city centre.

Annual Permits must be renewed on an annual basis before the Permit expires by submitting an application form and the fee.

Annual Permit

Two types of permits are available, however; an applicant can only apply for one type of Annual Permit per business undertaking.

(1) Stationary Permit

Anyone applying for an annual Stationary Permit can apply for a maximum of four distributor badges which will entitle the consent holder to have up to a maximum of four distributors handing out free printed matter. Each distributor will be entitled to distribute free printed matter in one of four named streets allocated to the Consent Holder. Only one distributor will be allowed to distribute in the street at any given time. The distributors will not be permitted to move out of the allocated streets under the terms of a Stationary Permit.

(2) Roaming Permit

Anyone applying for a Roaming Permit can apply for a maximum of two distributor badges which will entitle the consent holder to have a maximum of two distributors who can distribute free printed matter in any of the streets which are not subject to restrictions within the designated area. Time restrictions may apply in some streets where there are an excessive number of distributors leading to congestion.

Temporary Permit

A Temporary (one day) Permit will be available for anyone wishing to distribute free printed matter on a one off or ad-hoc basis. A maximum of two distributors will be allowed to distribute free printed matter between the hours of 8am to 6pm in any of the streets within the designated area which are not subject to restrictions. Time restrictions may apply in some streets where there are an excessive number of distributors leading to congestion.

Prohibited Streets and areas within the City Centre

The Council will not permit the distribution of free printed matter in the following areas:

- City Hall Grounds
- Donegall Square North
- Donegall Square South
- Donegall Square East

- Donegall Square West
- Castle Lane
- Corn Market
- Castle Arcade
- William Street South
- Arthur Square, Arthur Street and Arthur Place
- Callender Street
- Fountain Street and Fountain Lane
- Ann Street

Permits in the University Area

Anyone wishing to distribute free printed matter in the university area can apply for a Temporary Permit. Annual Permits will not be issued for this area. A maximum of two distributors will be allowed to distribute free printed matter between the hours of 8am to 6pm in any of the streets within the designated area which are not subject to restrictions. Time restrictions may apply in some streets where there are an excessive number of distributors leading to congestion. The Council reserves the right to limit the number of temporary consents that can be issued for events such as Fresher's week where there is a likelihood that such events will lead to the defacement of the area by litter.

Prohibited Areas within the University Area

The Council will not permit the distribution of free printed matter in the following areas:

- University Road – within 50 metres of entrance to Botanic Gardens
- Stranmillis Road - within 50 metres of entrance to Botanic Gardens
- Botanic Gardens Park
- Botanic Court

5 Definitions

Authorised Officer means any officer employed by Belfast City Council to carry out statutory functions under the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011.

Relevant land includes all public places such as parks, gardens, recreation grounds, or other open spaces which are owned by the Council.

Relevant road refers to streets, pavements and roads maintainable at the public expense for which the council is responsible for keeping clear of litter.

6. Exemptions

The legislation does not apply to the distribution of free printed matter where it is for political, charitable (within the meaning of the Charities Act (NI) 2008) or religious purposes.

It also does not cover printed matter placed inside a building or put in a letterbox, or handed out in a public service vehicle such as a bus, as defined in the Road Traffic (Northern Ireland) Order 1981. However, it does still apply to material distributed from a vehicle onto designated land, regardless of whether the vehicle is stationary or in motion.

Organisations eligible for exemptions are advised to contact the Council in advance to inform us of their activities, so that we can confirm their exemption status. The onus to determine eligibility to exemption status remains with each organisation or individual. The council still expects these organisations to distribute material responsibly and to arrange for the collection of any discarded material as a result of the distribution.

A private venue (such as a club or pub), organisation or business advertising an event from which some or all of the proceeds are for a charity will require a consent to distribute free printed matter.

7. Offences and penalties

Under this legislation it is a criminal offence to hand out free printed matter in the designated areas of Belfast City without prior consent from the Council. Offenders are liable on summary conviction to a fine not exceeding £2,500. The distributor and / or promoter may be subject to a fixed penalty fine of £80 as an alternative to prosecution.

Council officers are also authorised to seize all or any of the materials being distributed if consent has not been granted.

This may be reclaimed by the owner of the material on application to the court of summary jurisdiction.

8. Conditions applicable to all Permits

All Permits will be subject to the following conditions. Permits may also be subject to additional specific conditions based on their application details. The Council may vary these conditions at any time.

Failure to comply with any of these conditions will result in the revocation of the consent and any associated badges, plus disqualification from applying for a new consent for 1 year.

- Distributors must have their authorisation badge clearly displayed at all times when distributing free printed matter. The badge must bear the authorisation number and the name and contact number of the consent holder
- The Authorisation badge must be produced on demand to an Authorised Officer of the Council.
- Authorisation badges are not interchangeable between permit holders.
- Only one permit can be issued per business undertaking. Any third party application for a permit for the purposes of distributing free printed matter relating to their business undertaking will be refused.
- The permit holder must maintain and make available for inspection upon request a record of the name and address of all distributors used. The log shall record where and when the distributors were operating, materials being offered and the authorisation badge number being used.
- Free printed matter must not be distributed on any days or times other than those specified in the permit.
- Restrictions may be made regarding the number of distributors to be allowed in a particular area at a particular time, if this applies, the applicant will be made aware of this on the permit or by an Authorised Officer on days where circumstances require restricted access.

- No free printed matter shall be left unattended for the general public to take at their discretion.
- Free printed matter shall not be in the form of stickers, self adhesive or gummed material.
- All areas in which free printed matter has been distributed are to be cleansed by the Permit Holder, of any relevant discarded free printed matter on a regular basis during the period of distribution along each street of distribution. The area must not fall below Grade B of the Code of Practice on Litter issued under The Litter (Northern Ireland) Order 1994. It is the responsibility of the distributor to collect any litter resulting from the distribution and dispose of it in the correct manner.
- If an Authorised Officer judges that the above standard has been breached as a consequence of the distribution of free printed matter, their judgement is definitive. Challenges to that assessment will only be accepted through the appeal process.
- An authorised officer can stop distribution in an area that has fallen below a Grade B standard until all discarded material/s has been removed by the distributor and the cleanliness of the area has been restored to the required standard.
- No free printed matter shall be placed on or attached in any way to parked vehicles or street furniture including telephone boxes.
- No free printed matter can be distributed promoting drinks promotions that encourage irresponsible consumption of alcohol.
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- All free printed matter must meet the standards of the Advertising Standards Authority. Particular care must be taken to ensure that any free printed matter does not cause offence or incite hatred to any particular group on the grounds of race, religion, gender, sexual orientation, age or disability.
- All Permit Holders and distributors of free printed matter must be the age of 18 years or over.
- Belfast City Council reserves the right to instruct an authorised badge holder to move to an alternative location at any time.

- **Fraudulent use of badges will result in the organisation concerned being excluded from the scheme and the permit will be revoked.**
- **Failure to comply with these permit conditions at any time may result in the authorisation being revoked entirely, or in part.**
- **In the event of permit being revoked, no further application can be made for a minimum of a one year period from the date on which the permit was revoked.**
- **Belfast City Council reserves the right to vary or revoke these conditions at any time by means of a Notice to the permit holder.**

9. Application Process

Applications for permit will normally be considered by the Council within 15 working days of receipt of a complete application form, along with payment of the relevant fee. Please note that any applications received without payment will not be processed.

Applications for the renewal of an Annual Consent must be submitted within 15 working days of the expiration of the annual consent. All badges must be returned with the application.

Belfast City Council reserves the right to refuse a permit to an applicant if they have been convicted of an offence for the distribution of free printed matter without a permit in a designated area or, have been issued with a fixed penalty notice for the distribution of free printed matter without a permit in a designated area, within five years preceding the date of the application.

Permits will also be refused if, in the opinion of the council, the proposed distribution would likely lead to the defacement of the designated land.

In the event of a Permit being revoked, any fees paid by the applicant will not be refunded.

10. Appeals

In the first instance, the Council will offer an informal appeals process against a decision to refuse a permit, or impose any limitations or conditions, or to revoke a permit. The case should be made in writing to:

The Operations Manager,
Cleansing Services,
Belfast City Council,
5th Floor, 9 Lanyon Place, Belfast
BT1 3LP

There is a formal right of Appeal to the Magistrate's Court against a decision to refuse a permit, impose any limitation or condition on a permit, or to revoke a permit. Any person who is aggrieved by a decision of the Council in respect of a permit may appeal directly to the Court without availing of the Council's informal appeals process.

In the event of a permit being revoked, any fees paid by the applicant will not be refunded.

11. Enforcement

The permit conditions will be rigorously enforced by the Council. Any contraventions of the permit conditions may result in individual badges being revoked; full consents and any associated badges being revoked and/ or a refusal to grant further consents for a period of one year.

12. How much does it cost?

The cost of annual consent is £450 per badge.

A maximum of four badges can be obtained for a Stationary Consent, therefore $4 \times £450 = £1800$.

A maximum of two badges can be obtained for a Roaming Consent, therefore $2 \times £450 = £900$.

The cost of a Temporary Consent is £75 for one day consent. A maximum of 2 Badges will be issued under a Temporary Consent.

13. Replacement badges

A fee of £50 will be charged to replace lost or damaged badges. Any replacement badge will be issued for the remaining period of the consent.

14. Enquiries

Enquiries about an application for consent to distribute free printed matter should be made to:

The Enforcement Manager, Belfast City Council

Cleansing Services,

5th Floor

9 Lanyon Place

Belfast

BT1 3LP

Contact Number:

E-mail Address:

The Committee adopted the recommendations within the report and agreed to recommend to the Council that it make an order in Belfast entitled The Free Printed Matter (Belfast) Designated Order 2012 to control the free distribution of printed matter in the areas set out within the report.

Civic Pride Programme

The Head of Cleansing Services submitted, for the Committee's consideration, the undernoted report:

“1 Relevant Background Information

- 1.1 The Civic Pride programme emerged as an outline proposal in November 2011 following agreement from the Public Health Agency (PHA)/Local Government Project Steering Group, to develop a regional, strategic programme on the theme of civic pride. The programme was to have a number of elements that would improve health and wellbeing by enhancing the environment and social conditions of communities. Fundamentally the proposal was designed to support the development of a large scale, regional, strategic programme that was consistent with the emerging community planning agenda, including the theme of volunteering, and which would meet shared ambitions of councils and the Public Health Agency.**

- 1.2 A Project Team was formed, made up of representatives from PHA, Tidy Northern Ireland, Council Clusters, DOE and Volunteer Now, to develop the project concept. Tidy Northern Ireland, a local environmental charity was appointed as the deliverer of the programme.
- 1.3 In November, 2012, the Minister A. Attwood MLA, Environment Minister, wrote to all councils outlining his support for the programme and committing £390,000 to the initiative over the next three years.
- 1.4 The Public Health Agency has proposed £200,000 p.a. for a three year period, although this level of funding has still to be finalised. Such funding will be dependent on the support and contribution of the councils. Each council has been requested to financially contribute to the programme, proportionate to its population. Belfast has been requested to contribute £41,000 p.a over three years through a service level agreement with Tidy Northern Ireland. Tidy NI has also written directly to Elected Members giving a short summary of the project.
- 1.5 If full funding is committed by the DoE, the PHA and all councils, the total value of the proposed project is £1.8 million over 3 three years. However as stated earlier the level of funding from the PHA and Council's has not yet been finalised.

2 Key Issues

- 2.1 Though still in the developmental stage, the Civic Pride Programme proposes to support a three pronged approach to improving health and well-being by enhancing the environment and social conditions of communities through:
 1. Regional Public Information Campaign – the campaign will highlight the benefits to communities and businesses of keeping our public and neighbourhood spaces tidy and litter free. In addition it will focus on the themes of civic pride, community cohesion, individual responsibility and highlight the benefits for local people to become actively involved in improving their local environment;
 2. Volunteering – building capacity within councils to facilitate volunteering by individuals/groups to actively improve the environmental quality of their communities;

3. **“Menu of Opportunities” – this will be developed for local communities and councils to select from, to address their needs e.g. to support volunteering this may include; clean-ups, improving the aesthetic appearance of derelict buildings, development and maintenance of green spaces. Small grants will be available to community and volunteer groups to address the costs of interventions in their local areas under the “menu of services”.**

Project Aims

2.2 The aims of the proposed Civic Pride Programme are:

- **to create a movement in the Northern Ireland community focused around the concept of Civic Pride;**
- **to effect behavioural change in the public and business community through the promotion of Civic Pride;**
- **to improve the quality of the built and natural environments in Northern Ireland;**
- **to continuously improve street and beach cleanliness in Northern Ireland;**
- **to promote and support local volunteers and volunteer networks to lead Civic Pride initiatives in their local areas;**
- **to increase opportunities for volunteering in Civic Pride Initiatives;**
- **to encouraging a sense of ‘active communities’ / local activism in Northern Ireland;**
- **To create a sense of ownership among local communities and individuals in waste reduction, waste management and recycling, use of green space; and**
- **To promote public health through increased community engagement and community involvement in local and regional communities**

2.3 The regional public information campaign strand of the Civic Pride Programme would complement the council’s local anti litter campaign which has been demonstrated to have brought about a reduction in individuals stated littering behaviour. The level of proposed funding would enable a substantial campaign to be delivered in terms of regional marketing for Northern Ireland.

2.4 The programme would build on Cleansing Service’s current success at engaging volunteers whereby we facilitated 2,683 volunteers in community cleanups in 2011/2012. It would further develop good quality volunteering opportunities including intergenerational opportunities and employer supported volunteering, developing increased capacity for individuals to seek and secure paid work.

2.5 Participating councils will benefit from a small grants scheme to support community volunteering projects within their

council area, the proposed value of which will be half the council's own funding contribution to the Civic Pride Programme.

- 2.6 The programme proposes to bring a change in mind-sets in the general population, bringing about the behavioural change needed to reduce littering – resulting in potential street cleaning savings whilst simultaneously enhancing the experience of tourists, assisting inward investment decisions and improving local environmental quality for all.

Governance

- 2.7 It is proposed that the programme would be managed by a committee comprising of members of Tidy Northern Ireland Board, DOE, PHA and two council representatives, this structure is still to be confirmed.

3 Resource Implications

- 3.1 The cost of the council's contribution is £41,000 for year one and would be met from the existing Cleansing Services anti litter campaign budget for 2013/2014. There would be no additional resource implications to the council.

4 Recommendations

The Committee is requested to

1. agree, in principle, to contribute £41,000 to the Civic Pride Programme for year one, dependant on confirmation of the PHA and other council funding levels making the programme viable and Council officers drawing up a satisfactory service level agreement which meets all procurement and legal requirements; and
2. agree that the programme be incorporated into the Health and Environmental Service's Departmental Plan and budgets in years 2 and 3."

The Committee adopted the recommendations within the report.

Street Cleanliness Index, Enforcement and Education Activities

The Committee considered the undernoted report:

"1 Relevant Background Information

- 1.1 The figures presented in this report cover the third quarter of the financial year i.e. the period from October to December, 2012. Monitoring figures were measured by Cleansing Services Quality Officers. Enforcement, and Education and

Awareness information was supplied by the Customer Support Service, and the Community Awareness Section within Cleansing Services, who were responsible for these functions over the period concerned.

- 1.2 The monthly monitoring programme consists of a random 5% sample of streets throughout the city being inspected and graded. From the grading, a Street Cleanliness Index is calculated and plotted for the various areas of the city, and the city as a whole.
- 1.3 The index range is from 1 to 100, with a Cleanliness Index of 67 being regarded as being an acceptable standard by Tidy NI. The results show the trends on a month to month basis. To alleviate the influence of spurious results on the overall index, the results are averaged over the last 4 surveys. Spurious results may occur for reasons such as adverse weather conditions, seasonal problems etc.

2 Key Issues

- 2.1 The overall city wide cleanliness index for this quarter is 74. This is the same score compared to the score for the previous quarter's cleanliness index of 74. The index for the same period in the previous year was 75. However, 74 is still above the target set and is considered an extremely good level of cleanliness.

- 2.2 The breakdown by individual area is as follows:

2.3 North

The North Cleanliness Indices for October 2012 to December 2012 were 74, 73 and 75 respectively. This represents a decrease for all three months with October (down 1), November (down 2) and December (down 1), by comparison to those figures for the same period in the previous financial year viz. 75, 75 and 76 respectively. The area is however maintaining a good level of cleanliness.

2.4 South

The South Cleanliness Indices for October 2012 to December 2012 were 74, 77 and 76 respectively. This represents an decrease for October (down 2), and an increase for November (up 2) and December (up 5) by comparison to those figures for the same period in the previous financial year viz. 76, 75 and 71 respectively. The area is maintaining a very good level of cleanliness.

2.5 East

The East Cleanliness Indices for October 2012 to December 2012 were 77, 75 and 76 respectively. This represents a similar score for October (77) and a decrease for November (down 2), and December (down 1), by comparison to those figures for the same period in the previous financial year viz. 77, 77 and 77 respectively. The area is maintaining a very good level of cleanliness.

2.6 West

The West Cleanliness Indices for October 2012 to December 2012 were 70, 70 and 72 respectively. This represents an decrease for October (down 3) and November (down 3), with a similar score for December (72), by comparison to those figures for the same period in the previous financial year viz. 73, 73 and 72 respectively. The area is maintaining a good level of cleanliness.

2.7 Central

The Central Cleanliness Indices for October 2012 to December 2012 were 75, 76 and 73 respectively. This represents an increase for all three months with October (up 2), November (up 5) and December (up 2) by comparison to those figures for the same period in the previous financial year viz. 73, 71 and 71 respectively. The area is maintaining a good level of cleanliness.

2.8 Complaints / Enquiries

There were 939 enquiries regarding street cleansing during the quarter (by comparison to 827 last quarter).

2.9 There were 11 Corporate Complaints (11 Stage One, no Stage Two and no Stage Three) during the quarter – none of which related to street cleansing.

2.10 Enforcement

There were 430 Fixed Penalty Notices issued under the Litter (NI) Order 1994, and 77 summonses issued. In addition 125 Article 20 Notices were issued requesting information.

2.11 Community & Education Projects

During the last quarter the Community Awareness Team continued to promote the Brighter Belfast Environmental Awards, and the anti-litter campaign 'Litter makes a Pig of You'.

2.12 The Team facilitated 5 community cleanups involving 97 volunteers, visited 84 schools with 3113 pupils attending our anti litter session, and attended 14 events delivering the anti litter message to thousands of attendees.

2.13 Dog Fouling

This quarter we have aligned the counting of dog fouling instances to the 5% random area street cleansing surveys. This will provide better correlation of data for future monitoring of trends both in the area of street cleanliness and the effect dog fouling has on this. The overall instances of dog fouling observed by Cleansing Services Quality Officers, during the quarterly 5% random sampling process for street cleansing, were 269. There is a focus placed on

dealing with dog fouling hotspots as a result of complaints and information from staff out on the ground. Cleansing Services and the Dog Warden Service continue to work together to address hot spots when identified.

2.14 Dog Warden Information

During the quarter the following was noted:

1. A total of 48 fixed penalty notices were issued for dog fouling (31 last quarter)
2. A total of 176 dogs were seized for straying (152 last quarter)
3. A total of 135 fixed penalty notices were issued for straying (132 last quarter)

2.15 The Dog Wardens have again exceeded their quarterly target for dog fouling fixed penalties. They are also maintaining their focus on addressing the problem of straying, through seizures and fixed penalties, as stray dogs are a major contributor to the dog fouling problem.

3 Resource Implications

3.1 Financial

There are no financial implications in this report.

3.2 Human Resources

There are no human resources implications in this report.

3.3 Asset and Other Implications

There are no assets or other implications in this report.

4 Equality and Good Relations Considerations

4.1 None.

5 Recommendation

5.1 The Committee is requested to note the content of this report.”

After discussion, the Committee noted the information which had been provided.

Environmental Health

Student Housing Strategy - Update on the Strategic Study of the Holyland and Wider University Area

The Head of Environmental Health submitted, for the Committee’s consideration, the undernoted report:

“1.0 Relevant Background Information

1.1 The Strategic Study of the Holyland and wider university area was approved by Committee on 26th March 2012 and adopted by Council on 2nd April. The recommendations of the study were two-fold:

- to make Belfast a Learning City and destination of choice for students. This requires a city-wide strategy for student housing that will promote choice and fit-for-purpose accommodation; and
- to restore the functional integrity of Holyland by gradually reintroducing affordable, single household accommodation and improving the quality of the environment, whilst working towards developing a new approach to managing the area.

- 1.2 An action plan to take forward these recommendations was presented within the final Strategic Study report. The purpose of this report is to provide Members with an update on progress of these actions. A summary of the action plan and relevant updates is attached.

2.0 Key Issues

Restoring the Functional Integrity of the Holyland

- 2.1 The Council is working with partners in the Holyland Interagency Group (IAG) to develop a refreshed Implementation Plan to take forward the recommendations to restore the Holyland. A workshop of the statutory agencies of the IAG to explore the governance arrangements, role and engagement structures of the IAG, and in particular to consider how a new neighbourhood management initiative might be implemented was held on 11th January, 2013.
- 2.2 Work to develop proposals for a neighbourhood management initiative for the area is continuing and work to gain views of wider stakeholders (including LANI, PACT and Students Union) will be progressed during February and March 2013.
- 2.3 A further update will be provided to the Health and Environmental Services Committee once proposals for review of the existing IAG arrangements have been explored in with the relevant stakeholders.
- 2.4 A refreshed implementation plan is expected to be produced during 2013, once the work to review the IAG arrangements has been completed. However, Members will note from the attached Action Plan report (Appendix 1) that many actions are already being progressed by the relevant Agencies. Those actions that have not yet been progressed will be the focus of the refreshed implementation plan to ensure these are delivered. The Plan includes an environmental improvement scheme for the area, however, no resource has currently been allocated to this. The South Belfast Area Working Group will be asked to consider this.

Making Belfast a Destination of Choice for Students

- 2.5 As agreed by Committee, the Council is supporting and leading on the development of a student housing framework and is working jointly with other key agencies in developing this. A Student Housing Joint Team comprising BCC, DOE Planning, DSD, NIHE and SIB, together with a wider Student Housing Working Group (incorporating DEL, DRD and the main universities/ HEI's), have been taking forward this work through 4 task and finish subgroups to explore relevant work streams:

- assess the demand and market for student accommodation, led by Department for Employment and Learning;
- investigate Models that support purpose built accommodation, led by Strategic Investment Board;
- consider planning and land use criteria to support student housing, led by Belfast City Council;
- define and market the 'Learning City' concept, led by Belfast City Council.

2.6 Work of the task and finish subgroups has been ongoing and this will culminate by publishing a draft framework for student housing for Belfast (to be issued jointly by the multiagency joint team) in April 2013 for consultation. It is envisaged that this 'discussion document' will be aligned to objectives of the emerging Belfast Masterplan/Development Agenda and will set the strategic context and agenda for a future student housing strategy and the development of purpose built accommodation in Belfast.

3.0 Resource Implications

3.1 Human Resources – In terms of supporting the delivery of the Study, it is proposed that this will be through existing Council staff, with no additional costs to the ratepayer.

3.2 Financial – There are likely to be financial costs associated with the implementation of the student housing strategy; however, the scale of these costs has not yet been determined during the development process when testing the viability of purpose built student accommodation.

4.0 Equality Implications

4.1 Equality and Good Relations considerations will be factored into the development of the student housing strategy for the city.

5.0 Recommendation

5.1 The Committee is requested to note contents of the report.”

Strategic Study Final Report - Chapter 7 Recommendations and Supporting Actions (February 2013)
1. Actions for Student Accommodation

Recommended Action	Supporting Actions for Delivery	Comments	Responsibility	Timescale Short: 0-2 yrs Medium: 0-4 yrs Long: 0-6yrs
<p>1. Develop a single coherent strategy for student housing as part of a strategy for housing in Belfast</p> <p>Lead Responsibility: Student Housing Strategy - BCC</p>	(i) To develop a single strategy for student housing in Belfast, as part of an overarching housing strategy (recognising the impact of legislative reforms on the demand for the shared housing market)	Joint Team and working group established. Project brief developed. 1 st draft Student Housing framework 'discussion document' to be produced by April 13	BCC/DSD/NIHE/DoE Planning	Long term
	(ii) To contribute to the development of a single coherent strategy for student housing in the city. This will require:		QUB / Ulster with support from DEL and NIHE	Short-Medium Term
	a. Update the housing market analysis for Belfast (originally undertaken in 2006 as part of the preparation of the HMO Subject Plan and which included an assessment of the student housing market)	Summary update on the housing market provided – student housing market not included in info from NIHE, information updated from universities on university managed accommodation.	NIHE	Short term
	b. Assemble and analyse information on student population projections, student market segments and student housing need to inform the viability testing of accommodation provision	Information provided to Demand/Market Task & Finish group – difficult to project student numbers. Work ongoing to update and refresh baseline data.	QUB / Ulster / BMC	Short term
	c. Provide clarity on the proposed expansion, intensification, relocation plans of the universities to inform both the demand side and supply side of the student accommodation analysis	<p>BCC provided response to Planning Service on UU Belfast campus</p> <p>QUB – plan to grow student population and increase university managed accommodation</p> <p>Ulster – no plans for additional student accommodation</p> <p>BMC – plans to grow international student numbers which would provide a market for accommodation</p>	QUB / Ulster / BMC	Short term

		Growth in demand for university provided accommodation – September 2012 (Stranmillis nearing 100% occupancy, QUB over-demand and prioritising)		
d. Develop a supporting community engagement strategy to ensure the integration of students in the city & neighbourhood	BCC Officers working with University of Ulster re campus masterplan	QUB / Ulster / BMC / BCC	Short - medium term	
(iii) Lobby Government Ministers to secure support for the strategy for student housing in Belfast	Key Ministers contacted and meetings requested. Opportunities taken in raising awareness with ministers when the opportunity has arisen	BCC	Short term	
(iv) Lobby DEL Minister to investigate the potential to use student maintenance support as a lever to stimulate the supply / demand for quality student accommodation	DEL don't consider this viable- BCC have sought legal opinion	DEL/BCC in conjunction with the Universities	Short term	
(v) In line with the emerging Masterplan for Belfast, advocate, facilitate and enhance student life in the City by supporting innovative arrangements for city centre living; encourage the development of services, facilities, amenities and cultural infrastructure that will support city centre living and strengthen, through sustainable transport links, connections between the anchor educational institutions of Ulster in the north and Queen's in the south of the city	Ongoing	BCC in conjunction with DSD, DRD, DCAL and Planning Service	Medium-long term	

Recommended Action	Supporting Actions for Delivery	Comments	Responsibility	Timescale
<p>2. Identify appropriate locations, innovative arrangements and measures to attract funding for housing students in the City</p> <p>Lead Responsibility: SIB / BCC</p>	(i) Assess current and future demand for student housing and test the viability of providing purpose built accommodation	Demand for university managed accommodation in Belfast increasing. Work ongoing to refresh local baseline data and test financial viability for purpose built accommodation.	SIB/BCC in conjunction with DEL, QUB, Ulster, BMC and NIHE	Short term
	(ii) Establish a range of criteria for assessing the suitability of locations for student housing in the City	Sites/Locations Task & Finish group established. Preliminary criteria developed to be tested against a number of sample sites. Status of the criteria to be confirmed.	BCC, NIHE, Universities, DoE Planning	Short term
	(iii) Within the context of the Masterplan's aims of supporting city centre living, promoting an enhanced environment and strengthening the links between the two university campuses, eg;- Shaftesbury Link, and identify suitable locations for the provision of student housing	Masterplan and Shaftesbury Link proposals being used to shape the sample sites against which to test criteria/and viability. Masterplan is framing discussions around the potential for purpose built student accommodation	BCC, SIB, Universities, DoE Planning	Short term
	(iv) Assess the feasibility and test the financial viability of developing Purpose Built Student Accommodation (PBSA) on a number of sites in public ownership using a criteria based approach.	Work ongoing to test feasibility and viability of a number of locations in Belfast City centre area.	SIB / BCC, in conjunction with the Universities	Short term
	(v) Explore and develop an appropriate funding model to support the provision of purpose built student accommodation in the City	Funding models identified that will inform the development of the feasibility model.	Student Housing Strategy Joint Team SIB in conjunction with BCC, DSD	Short term
	(vi) Encourage private sector / social enterprise investment in identified locations and in the feasibility testing of pricing for rents		SIB/LANI/PRS Network	Medium term

Recommended Action	Supporting Actions for Delivery	Comments	Responsibility	Timescale
<p>3. Prepare guidance on a planning policy framework in respect of shared housing and flat conversions</p> <p>Lead Responsibility: DoE</p>	(i) Prepare guidance on existing planning policy in respect of shared housing - including student accommodation - and flat conversions to promote a better understanding of the policy; a refined interpretation of the existing policy and a commitment to address associated training issues for the planners who process the applications so as to promote greater consistency	On- going discussions with DOE	DoE Planning / BCC	Short term
	(ii) Develop a planning policy framework to underpin / facilitate the delivery of the student housing strategy; jointly develop a pro-active criteria based policy for assessing applications for the provision of student housing; identify any policy impediments and take steps to remedy any policy vacuum; identify and address existing shortfalls in policies.	DoE Planning advise changes to Planning policy unlikely in advance of RPA transfer of planning powers to BCC. They are part of joint team considering potential future criteria .	DoE Planning / NIHE	Long term
	(iii) Determine the next steps with regard to the review/ extension of the HMO Subject Plan relative to student housing and invite stakeholders such as BCC to input at an early stage to a revised subject plan	As above (see ii).	DoE Planning/NIHE/ BCC	Long term
	(iv) Build an evidence base in relation to the cumulative impact of flat conversions and HMO development to inform the interpretation/ re-interpretation of policy and the formulation of new policy	BCC seeking GAP placement student to build the evidence base	BCC/DoE Planning/NIHE	Short term January 2013
	(v) Test the compliance of flat conversions relative to HMO legislation re standards and management		BCC/ DoE Planning/ NIHE	Short term
	(vi) Improve policy interpretation and application and enhance collaborative arrangements to make enforcement more effective		DoE Planning/NIHE/ BCC	Medium term
	(vii) Lobby Minister to support the inclusion of space standards in future planning policy statements e.g. in terms of the expected PPS22 (affordable housing) and provide clarification; ensure PPS 22 encompasses shared housing, including student housing	Draft PPS 22 not yet issued by DoE for consultation – no date confirmed yet. Reference made to Holyland study and space stars in BCC response to DSD Housing Strategy Consultation and review of HMO regulation by DSD. Statutory space standards being considered in the context of overcrowding	BCC	Short term

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		provisions under review of HMO regulation.	
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Recommended Action	Supporting Actions for Delivery	Comments	Responsibility	Timescale
4. Develop an accreditation scheme for student housing Lead Responsibility: NIHE / DSD	(i) Introduce and promote a voluntary accreditation scheme	QUB launched SULets - 2012	QUB	Short term
	(ii) Review the effectiveness and use of an accreditation scheme	Review of SU Lets required after 1 year of operation	QUB	Short term June 2013
	(iii) Establish and support a universal code of standards for student housing		Universities in conjunction with NIHE	Short term
	(iv) Secure accreditation for the code of standards	DSD Housing: HMO licensing requirement likely under review of HMOs. Considering providing for exemption from requirement to license if acceptable student housing code met.	DSD in conjunction with the NIHE / Universities	Medium
	(v) Prepare a brief for testing the legality of obliging first year university students to reside in university provided/affiliated/approved accommodation	Brief prepared, awaiting legal opinion	BCC / DEL / Universities	Short term
	(vi) Engage with DSD Minister regarding the next phase of the Landlord Registration Scheme in relation to the inclusion of quality standards	Working group established re the function of Landlord registration coming to BCC. . Work has progressed with regard to costs and ISB have agreed to provide technical support . DSD have not yet formally requested BCC to act as scheme administrator. This will put back completion of the project and the launch of the system Referenced in BCC response to Regulation of HMOs. DSD Minister issued Housing Strategy for consultation – Oct 2012, Scheme included in BCC response. This will also form part of the discussion re. RPA Transfer of Powers DSD Housing: Discussion still ongoing re who will administer scheme. Licensing will be considered later for whole PRS. Standards would be less onerous than for HMOs licensing.	BCC	Short term
	(vii) Lobby DEL Minister to seek clarification on the legal implications of obliging students in receipt of maintenance support to use only approved, accredited	BCC seeking legal opinion initially.	BCC	Short term

	accommodation		
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2. Actions for Renewal of the Holyland

Recommended Action	Supporting Actions for Delivery	Comments	Responsibility	Timescale
1. Introduce a 'New Homes from Old Places' initiative Lead Responsibility: DSD	(i) Identify the benefits and positively promote the area as attractive to live in. Track and evaluate changes in the popularity of the area amongst social housing tenants.		NIHE / BCC	Medium term
	(ii) Identify one Housing Association to work in the area to identify and acquire properties suitable for single household social housing on a street by street basis	NIHE and DSD agreed to promote the area for social housing with a single HA provider. DSD Housing: HA identified – no success due to lack of demand from public.	DSD/ NIHE	Short – medium term
	(iii) Promote the area as an 'area of choice' to those on the social housing waiting list	As above	NIHE	Medium term
	(iv) Establish the criteria/compile the evidence base to advocate the designation of the area as an 'area at risk' of decline and dereliction	Discussions with DSD have indicated area unlikely to meet scoring criteria for overall deprivation.	BCC / DSD / Residents	Short term
	(v) Lobby Councillors and MLAs to prioritise the area as an area of need / at risk to reverse the trend of decline and dereliction	On- going	Residents	Short term

Recommended Action	Supporting Actions for Delivery	Comments	Responsibility	Timescale
2. Introduce a new regime – a neighbourhood management initiative Lead Responsibility: NIHE	(i) Develop a terms of reference and outline responsibilities to design and deliver a new regime for managing the area through a truly collaborative, task orientated approach involving landlords and key interests (creating a neighbourhood management initiative).	BCC co-ordinating a review of current IAG working arrangements and a facilitated workshop to instigate and develop a terms of reference for a neighbourhood management approach (Initial IAG workshop held on 11 Jan 2013)	NIHE / Landlords / key interests	Medium term
	(ii) Investigate the scope for introducing differential registration fees in line with the concentration of HMOs and explore the scope to deploy registration fees to resource emerging neighbourhood management actions	DSD Housing: considering differential fees as part of review of HMO regulation. Also direct funding of HMO regulation via fees.	DSD in conjunction with NIHE/ /LANI / PRS Network	Medium term
	(iii) Recognise and support landlords in exerting peer	DSD Housing: considering obligatory	Landlords / DSD / NIHE	Short term

	pressure on fellow landlords to adopt a proactive approach to improving housing and responsibilities for managing tenant behaviour	behaviour clauses in all HMO occupancy agreements		
	(iv) Engage landlords in supporting and participating in the QUB accreditation scheme initiative and accommodation code		Landlords / QUB/ NIHE	Short term
	(v) Collectively target the Holyland for proactive enforcement to increase awareness of landlord responsibilities to improve housing and introduce requirements for landlords to manage the behaviour of tenants	Proactive enforcement group has regular meetings attended by NIHE HMO office staff, PSNI, and BCC staff (Cleansing, Housing, Environmental Protection)	NIHE / BCC	Short term
	(vi) DSD Minister to communicate /commit to the landlord registration scheme's long term aim of introducing standards, as part of the registration and go beyond its current provisions as a light touch regulatory tool to merely register landlords	DSD Housing: On 15/1/13 assembly agreed motion calling for a licensing scheme for the PRS - Minister agreed it will be considered. Proposals for a licensing scheme for HMOs likely in April or May 13.	DSD	Medium term

Recommended Action	Supporting Actions for Delivery	Comments	Responsibility	Timescale
3. Introduce an integrated plan for transport and traffic management Lead Responsibility: DRD	(i) Develop an integrated traffic management plan for the Holyland area and within this context; - introduce waiting restrictions/corner restrictions - investigate the introduction of one-way streets; the pedestrianisation of streets; residents parking in the area - encourage resident students to register term time addresses	- Corner waiting restrictions have been provided at various locations. - One-way traffic proposals in a number of streets have been notified to residents affected (first step). Further liaison with residents and publication of changes in press will take place during Feb 2013. Should the	DRD Roads, Universities, Residents, Landlords, BCC DRD Roads Universities / Residents / DRD/DSD Universities	Short – Medium term Medium term Medium term Short term

		<p>proposals proceed to implementation consideration will then be given to extending one-way arrangements to adjoining streets.</p> <p>- Discussions on a residents' parking scheme have taken place with representatives of the Queens Conservation Area Residents Parking Group, (re Rugby Road and adjoining streets). Consultants due to start initial survey work Feb 2013.</p>		
	<p>(ii) Develop University Neighbourhood Green Travel Plans for students, staff and visitors to the Universities. Within this context</p> <ul style="list-style-type: none"> - develop parking solutions for students, staff and visitors - ensure the traffic management, including parking and the implications of the emerging Master Plan recommendations, including the proposed University of Ulster campus at Cathedral 	<p>Green travel Plan submitted by UU as part of Planning Application for Belfast campus for consideration by statutory consultees. Strategic Advisory Forum (Transport subgroup) formed to advise on transport and parking issues (attended by BCC, DSD, DRD, Translink, DoE Planning).</p>	<p>Universities/Translink/DRD/BCC</p> <p>Universities/Translink</p> <p>Translink/DRD DRD/Students Unions/LANI</p>	<p>Short-medium term</p> <p>Short term</p> <p>Medium term Short term</p>

	<p>Quarter, are taken into account in the University Neighbourhood Green Travel Plans</p> <ul style="list-style-type: none"> - share timetabling arrangements with Translink to inform provision - provide public transport at source for students travelling into the City to attend University - pilot the introduction of a UNIBike scheme 			
	<p>(iii) Develop an integrated transport strategy to ensure linkages and accessibility between the south city and north city campuses. Support the Masterplan's proposals for Shaftesbury Link, including the design of a new avenue that prioritises north-south pedestrian movements</p>	<p>Part of the BCC draft Master plan proposals</p>	<p>BCC/Universities/Translink/DRD</p>	<p>Medium term – long term</p>

Recommended Action	Supporting Actions for Delivery	Comments	Responsibility	Timescale
<p>4. Introduce a programme of environmental improvements to enhance the public realm</p> <p>Lead Responsibility: BCC</p>	<p>(i) Undertake an assessment of the area to identify environmental improvements with the local community and determine the cost and resources for implementation.</p>	<p>2 staged approach – pilot area identified & costed for LIF and or SIF</p>	<p>BCC/DSD/Residents</p>	<p>Short term</p>
	<p>(ii) Prioritise and plan feasible environmental improvements for implementation, with a resource plan</p>	<p>Quotation to be prepared & expertise procured</p>	<p>BCC/DSD/Residents</p>	<p>Short term January 2012</p>
	<p>(iii) Prepare a bid/application for the Council's new neighbourhood Local</p>	<p>Neighbourhood LIF not appropriate – alternative funding being sought for pilot area</p>	<p>BCC/DSD/Residents</p>	<p>Short-medium term</p>

Investment Fund (as part of the Council's Investment Programme) for resources	Initial £5k funding secured via DPCSP open call. Additional funding sources to be identified and bids prepared.		
(iv) Enforce 'Clean Neighbourhoods' powers in relation to rubbish and dumping in front gardens	Clean Neighbourhood powers came into effect and operational from April 2012.	BCC / Landlords	Short term
(v) Expedite 'Alley Gates' intervention included in BCC Phase 3 programme	Phase 3 agreed: Gates to be installed by end of 2013 in: <ul style="list-style-type: none"> • Cadogan Street/Curzon Street • Cromwell Road/Cameron Street • Fitzroy Avenue/Carmel Street/Dudley Street • University Avenue/College Park Ave/ 	BCC	Short-medium term
(vi) Landlords to take responsibility for removal of rubbish at end of term clean-outs	Raised by chair of IAG with LANI through their representation at IAG for all key dates- St Patricks,, fresher's weeks and end of term etc	Landlords	Short term

Recommended Action	Supporting Actions for Delivery	Comments	Responsibility	Timescale
<p>5. Improve safety in the area</p> <p>Lead Responsibility: DOJ</p>	(i) Ministers to take forward policy on unit pricing of alcohol	Consultation from both DHSSP and DSD on this in 2012 around general alcohol control. BCC position is that we request further evidence bases on which to proceed with this approach.	DSD/DHSSPS	Short term
	(ii) Implement Fixed Penalty Notices for disorder offences; including, indecent behaviour (urination) in any street, road, highway or other public place or in any place to which the public has access; and being drunk in any road or other public place, disorderly behaviour, criminal damage or breach of the peace	158 Penalties for Disorder issued by PSNI B District to date (1 st June 2012 – January 2013)	PSNI/DOJ	Short term
	(iii) Good Relations / shared space principles to be included in initiatives		IAG	Ongoing
	(iv) Tension Monitoring/Good Relations actions to be included in revised Implementation Plan	Revised Implementation Plan to be developed Holyland/Lower Ormeau/Annadale is one of four hot-spot areas identified in the PEACE III funded Tension Monitoring project	IAG	Ongoing
	(v) Support the implementation of the Community Safety Strategy and the actions to address alcohol related anti-social behaviour	Action plans to deliver the Community Safety Strategy themes (including antisocial behaviour and alcohol) have been submitted to Justice Committee on 17 January 2013 for consideration – Committee response due in coming months.	IAG	Short term
	(vi) Explore the commencement of provisions related to Dispersal Zones and alcohol consumption in designated spaces under article 68- 72 as per the Criminal Justice Order (2008).	Dispersal zones previously considered in consultation for draft NI Community Safety Strategy for 2012-17. DOJ currently exploring possible commencement of provisions re confiscation of alcohol in designated spaces.	DOJ	Medium term

	(vii) Deliver on, and monitor progress with, the current themes in the Holyland Implementation Plan (<i>Alcohol, Policing, Student Behaviour, Holyland Management, Environmental</i>) and any refreshed plan, which will be informed by the Study recommendations.	Updates provided during 2012	IAG	Ongoing
	(viii) Ensure that the strategy for student housing and service provision supports the social cohesion and integration of students within local neighbourhoods	Student community integration and social cohesion issues are included in the discussions and project brief for the development of the city-wide student housing strategy. Also within the context of discussion around the 'learning city' theme as part of the master plan there is a recognised need to ensure a positive image of the economic and social benefits the young population add to a vibrant learning city	IAG	Ongoing

Arising from the discussion, the Head of Environmental Health undertook to provide a Member with clarification regarding the Fixed Penalty Notices which would be issued for disorderly offences in relation to being drunk in any road or other public place.

The Committee noted the information which had been provided.

Consultation on the Dogs (Specified Maximum) (Belfast) Order 2012

The Committee considered the undernoted report:

“1 Relevant Background Information

1.1 The Clean Neighbourhoods Act strengthens the legislative powers available to district councils to help them deal more effectively with a range of local environmental quality problems, including the making of orders that apply offences aimed at the control of dogs (“dog control orders”).

1.2 Members are reminded that under Part 5 of the Act, councils may create separate orders to help manage issues associated with dogs in their area. Dog Control Orders can be made in respect of any land, subject to certain exemptions, and can relate to the following matters:

- failing to remove dog faeces;
 - not keeping a dog on a lead
 - not putting, and keeping, a dog on a lead when directed to do so by an authorised officer;
 - permitting a dog to enter land from which dogs are excluded; and
 - taking more than a specified number of dogs onto land
- 1.3 At its meeting of 8th February 2012, the Committee agreed the implementation of Dog Control Orders on a phased basis. The Council has already implemented the Fouling of Land by Dogs (Belfast City Council) Order 2012 which became effective on 1st October 2012.
- 1.4 The Council is also currently consulting on the Dogs (Exclusion from cemeteries, children's playgrounds, playing fields and pitches) (Belfast) Order 2012. This has resulted in a significant level of response which is currently being reviewed and further reports on this aspect will be brought forward to the relevant Committees.
- 1.5 At its meeting of 7th November 2012 the Committee also agreed that the Council should make a dog control order limiting the number of dogs a person can be in control of at any one time to 4.
- 1.6 A consultation exercise, therefore, commenced on 10th December 2012 on the proposed Dogs (Specified Maximum) (Belfast) Order 2012 and ran until 25th January 2013. Notices were placed in all local daily and weekly community papers with communication supplemented by placing details of the Order on the BCC website
- <http://www.belfastcity.gov.uk/dogwardens/dog-control-consultation.asp>
- 1.7 Comments were invited via e-mail, in writing and via BCC social media channels.

2 Key Issues

- 2.1 One of the objectives of the Council is to promote responsible dog ownership, not simply through enforcement, but also through educational and awareness raising activities, partnership working with schools, community groups and outside agencies and by officers working more collaboratively across the Council. For example, a detailed action plan for addressing dog fouling has been agreed and is being implemented across the city. Therefore the powers available under the Clean Neighbourhoods and Environment Act provide a useful additional tool to the ongoing work of the Council in seeking to address all dog related issues across the city.

Consultation Responses

- 2.2 There have been 65 responses to the Consultation that focus on the Dogs (Specified Maximum) (Belfast) Order 2012. Of these, 25 raised concerns about Dog Walkers being impacted in relation to their businesses and the maximum number of dogs they could walk being limited to 4. The responses are summarised in Appendix 3.
- 2.3 A total of 13 responses agreed with the proposal of a limit of 4. The guidance published by Defra states that expert advice is that the maximum number of dogs that a person can control should not exceed six and that consideration of an appropriate maximum number should take into account all the circumstances in the area. As dog fouling has been a consistent problem in Belfast, Members have previously agreed on a limit of 4 dogs. This is the case in some local authorities in England (see Appendix 2).
- 2.4 The related DoE guidance for Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 states that the most important factor for district councils to consider is the maximum number of dogs which a person can control. The Dogs Trust does not agree that there should be a limit on the number of dogs walked as so much depends on the ability of the person to control the dogs. An illustration provided by them suggests that a good owner may be able to control large numbers of dogs while a less responsible person may be incapable of controlling one.
- 2.5 If someone is taking several dogs on to land they must be capable of controlling them. Someone with more than 4 dogs could struggle to be in full control of them, particularly if the dogs were distracted. Five or more dogs being walked by a single person could therefore pose a danger to other people, particularly children or the elderly. The Council's Dog Wardens have observed the practical difficulties associated with cleaning up and managing the retention and subsequent disposal of dog fouling from several animals and have issued Fixed Penalty Notices accordingly where owners/dog walkers have been unable to control the problem due to the number of dogs being walked.
- 2.6 The Kennel Club has suggested that the Council follows Department for Environment, Food and Rural Affairs (DEFRA) guidance and permit 6 dogs. They have also referred to welfare e.g. the potential of theft, and leaving dogs in cars while other dogs are walked. In line with DEFRA guidance a number of insurers issue dog sitter and dog walker insurance on the basis of a limit of 6 dogs. 2 other consultee responses cited insurance cover from the National Association of Registered Petsitters who have outlined the following in their code of practice and terms and conditions of their insurance:

'Dog Walkers should not walk more than 4 dogs at any one time. They must ensure proper control at all times and dispose of excrement safely.'

- 2.7 The consultation provided a number of views ranging from total agreement with the proposal (20%) to a rejection of the need for any legislation. Some people were of the view that, as it is not an offence to own more than 4 dogs it should not be an offence to walk more than 4. Others felt that consideration should be given to the size of the dogs.
- 2.8 It is not possible to set a maximum figure that will meet everyone's preferred option. However, given the ongoing problem of dog fouling across the city and the concerns that are regularly expressed by the public and by Councillors on behalf of their constituents, the Dog Control Officer Group firstly took account of the Defra guidance, that quotes expert advice that it should not exceed 6, whilst accepting that the fewer the number of dogs someone is in charge of, then the easier they are to control and to clean up after.
- 2.9 It was, therefore, still recommended that the maximum number of dogs should be 4.
- 2.10 There are 59 households in the Belfast City Council area with more than 4 dogs licensed and officers will be contacting those affected by its implementation of this Order, if agreed, but prior to the proposed implementation on 1st April 2013.

3 Resource Implications

- 3.1 Resource implications can be met within existing budgets.

4 Equality Implications

- 4.1 An Equality Screening exercise has been carried out on the Dogs (Specified Maximum) (Belfast) Order 2012 consultation exercise.

5 Recommendation

5.1 The Committee is requested to:-

1. note the results of the consultation exercise; and
2. decide if it wishes to proceed to make a new dog control order in Belfast entitled The Dogs (Specified Maximum) (Belfast) Order 2012 to be effective from 1st April 2013 limiting the number of dogs that a person can be in control of at any one time to four.”

Appendix 2

Maximum Number of Dogs Specified under Dog Control Orders

Other Councils

District Council	Specified Maximum Number of Dogs	Comment
North Down District Council	2	Proposed
Belfast City Council	4	Proposed
Elmbridge Borough Council	4	The consultation showed 62% support for 3 dogs maximum
Oxford City Council	4	Consultation showed 71% support for proposal
Epping Forest District Council	4	Consultation showed 74% support for proposal
Wandsworth Council	4	A licence is required to walk up to 8 dogs
Merton Council	4	Proposed
Wyre Borough Council	4	–
London Borough of Croydon	4	–
London Borough of Newham	4	–
London Borough of Southwark	4	–
Brent Council	6	The consultation demonstrated that whilst many agreed with 6, also a lot of support for 4
Borough of Ostwestry	6	–
Calderdale Council	6	–

Appendix 3

Summary of Key Themes and Concerns of Consultees

Professional Dog Walkers

Concerns were raised by around 25 consultees regarding professional dog walkers. 6 of them felt that it discriminated specifically against them. It was suggested that the proposals could result in increased charges whilst 10 people felt that the proposal could put some of them out of business. Several also expressed concerns about the potential impact on the users of dog walking professionals.

One consultee suggested that being a professional dog walker should amount to a “reasonable excuse” under the legislation and 4 people suggested that the Council should issue licences or permits to allow exemptions for professional dog walkers.

Two alleged professional dog walkers agreed with the proposals and pointed out that no-one should be walking more than 4 dogs at the same time. One of them made the following comments:-

“...depending on circumstances, 4 dogs, all breeds small and large, can become a pack and can become hard to control...”

“...as a member of NARP (National Association of Registered Petsitters/Walkers), who provide insurance for most dog walkers...we are only insured to walk 4 dogs at any one time...”

Support for Council proposal

A total of 13 people were supportive of the Council proposals, which amounts to 20% of those who responded to the consultation.

Necessary or Proportionate Response

4 respondents felt that the proposals weren't a necessary or proportionate response. One of them suggested that the introduction of an order, requiring a dog to be put on a lead when directed to do so by an authorised officer, would be a more appropriate option.

People who own more than 4 dogs

It was suggested by 3 of the respondents that it should not be an offence to walk more than 4 dogs when it isn't an offence to own more than 4 dogs.

Size/Breed of the Dog

A couple of respondents felt that the size of the dog was relevant to the specified maximum, i.e. 4 small dogs would be much easier to manage than 4 larger breeds.

Dogs on Leads

One consultee felt that it was unnecessary to specify a maximum number so long as the dogs are on leads.

Others

One consultee alleged that this proposal was simply an easy option for the Council and a couple of people objected but gave no specific reason."

After discussion, the Committee adopted the recommendations within the report including the limiting of the number of dogs which a person could be in control of at any one time to four and agreed to recommend to the Council that it make a new dog control order in Belfast entitled The Dogs (Specified Maximum) (Belfast) Order 2012 to be effective from 1st April, 2013 limiting the number of dogs that a person can be in control of at any one time to four.

Update on Sewer Baiting

The Committee was reminded that in December, 2011 Northern Ireland Water had reduced its funding to the Council's Pest Control Service for the City's sewer baiting contract from approximately £60,000 per annum to £25,000 in year one and £10,000 in year two, with the intention of phasing it out after November, 2013. A letter had been issued to the Chairman of Northern Ireland Water on 5th November, 2012 which had sought information on that organisation's review of sewer baiting and its plans for controlling rat populations in sewers. A response had been received from Northern Ireland Water on 2nd January, which had indicated that monitoring of the contract had been continuing and that progress would be discussed at an officer level meeting.

At its meeting on 5th December, 2012, the Committee had agreed that the Minister for Regional Development would be invited to attend a future meeting in order to discuss ongoing issues in relation to the future funding of a sewer baiting programme by Northern Ireland Water. It was therefore proposed that a special meeting would take place once a suitable date had been identified by the Minister's office. The meeting would take the form of an initial briefing and discussion on the Committee's position, followed by a discussion session with the Minister.

The Committee noted the format of the special meeting which would be held with the Minister and requested that a letter be issued to Northern Ireland Water seeking clarification on the expenditure which had been quoted by that organisation in its letter of 2nd January.

Building Control

Request to Waive Building Regulation Fees for the Installation of Loft Insulation

The Head of Building Control submitted, for the Committee's consideration, the undernoted report:

“1 Relevant Background Information

- 1.1 The Council has received a request to waive Building Regulation Fees in respect of the installation of insulation to existing roof spaces through a letter from the Bryson Group written to all Councillors. The letter requests that the Chairman of the Health and Environmental Services Committee place this matter before the Committee to reverse an earlier decision to continue to charge fees. A copy of the letter is appended to this report.**
- 1.2 It is important in dealing with this request that Members fully understand the mechanism of drafting building regulations, establishing fees and the inspection regime, as this decision will have operational and financial consequences.**
- 1.3 The decision as to what types of work the regulations apply to, and how fees are charged in relation to applications, is not decided upon by the councils but by the Department of Finance and Personnel (DFP). It is not within the Council's gift to decide not to enforce the regulation, nor can it alter the fee amount. The current fee is £60 per application and this is set in statute.**
- 1.4 The need to make an application for Building Regulations approval for the installation of roof space insulation was introduced by the DFP in November 2006. I understand that the reason for its introduction was due to the risks i.e.: interstitial and surface condensation within roof voids caused by the improper installation of such insulation. Therefore the fact that the Council requires an application, and charges a fee for this type of work, is decided upon by the DFP and the council must comply with that requirement.**
- 1.5 As schemes in relation to combating fuel poverty have become more prevalent, and the need to maximise the financial effects of such schemes, the Council often receive requests to waive or defer the fee. I must stress that whilst**

the Council has an ability to waive the fee it must still, to fulfil its statutory duty under the Building Regulations, receive an

application, inspect the work and issue the necessary certificates. If there is no fee forthcoming then the cost of that duty falls upon the ratepayers as the net cost of the service will rise.

- 1.6 Consequently, whilst it is not a statutory requirement that we charge a fee, fees are set to ensure that, in line with DFP policy, the building regulations service operates at cost recovery.
- 1.7 At the time of the last request to waive the fees we contacted the Local Government Auditors Office and checked the appropriate legislation. To ensure that the Council, should it wish to waive fees, would not be subject to challenge, it needs to adhere to the following criteria. Any waiver of fees should be:
 - Time bound
 - To the benefit of its ratepayers
 - Non discriminatory and
 - That the duty of the Service provision is met by the rate payer.
- 1.8 Furthermore, the Council cannot alter the fee but must take a decision either to charge, or waive the total fee for the application. Such waivers will also be examined by the Local Government Auditor to ensure fairness to the ratepayer.
- 1.9 Having stated this, the Council has a track record of supporting people in fuel poverty and has taken several initiatives down through the years in this regard including the deferment of Building Control fees in response to specific government programmes i.e: Rates Rebate Scheme and Solar Smart. Where the Council issues a waiver the actual cost of the service delivery is subsidised by district rates, which are now under increasing pressure. The last deferment of building regulation fees for this type of scheme within Belfast City Council ended in June 2011.
- 1.10 A report was submitted to the Health and Environmental Services Committee in 2011 and it was decided that rather than waive fees, the Council would ring fence any money from fees connected to insulation schemes and reinvest it in Fuel Poverty projects in the city. A report was also submitted to the September 2012 Committee with a proposal to use this income to finance four pilot schemes in Belfast working with the Department of Social Development (DSD) in targeting grants to homes in fuel poverty. This proposal was discussed with the Local Government Auditors Office and they had no objection, indeed thought it a reasonable measure for a

Council to take. Furthermore the DSD in operating its scheme has already asked the Council to carry out additional work outside the building regulations and cite the building regulation fee as helping Councils fund that work. This scheme is being replicated in many other councils and if successful may influence how fuel poverty is tackled in Northern Ireland. Bryson House and the Council can therefore be assured that we are playing our part in addressing the fuel poverty problem and not using this income for other purposes.

- 1.11 The waiving of the building regulation fee has therefore complications both in terms of finance and delivery. Additionally, this request should not be seen in isolation as applications for other waivers such as boiler replacements, renewable energy sources, which are also to combat fuel poverty and could inevitably follow. A proposed way forward might be to take the requirement to make an application out of the building regulations completely, (no application, no fee, no inspection). However to date the DFP officials have said that due to defective construction caused by people installing roofspace insulation incorrectly it needs inspected by Councils.

2 Key Issues

- 2.1 The Department for Finance & Personnel (DFP) set both the requirements for applications under the Building Regulations and the fees, not the Council.
- 2.2 The duty on the Councils is to enforce the Building Regulations in their areas. Whilst they have the ability to waive the fees they cannot waive the requirement to carry out the work.
- 2.3 The waiving of fees will have a financial impact and could lead to more requests being made to Council for similar schemes.
- 2.4 Councils in waiving fees must ensure that they do so fairly otherwise the Local Government Auditor may question the decision. This may mean you cannot waive fees for a specific organisation but waive the fee for that class of application under the Building Regulations in its entirety.

- 2.5 It is suggested that this issue would be best dealt with by writing to the Department for Finance & Personnel asking that the requirement to make an application for loft insulation be removed from the Building Regulations.

3 **Resource Implications**

3.1 **Financial**

Based on recent figures the loss of income to the Council will be in the range of £40-60,000 per annum should the fees be waived.

3.2 **Human Resources**

The work will still need to be carried out despite the loss of income.

3.3 **Assets and Other Implications**

None.

4 **Equality Implications**

- 4.1 None.

5 **Recommendations**

5.1 The Committee is requested to:

1. Waive the fees for applications for the installation of roofspace insulation; or
2. Refuse to waive the fees for applications for the installation of roofspace insulation, and, at this point in time;
3. Write to the Minister for Finance and Personnel asking that the requirement to make an application for the installation of roofspace insulation be removed in its entirety.”

After discussion, the Committee agreed to defer consideration of the recommendation to either waive the fees, or to refuse to waive the fees, for applications for the installation of roofspace insulation, until clarification had been received regarding ongoing legal issues in relation to the scheme which the Northern Ireland Housing Executive had made the Health and Environmental Services Department aware of. The Committee agreed further that a letter be issued to the Minister for Finance and Personnel requesting that the requirement to make an application for the installation of roofspace insulation be removed in its entirety.

Update on the project of dealing with Dilapidated Buildings and Financial Recovery

The Committee considered the undernoted report:

“1 Relevant Background Information

- 1.1 The Committee will be aware that the Building Control Service has the remit for surveying vacant and dangerous buildings and taking remedial action to ensure the protection of the public through the removal of any danger caused by the building. This process is by the service of a legal notice and its associated legal procedure on the owner ensuring he/she removes the danger either by:**
- **Securing the building preventing access by the public,**
 - **Repairing the building to a satisfactory state, or**
 - **Removing the dangerous parts of the building which could include its demolition.**
- 1.2 Additionally the Service administers the Pollution Control and Local Government (NI) Order 1978 which requires owners of buildings which are in a ruinous or dilapidated condition (i.e. not deemed dangerous) to carry out remedial works.**
- 1.3 The Service can also apply the following pieces of primary legislation to the process for dealing with ruinous or dilapidated properties:**
- **The Belfast Improvement Act 1878**
 - **The Public Health Acts (Amendment Act) 1907**
- 1.4 The Committee, at its meetings on 6th June 2012 and 3rd October 2012, endorsed this work and money was allocated in order that the Service could proactively process a number of buildings across the city. This was to both ensure remedial action was taken as quickly as possible and in order to test the boundaries of the legislation. As a result of that work officers met with the Minister and officials from the Department of Environment to outline our progress to date and also highlight areas where the legislation could be improved and where the Assembly might assist us. They are currently looking at the legislation with a view to amending it as necessary. The work carried out in Belfast will be well placed to inform and influence any forthcoming consultation. Additionally, the Council wrote to the Minister in November asking that any funds identified as a result of the monitoring rounds be allocated to the Council to assist with the project.**

- 1.5 The Service is currently dealing with 43 premises under the above mentioned legislation across the complete range of building types and legal scenarios.
- 1.6 They include:
- buildings where the owner is known
 - buildings where the owner is not known
 - buildings which are derelict, ruinous and dangerous
 - buildings which are dilapidated
- 1.7 Action taken by the Service in relation to these buildings includes, securing them through blocking them up to complete demolition, including both clearing the site and in some cases screening the site.
- 1.8 On 15th November the Minister wrote to all Councils to say that he was applying for money in the January monitoring round to deal with dereliction and asked that Councils interested in accessing that funding make application by 15th December setting out possible projects including costings, methodologies etc. The Minister clearly stated however that there was no guarantee of funding, but that should any funding become available it had to be spent by the end of the financial year.
- 1.9 Whilst the Minister was unable to secure any funding through the initial monitoring round negotiations, his office has indicated that there might be some limited funding and we therefore have prepared a reduced bid for a lesser amount.
- 1.10 The Department subsequently submitted a bid for £3M to cover over 30 projects across the city and commenced the legal work to obtain court orders and initiated a tender process to secure an appropriate contractor to carry out works at this level of funding (as agreed at the Committee meeting of 5th December).
- 1.11 As there is a requirement to spend any funding in the current financial year it is proposed that the owners of properties, which are in a condition that would satisfy the legal requirements for enforcement, enter into a licence agreement that enables the Council to undertake the necessary work within the required timeframe. There is precedent for this approach as it has previously been adopted by other councils, for example Coleraine Borough Council.

1.12 In order to meet the timescale for works to be completed, approval is sought to enable the Director to authorise the commencement of works to a number of premises, most of which were previously identified at the Committee meeting in October 2012, having particular regard to those cases in which the owner has no means and in which the state of dereliction is unlikely to be addressed without the Council's intervention. In particular when selecting premises regard will be given to the following considerations:

- demolition would be helpful in that it could form a catalyst for regeneration work in that area;
- the building is owned by charitable organisations or voluntary groups with no access for funding to carry out the works;
- the building is on arterial routes, tourism areas, etc;
- the works are possible to deliver in the constricted timeframe.

2 Key Issues

2.1 The Service has been particularly proactive in dealing with dangerous, ruinous and dilapidated structures.

2.2 The Council has met the Minister and his officials concerning possible funding and improving the legislation.

2.3 The Minister has indicated limited funding may be available within this financial year and the Department has made a submission for that funding.

3 Resource Implications

3.1 Financial

Already agreed and budgeted for by Committee.

3.2 Human Resources

There are no additional Human Resources required.

3.3 Assets and Other Implications

None.

4 Equality Implications

4.1 None.

5 Recommendation

5.1 The Committee is requested to :

- 1. note the work which has been carried out to date in relation to dealing with these properties.**
- 2. note the potential for limited DoE funding and that an amended bid has been submitted.**
- 3. grant authority to the Director, in conjunction with the Legal Services Manager, to authorise the commencement of work to appropriate premises in the dereliction programme in respect of funding provided by the Department, such works to be undertaken by licence agreement.”**

The Head of Building Control confirmed that an amount of £300,000 had been allocated to the Council by the Department of the Environment which required to be spent by the end of March, 2013.

After discussion, the Committee adopted the recommendations within the report and noted that an update on the current position would be submitted to a future meeting and that verbal updates would be provided to the Area Working Groups and Ward Councillors.

Waste Management

Zero Waste Awards

The Committee was reminded that, at its meeting on 16th April, 2012, it had adopted the “Towards Zero Waste – An Action Plan for Belfast City Council”. The Action Plan had set target dates and recycling rates from 2012 until 2015 and had highlighted key actions which were required in order to achieve 50% recycling by 2015, and to reduce the amount of biodegradable waste which was landfilled by 35% of the 2010/2011 figures by 2015.

Based on the commitments within the Action Plan, the Waste Management Service had submitted an application to the Zero Waste Awards. The National Awards showcased innovation and best practice across all the different sectors by identifying organisations which addressed issues such as resource depletion, climate change and consumer awareness. Successful organisations could be awarded a gold, silver or bronze or highly commended award for what they had achieved. The Waste Management Service had achieved a bronze award for its effort in waste prevention and by demonstrating how zero waste could be reached through the Action Plan, and the Service had been invited to attend the annual awards recognition luncheon which would be held on 11th April in the Combe Abbey Hotel, Warwickshire.

The Committee authorised the attendance of the Chairman and the Director of Health and Environmental Services, or their nominees, at the Zero Waste Awards luncheon, at a cost of £245 approximately per person.

**Chartered Institution of Wastes Management
Conference and Exhibition**

The Head of Waste Management informed the Committee that the Chartered Institution of Wastes Management would be holding a Conference and Exhibition entitled 'Beyond Resource Efficiency' in the Armagh City Hotel on 15th May. He indicated that the Conference fee was £150, although there was a discount for early bookings.

Accordingly, he recommended that the Chairman, the Deputy Chairman and one Member from each of the other Party Groupings on the Council, together with the Director of Health and Environmental Services, the Heads of Waste Management and Cleansing Services (or their nominees) be authorised to attend the Conference.

The Committee adopted the recommendation.

Public Convenience Provision Strategy for Belfast

The Committee considered the undernoted report:

"1 Relevant Background Information

1.1 Belfast has been recognised through national and local awards for the standards of its toilets. However, it is recognised that a more strategic approach is needed for toilet provision throughout the city.

1.2 Public conveniences provision is important to the city in the following ways:

- **Serving local people - promoting pride of place**

Places where we live, shop, work, take recreation – are more accessible and attractive when public toilets are well planned, designed and maintained, clearly signposted and available when people need to use them. They help to attract a more diverse range of visitors, encouraging them to spend longer in town centres and to visit again. Public expectation in terms of "away from home" toilets is increasing and for some people it is fundamental to their health and comfort.

- **Attracting visitors**

Belfast attracts around 8 million visitors per year and the city is promoting itself as a must-see, European city break destination. The ability to access a toilet is a fundamental need for any visitor and adds to the impression the visitor has of the city. Tourists need more local information, more signposting as they cannot simply go home, into work or the local pub to use the toilet.

- **Social inclusion**

A lack of clean, safe and accessible toilets impacts on some people more than others. Some people may feel unable or reluctant to leave their homes and visit areas where they fear they will not be able to find a public toilet. Older people (a growing section of the population), mothers, fathers, and carers with young children, people with disabilities and chronic health problems – all need easy access to suitable public toilets.

- **Healthy Communities**

Public toilets in places such as parks and promenades help to encourage people who may need regular toilet access, to take exercise and stay physically active. With the emphasis on healthy communities, it is important that appropriate toilet facilities are provided to encourage outdoor pursuits and healthier, active lifestyles.

- 1.3 Following a baseline report on current toilet provision within Belfast and recognising the above benefits of public toilet provision, at the Committee of 2 Nov 2011, Members agreed that a Public Convenience Provision Strategy for Belfast should be developed.
- 1.4 Waste Management commissioned the BTA to conduct this piece of work which has now been completed in draft form.

2 Key Issues

- 2.1 In the Summer of 2012 the BTA was commissioned to develop a Public Convenience Provision Strategy for Belfast. In doing so the BTA was requested to (i) engage with stakeholders to determine their views on public toilets (ii) approach a number of similar-sized councils across the UK and Ireland to access any future developments and (iii) to explore innovative methods of toilet provision.
- 2.2 The BTA established an internal focus group made up of staff from those Council departments which have a responsibility or role regarding providing public toilets. At the same time, a stakeholders group was established to gather information from external providers or partners in toilet provision which included Translink, Department for Social Development, Shopmobility, and Belfast City Centre Management.

2.3 Priority Areas

The comments from these groups, combined with information from the benchmark visits and the expertise of the BTA, resulted in a number of areas of work being identified as requiring further investigation. The areas identified included:

- Provision of a Community Toilet Scheme – to encourage local businesses and other providers to provide open – free access – facilities to everyone visiting the city and thereby increase the overall available provision;
- Comparative strategies and provision levels with other local authorities across the UK and Ireland which service a similar population and visitor market including Brighton & Hove, Bristol, Cardiff, Cork, Dublin, Edinburgh, Glasgow, Liverpool, Manchester, Reading, Westminster and Winchester;
- Portable toilet provision – to investigate, review and develop a Council strategy for major events attracting high visitor numbers. Also to research the roles and responsibilities regarding provision and identify areas of significant liability;
- Spatial Strategy – reviewing the locations of public convenience provision across the Council’s area (North / South / East / West) and proposals for improvement and a GAP analysis to identify geographic areas needing further provision;
- The additional provision of female toilets to meet BTA and BSI standards;
- Review of current and future toilet cleaning & maintenance needs and provision, review the use of security patrols;
- Night time provision – requirement, use & remedial actions;
- ‘Changing Places’ needs Toilet provision for visitors/residents with disabilities/specific needs;
- Review of toilet signage with recommendations for improvements;
- Creating and maintaining a mapping database for all BCC toilet provision and to develop a toilet map accessible to residents and visitors.

2.4 Recommendations of the Report

The BTA worked with the internal and external working groups to review the areas of work and consider the information from the benchmarking, in order to explore the issues and arrive at a set of recommendations for future toilet provision and development within Belfast’s public realm. These are recommendations are summarised below. The full report is attached.

2.5 Identify and encourage other Council facilities to be made available to the public

The Council should identify all available facilities and include these in future toilet mapping and website publicity. For example, these should include Leisure, Recreation and Community Centres, Bowling Pavilions and Parks, and all other publicly accessible buildings. Additionally, the Waterfront and Ulster Halls should also be included. City Hall (including the surrounding grounds) should be considered for its potential to facilitate certain social groups (i.e. a 'Changing Places' toilet could be a welcome addition).

2.6 Better Management of Council owned facilities

A management plan should be implemented to better use Council-owned/run facilities.

2.7 Partnerships with other premises

The Council should identify other possible provision within the city and establish a network of links or partnerships with the management of these public and commercial providers, such as the Linenhall and Central Libraries, the Ulster Museum, galleries, etc.

2.8 Develop and Deliver a Community/Partnership Toilet Scheme (CTS)

To identify commercial companies and other public bodies who already provide good, clean, public toilets and then partner with them under a CTS management agreement. A management plan will also need to be adopted.

2.9 Introduce a new policy on Portable Toilet provision for events

Portable toilet provision ranges from the single PolyVac units used for major city events such as concerts, festivals, street based events such as marathons to the trailer mounted units installed at major events such as garden parties and fairs.

Many external events currently do not provide public conveniences, to the discomfort of their customers. In order to improve this situation, the Council should require that event organisers, particularly commercial venues, provide appropriate public conveniences, where appropriate, in accordance with HSE guidelines, or licensing conditions. Moving forward, event organisers should seek to conform to the HSE 'Purple Book'. The Council will provide toilets at city events that it is promoting.

2.10 Install sufficient facilities within the City Centre

It is recommended that both the City Hall and the proposed new Welcome Centre have sufficient, well-sign-posted facilities available for tourists and visitors, and that they also promote the locations of other facilities.

At present the Council has no provision for a custom built public convenience facility to cope with any person with an extreme disability or who may require multiple carers. Therefore consideration should be given over time to the development of such a facility.

Consideration to public conveniences should also be developed as part of the Streets Ahead Programme.

2.11 Remote locations

The Council could consider installing composting toilets at remote locations, such as Shaw's Bridge, and Cave Hill.

2.12 Develop existing Properties or Locations

Within the Council's existing public convenience portfolio there are blocks with additional space around or in front of the main building which could provide additional development opportunities. For example cycle ranks, vendor opportunities, etc.

During the study, the groups also identified a number of councils who have installed vending information kiosks with integral toilets (some with advertising panels).

Further thought would be needed as to how Belfast City Council would pursue this option.

2.13 Introduce charging to eradicate social misuse and vandalism

Paddle gates, turnstiles and single user units with coin operated locks are now common-place throughout the UK. Charges vary from 20p to 50p depending on the volume of traffic and the location of the public conveniences. The majority of installations using any of these charging mechanisms report considerable drops in congregation, loitering, anti-social behaviour and misuse within these facilities.

In terms of the present Council facilities, Church Lane, Arthur Street and Wine Tavern Street would suit paddle gates with the minimum 20p charge. A cost/benefit analysis however would be recommended before proceeding with this initiative.

2.14 Employ Attendant's at Key Locations

Toilets that have full or part-time attendants have always been considered one of the most cost effective solutions to high density public conveniences. They deter vandalism, graffiti and misuse by allowing users to feel considerably safer using a facility with an attendant (either male or female).

A cost/benefit analysis of providing attendants in key locations is recommended.

2.15 Improve Communication and Information on available Public Conveniences

The Council is already using the latest signboard designs. Some councils however, particularly those with an active CTS, have boards containing considerably more information on the location of key sites, addresses and postcodes for the mobile, SatNav or computer user.

It is recommended that the Study and Stakeholders groups work with Corporate Communications to identify any opportunities to improve information.

2.16 Develop a control of Cleaning, Maintenance and Security schedules

The system for remedial maintenance, repair and/or replacement needs revisited at the earliest opportunity.

The current security contract is valued at around £60,000, but has limited visibility. Many of the recommendations, if introduced, may negate the need for this service which should be reviewed in terms of cost/benefit. It is possible that the in-house portering and cleaning services alongside paddle gates and attendants would all ensure that services are maintained and/or improved.

2.17 Revise Portering and Cleaning schedules

A revised portering and cleaning services schedule, allied with the other recommendations, with simpler reporting lines would ensure that services are maintained and/or improved.

2.18 Develop a Mobile Application (app) for the City showing toilet locations

The majority of visitors to Belfast now have access to smart devices that contain mapping software. A mobile app should be developed initially concentrating on the locations of Council owned public conveniences both within the public realm and across the city, then expanding to other facilities.

2.19 Link Toilet Provision into decisions on Area Based Services

The Council should ensure that public conveniences are included within the area-based working agenda and that a more joined up approach is taken in ensuring the maintenance and quality of publicly accessible facilities within the city.

2.20 Budgetary provision

Including a budget for the delivery of the Council's toilet strategy within the Council's Capital Programme would seem commercially, financially and socially prudent as these facilities could play a considerable role in enhancing the city and raise its profile.

2.21 The full report, '*A Public Convenience Provision Strategy for Belfast*' is contained on the Council's Modern.gov website. Whilst this report reflects the views of an external specialist organisation, the Committee is not at present being asked to accept all the recommendations. The Department will, after consulting with stakeholders, prepare an implementation plan which will be brought back to the Committee for approval.

3 Resource Implications

3.1 The report identifies the estimated resource implications associated with each recommendation. The cost of implementing all recommendations would be in the region of £750,000 capital expenditure and £230,000 annual operating costs.

3.2 Implications for staffing and management need further consideration.

4 Equality Implications

- 4.1 The implementation plan for Public Convenience Provision will require to be equality impact assessed (EQIA) in line with corporate procedures and, until such times as this is**

5 Recommendation

- 5.1 The Committee is requested to note the recommendations in the BTA report. In-depth discussions will now take place with all stakeholders with a view to bringing forward a realistic implementation plan for approval by Committee.”**

The Committee adopted the recommendation.

Chairman