



<b>Subject:</b>	Open Ormeau and Temporary City Centre Road Closure Proposals
<b>Date:</b>	31st July 2020
<b>Reporting Officer:</b>	Alistair Reid, Strategic Director Place & Economy
<b>Contact Officer:</b>	John Greer, Director Economic Development Cathy Reynolds, Director City Regeneration & Development

<b>1.0</b>	<b>Purpose of Report</b>
1.1	<p>Belfast City Council have received a proposal entitled Open Ormeau. The aim of the proposal is to provide sufficient space for people to walk on the pavements whilst socially distancing, provide space for queues outside shops at peak times and to provide space for businesses/organisations, particularly restaurants, cafes and bars to expand outside so that it is viable for them to open on a table-service-only model whilst upholding social distancing requirements. In order for this proposal to be fulfilled, a number of temporary road closures will be required. A further revised proposal was received on 27<sup>th</sup> July (Appendix 1).</p> <p>At its meeting on 19<sup>th</sup> June this Committee and as ratified by Council on the 1<sup>st</sup> July:</p> <p>“agreed to write to the DfI seeking it to expedite the temporary closure of the following roads under the Road Traffic Legislation Order (3A):</p> <ul style="list-style-type: none"><li>- Donegall Place;</li><li>- Castle Place;</li><li>- Church Lane;</li><li>- Brunswick Street; and</li><li>- James Street South.</li></ul> <p>And to also seek the weekend closure of Ormeau Road and to further explore the weekend closure of other arterial routes throughout the city to enable hospitality and assist retailers. It was agreed that the proposals on road closures would be subject to consultation with stakeholders including at the Stakeholders Group Meeting on Friday, 26<sup>th</sup> June. The correspondence would also include consideration of resident’s car parking permits; “</p>

	<p>Council further agreed that the list of temporary road closures be amended to also include Union Street.</p> <p>The purpose of this report is to update members on Belfast City Council's financial and regulatory position in regard to the proposed road closure on Ormeau Road. The report will also provide information on the timelines and requirements associated with an application for an event road closure licence.</p> <p>The report also provides an update on the other temporary road closures as proposed by Committee and Council.</p>
<b>2.0</b>	<b>Recommendations</b>
2.1	<ul style="list-style-type: none"> <li>• Note receipt of the proposal for Ormeau Road with amendment submitted on 27th July</li> <li>• Note the time implications for applying for a licence for the required road closures and the consequent resource implications of the current proposals.</li> <li>• Agree that officers continue to work with Open Ormeau promoters to aid the design and facilitation of a singular future trial recognising the significant lead time and consultation demanded by the legislation, subject to council approval and budgets constraints and consideration of a satisfactory approach to road closure.</li> <li>• To note concerns expressed by business community representatives around further temporary pedestrianisation in the city centre and to note that officers will continue to work with Dfl and stakeholders to seek to bring forward satisfactory proposals in a future report.</li> <li>• Note the status and stakeholder feedback on the temporary city centre road closure and pedestrianisation proposals as ratified by Council on the 1st July 2020 and to note that officers will continue to work with Dfl and stakeholders on these, with a future report to be brought back to Committee.</li> <li>• On the basis of the concerns expressed by stakeholders including the business community representatives in respect of the temporary closure of Donegall Place, agree that this is not progressed in the immediate short-term but that the proposal is instead considered through an accelerated Phase 2 of the Bolder Vision Connectivity Study;</li> </ul>
<b>3.0</b>	<b>Main report</b>
3.1	<p><u>Open Ormeau Proposal</u></p> <p>Belfast City Council have received a proposal entitled Open Ormeau. The aim of the proposal is to provide sufficient space for people to walk on the pavements whilst socially distancing, provide space for queues outside shops at peak times and to provide space for</p>

	<p>businesses/organisations, particularly restaurants, cafes and bars to expand outside so that it is viable for them to open on a table-service-only model whilst upholding social distancing requirements. In order for this proposal to be fulfilled, a number of temporary road closures will be required.</p>
3.2	<p>This Committee agreed to write to the DfI seeking it to expedite the temporary closure of a number of roads at roads under the Road Traffic Legislation Order (3A). Subsequent to this, officers have been liaising with representatives from the Ormeau to determine the exact nature of the proposal and with DfI to seek to work out a way to close Ormeau road to traffic to facilitate the proposal</p>
3.3	<p>To this juncture through engagement with the Department for Infrastructure there has been no indication that the department will seek a road closure order under article 7 of the Road Traffic Regulations Order. It is our understanding that the Department can use Article 7 Temporary Traffic Regulations to manage the safety of the public attending significant large off-road events if requested to do so and if it is satisfied that there is a potential risk to the public and some form of traffic control is needed to manage traffic entering and leaving the event.</p>
3.4	<p>The original proposal involved the closure of inner lanes to expand the walkways along this section of the road, but still permitted some traffic through at reduced speeds during certain times over a number of weekends (17<sup>th</sup> July – end of September). The proposal received significant attention in local press and social media outlets. As a result the promoters and Belfast City Council received a number objections from local business, elected representatives and city stakeholders. As a result the promoters adjusted their proposal with the salient detail of a new revised proposal provided below and the complete proposal contained within Appendix 1.</p> <ul style="list-style-type: none"> <li>- Reduced to three August weekends in a row trialling different time slots to test out the impacts (positive and negative) in a controlled manner: <ul style="list-style-type: none"> <li>- Sunday 16<sup>th</sup> August 1pm to 10pm</li> <li>- Saturday 22<sup>nd</sup> 9am to 11pm</li> <li>- Saturday 29<sup>th</sup> 4pm to 11pm and Sunday 30<sup>th</sup> all day until 11pm</li> <li>- Possible bonus evening on a Monday, Tuesday or Wednesday in August to help restaurants take advantage of the ‘Eat Out to Help Out’ scheme</li> </ul> </li> </ul>
3.5	<p><b>Legislative &amp; Regulatory Context</b></p> <p>The proposal in its current format will require a road closure application, as under current guidance any activity that will prohibit or restrict traffic on a public road, would necessitate a road closure order. There are currently two routes to secure a road closure order.</p> <ol style="list-style-type: none"> <li>1. Event Road Closure Order – managed by Belfast City Council</li> </ol>

## 2. Emergency Road Closure Order – managed by Dept. for Infrastructure

This process and requirements for an Event Road Closure Order managed by Belfast City Council is summarised below.

- 3.6 The Roads (Miscellaneous Provision) Act (Northern Ireland) 2010 defines special events as any sporting event, social event or entertainment which is held on a public road or the making of a film on a public road.
- 3.7 The Council can make an Order to restrict or prohibit temporarily the use of the road, or any part of it, by vehicles or by pedestrians.
- 3.8 To close a public road for a special event, the event organiser must apply to the Council's Building Control division and is required to provide a traffic management plan and depending on the nature of the proposal, also provide a full management plan, stewarding plan, etc.
- 3.9 The Council must publicly advertise the proposed road closure and place a **21-day Notice** in the newspaper for public notification
- The notice must
- (a) identify the promoter of the special event;
  - (b) identify any affected road;
  - (c) specify any restrictions or prohibitions which the relevant authority proposes to include in the order;
  - (d) specify the dates on which and times between which the restrictions or prohibitions would apply;
  - (e) specify any alternative routes for traffic or pedestrians;
  - (f) state where the application may be inspected;
  - (g) state that representations are sent to the council within 21 days from the date of the notice
- 3.10 A 21 day period must be allowed for representations, objections or comments of support to be submitted. The Council must also consult with statutory bodies – DfI Roads, PSNI, NIAS and NIFRS and the Council also consults with Translink. After receiving the consent of the DfI, the Council can determine if a Road Closure Order is to be made
- 3.11 An application must include a Traffic Management Plan, and possibly depending on the nature, an event management plan. Therefore there will most certainly be a requirement to engage a traffic management company.
- 3.12 The proposers of Open Ormeau do not feel that they have the resources to apply for the Road Closure Order and so have asked BCC to take this responsibility on.

3.13	<p>The project promoters include the Ballynafeigh Community Development Association and Ciaran Fox from the RSUA. The promoters state they have engaged in substantial consultation with residents and businesses and the response has been largely positive with a few objections. However as already referenced Belfast City Council officers have received submissions from other parties opposing the proposal, including Victoria Square who have described the proposal as a ‘major concern’. Concerns have been voiced via politicians, and correspondence from businesses in the area indicate that the proposals will significantly affect passing trade and access.</p>
3.14	<p>Given the objections already received to the road closure Belfast City Council is obliged to discuss and attempt to resolve before any notice can be published. Thereafter, in all likelihood a decision to grant the order would need to be placed before Licensing Committee for a decision on whether to grant the Order.</p>
3.15	<p><u>Ministerial Communiques</u></p> <p>On June 12<sup>th</sup> 2020 Infrastructure Minister Mallon sent a communique to all councils suggesting that as planning authorities, councils take a flexible and pragmatic planning approach to the use of on-street seating for cafes and bars, beer gardens and similar outdoor areas to accommodate physical/social distancing. To date Belfast City Council Building Control have waived all fees related to Pavement Café Licensing and have received 40 applications as of 24<sup>th</sup> July 2020.</p>
3.16	<p>On the 23<sup>rd</sup> July 2020 further correspondence was received from Nicola Mallon confirming that officials will work closely with Councils regarding any closure applications being taken forward by or through councils.</p>
3.17	<p>As members may be aware on the 27<sup>th</sup> July the Infrastructure Minister announced that a review of the special events legislation is live. However the closing date for consultation on this review of the legislation is not until 24<sup>th</sup> September 2020.</p>
3.18	<p>In considering the support agreed by this council in July and the time constraints implied by the legislation and the objections received it is proposed that officers to continue to work with Open Ormeau promoters to aid the design and facilitation of a singular future trial recognising the significant lead time and consultation demanded by the legislation. This is subject to council approval and budgets constraints and consideration of a satisfactory approach to road closure.</p>
3.19	<p><u>Other City Centre Road Closures</u></p> <p>Council Officers, in collaboration with the DfI, have engaged with various stakeholders in relation to the proposed city centre temporary road closures as proposed via Council. A City</p>

	<p>Re-Opening Stakeholder Group, led by the Council, includes representatives from Belfast Chamber, the three BID areas (BID One, Linen Quarter and Cathedral Quarter), BCCM, PSNI, Translink, local traders, Victoria Square and Castle Court, Retail NI and Hospitality Ulster.</p>
3.20	<p><b>Donegall Place</b></p> <p>Stakeholders collectively raised a number of concerns on the proposal for immediate temporary closure of Donegall Place. Concerns related to the disruption that this proposal would have to the city centre trade at a time when businesses are focusing on survival, and the potential negative impacts to the public transportation system should these services be removed and relocated without detailed consultation, and without a planned alternative transportation network and provision of adequate associated infrastructure and timetable scheduling. A strong view was expressed that this proposal should not be progressed in the immediate short-term but that the proposal is instead considered through an accelerated Phase 2 of the Bolder Vision Connectivity Study</p>
3.21	<p>The stakeholders did however acknowledge, and support, the need to have a holistic and informed discussion regarding the future infrastructure provision for the Primary Retail Core and arterial routes connecting the city centre to the local communities, and that these discussions would be best served through the next stages of the Connectivity Study.</p>
3.22	<p><b>Castle Place</b></p> <p>The Stakeholder Group acknowledged that the temporary measures introduced to Castle Place during the road closures of the Bank Buildings fire had a positive impact on the area, and brought forward the discussion of how we use the city centre going forward. The Stakeholder Group were supportive of incorporating temporary meanwhile use within the Castle Place area, noting that the access requirements of local businesses and blue badge users would need to be considered and addressed. Stakeholders within this Group were however of the view that a joint closure now of Donegall Place and Castle Place together could not be supported due to the collective impact that both closures would have for diversion routes and, in particular, the potential impact on the public transportation network.</p>
3.23	<p>Council officers are continuing to engage with the BIDOne team and local traders to identify potential proposals that could be delivered in Castle Place although Members should note that concerns have been raised by local traders and city stakeholders, including the PSNI and Extern. These concerns, in particular, relate to the increasing levels of anti-social behavior within the area, and the potential for this issue to escalate should any meanwhile use provision become a focal point for ASB. Officers continue to work through the issues with city stakeholders and will report back to subsequent committee meetings.</p>

3.24

**Brunswick St from Franklin St to James St South & Union St**

The Linen Quarter Bid and Cathedral Quarter BID, in collaboration with council officers and Dfl, are bringing forward proposals for a social distancing hub on Brunswick Street from Franklin St to James St South, and at the Union Street area to enable local hospitality traders to utilise the space for pavement cafes and enhanced outdoor social distancing measures and details of the scheme will be brought to subsequent committee meetings when finalised.

3.25

Financial and Resource Implications

For Belfast City Council to apply for an event road closure license at Ormeau it would imply the following requirements and associated approximate resource implications per closure. These are analogous estimates based on other similar road closures.

- Production/event management - £2,000
- First aid - £2,000
- Waste Management - £2,000
- Insurance - £3,000- £5,000
- Stewarding Costs to manage ingress/egress - £3,000 - £4,000
- Approximate total per closure - £15,000

Currently there is no budget provision within Place & Economy Departmental annual budget.

3.26

Given the complex nature of the proposed road closure at Ormeau and the significant concerns realised by a number of parties it is reasonable to expect that a considerable amount of officer resource would be required to deal with engagement, consider that feedback and possibly amend designs and ultimately organise and manage the road closures.

3.27

Equality & Good Relations Implications

All applications for Road Closure must show that the applicant has carried out neighbourhood notification along with consultations with all residents, businesses, bus and taxi companies which may be affected by the proposal. The proposers of Open Ormeau indicate that they have carried out some initial engagement and consultation with residents and businesses, however, if BCC decide to act as the applicant for this Road Closure it would need to satisfy itself that all possible engagement that should be done, has been done. This could result in a significant time and staff resource implication.

<b>4.0</b>	<b>Appendices –</b>
	Appendix 1 – Revised Open Ormeau Proposal

