

Council

MEETING OF BELFAST CITY COUNCIL

Held in the City Hall and also remotely, via Microsoft Teams, on Wednesday, 1st December, 2021 at 6.00 p.m., pursuant to notice.

Members present: The Right Honourable the Lord Mayor; (Councillor Nicholl) (Chairperson); The Deputy Lord Mayor, (Alderman Haire); The High Sheriff (Councillor Long); Aldermen Copeland, Dorrian, Kingston, McCoubrey, Rodgers and Sandford; and Councillors Baker, Beattie, Black, Bradley, Brooks, Bunting, Canavan, Carson, Cobain, Matt Collins, Michael Collins, Corr, de Faoite, Donnelly, Ferguson, Flynn, Garrett, Gormley, Groogan, Hanvey, Heading, Howard, Hussey, M. Kelly, T. Kelly, Lyons, Magee, Magennis, Maskey, McAllister, McAteer, McCabe, McCullough, McCusker, McDonough-Brown, McKeown, McLaughlin, McMullan, McReynolds, Mulholland, Murphy, Newton, O'Hara, Pankhurst, Smyth, Spratt, Verner, Walsh and Whyte.

Summons

The Chief Executive submitted the summons convening the meeting.

Apologies

Apologies for inability to attend were reported on behalf of Councillors Hutchinson and Kyle.

Declarations of Interest

People and Communities Committee/ Special Meeting of the Council

The following Members declared an interest in relation to the minute of the People and Communities Committee of 9th November and the Council meeting of 26th November, under the heading "DfC Community Recovery Funding", and left the meeting whilst those were under consideration:

- Alderman McCoubrey – an employee of the Greater Shankill Community Council and Chairperson of the Black Mountain Action Group;
- Alderman Kingston – a Director of the Greater Shankill Partnership and a part-time employee of Forward South Partnership;
- Councillor Bunting - on the management committee of a voluntary group which may receive funding from one of the Strategic Partners;

- Councillor Canavan – on the Board of the Greater Shankill Partnership;
- Councillor Gormley – on the Board of LORAG, one of the Strategic Partners;
- Councillor Magennis – on the Board of the Colin Neighbourhood Partnership;
- Councillor Maskey – an employee of one of the Strategic Partners;
- Councillor McCabe – her husband is employed by the Upper Andersonstown Community Forum, one of the Strategic Partners;
- Councillor McCullough – an employee of an organisation which works with one of the Strategic Partners;
- Councillor Verner – employed by the Greater Shankill Partnership, one of the Strategic Partners;

The following Members declared an interest in relation to the same minutes but did not withdraw from the meeting:

- Alderman Copeland - her daughter is a Director of the Greater Village Regeneration Trust; and
- Councillor T. Kelly – her husband is employed by the Greater Village Regeneration Trust.

Strategic Policy and Resources Committee

The High Sheriff (Councillor Long), together with Councillor McKeown and Smyth, declared an interest in relation to the minute under the heading “Motion: NHS Pay – Response from Minister of Health”, on the basis that they were employed by the NHS, and left the meeting whilst it was being discussed.

Councillors Donnelly and Corr declared an interest in relation to the minute under the heading “Minutes of Meeting of Shared City Partnership”, in that they were Directors of the Black Mountain Shared Spaces project, which had received funding to hold a Christmas event. However, as that minute did not become the subject of discussion, they were not required to leave the meeting.

People and Communities Committee

Alderman Rodgers declared an interest in relation to the minute of the meeting of 9th November, under the heading “Preferential Use of Blanchflower Playing Fields”, on the basis that reference had been made to Glentoran Football Club, in which he was a shareholder. However, as that minute did not become the subject of discussion, he was not required to leave the meeting.

Councillor Black and Corr declared an interest in relation to the minute under the heading “Community Development and Capacity Building Support” in that they were employed by organisations which were in receipt of funding. However, as the minute did not become the subject of discussion they were not required to leave the meeting.

Councillors Harvey and Smyth declared an interest in relation to the minute of the meeting of 9th November, under the heading “Community Assets Management Pilots”, on the basis that they were on the funding committee of Rosario Youth Club, which had been referred to within the minute, and did not participate in discussion whilst a Member was addressing that minute. That applied also to Councillor McKeown, who declared that his son played football for Rosario Youth Club.

Councillor Walsh declared an interest in relation to the minute of the meeting of 9th November, under the heading “Coláiste Feirste - Review of Operation of Community Access to Sports Facilities”, in that he was on the Board of Governors of Coláiste Feirste, and left the meeting whilst another Member was welcoming the Committee’s decision.

City Growth and Regeneration Committee

Councillor O’Hara declared an interest in relation to the minute under the heading “City Centre Open Spaces”, in that he was on the Board of the Belfast Harbour Commissioners. However, as that minute did not become the subject of discussion, he was not required to leave the meeting.

Motions

Councillors Howard, Pankhurst and Spratt declared an interest in relation to the motion on Support for Higher Education Strike Action, in that they, or a family member, were employed in some role in that sector, and left the meeting whilst the motion was being considered.

Minutes of the Council Meeting

Moved by the Lord Mayor (Councillor Nicholl),
Seconded by Councillor Pankhurst and

Resolved - That the minutes of the proceedings of the Monthly meeting of the Council of 1st November and the Special meeting of the Council of 26th November be taken as read and signed as correct.

Official Announcements

The Lord Mayor pointed out that the Belfast-based Array Collective, would, later in the evening, be informed if it had secured the prestigious Turner Prize for 2021 and wished them every success.

The Lord Mayor referred to the fact that Councillor Kyle had recently undergone surgery and extended to him her best wishes for a speedy recovery.

Councillor O'Hara, in pointing out that the Council meeting was taking place on World Aids Day, welcomed the advances which had been made over the years to limit the impact of HIV and AIDS and stressed that the delivery of a new Sexual Health Promotion Strategy by the Northern Ireland Executive would be welcomed.

Councillor Mulholland welcomed the recent announcement that Belfast had attained UNESCO City of Music status and congratulated all those who had contributed to that achievement.

At the request of Councillor McCullough, the Lord Mayor agreed to write a letter of congratulations to local footballer Mr. Dale Taylor, who, in making his debut in a recent World Cup qualifying game against Lithuania, had, at the age of seventeen, become one of the youngest players to represent Northern Ireland at senior level.

Alderman Kingston referred to the recent death of Mrs. May Campbell, who had served as a Councillor for Belfast between 2005 and 2014, and thanked the Lord Mayor for acceding to his request to send a letter to the former Councillor's family expressing her deepest condolences.

The Lord Mayor agreed, at the request of Councillor Garrett, to forward a letter to Mr. Derek McCallan, the outgoing Chief Executive of the Northern Ireland Local Government Association, wishing him well in his retirement.

World Aids Day

The Lord Mayor reminded the Council that the meeting was taking place on World Aids Day and, with that in mind, drew its attention to a letter which she had received from a nineteen-year-old HIV positive female university student.

The student had outlined the difficulties which she had faced in coming to terms her diagnosis and the stigma/change in attitudes which she had encountered in school, once her HIV positive status had been publicised.

Through time, she had sought help from the Positive Life and the Children's HIV Association (CHIVA) support groups, both of which had played a key role in increasing her understanding of living with HIV.

The student had gone on to state that she was now in her second year in university and had outlined new challenges which she faced in terms of, for example, developing relationships and revealing her health history.

She had concluded by pointing out that Positive Life was calling for a consistent approach to be adopted towards the delivery of relationship and sexual education in schools, as a means of raising awareness of HIV from a young age.

Changes to Committees and Outside Bodies

The Chief Executive reported that notification had been received from the Democratic Unionist Party of the following changes in membership:

- Alderman Dorrian to replace Councillor Tracy Kelly on the Brexit Committee;
- Councillor Tracy Kelly to replace Councillor Spratt on the City Growth and Regeneration Committee;
- Councillor Spratt to replace Councillor McCullough on the Planning Committee; and
- Councillor Spratt to replace Councillor Pankhurst on the Reserve Forces and Cadets Association.

The Council noted the changes.

Minutes of Committee Meetings

Strategic Policy and Resources Committee

Moved by Councillor Groogan,
Seconded by Councillor Beattie,

That the minutes of the proceedings of the Strategic Policy and Resources Committee of 19th November, 2021, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Webcasting of Meeting

Upon Councillor McLaughlin indicating his intention to raise the following minute, the Chief Executive confirmed that, since it related to staffing matters, it would be necessary to pause the webcasting of the meeting for the duration of the discussion.

Employees on Temporary Contracts

At the request of Councillor McLaughlin, the Council agreed that the report to be submitted to the next meeting of the Committee should also provide details on how many of the 158 permanent staff who had been identified as being currently on temporary contracts had a substantive post to return to.

(The webcasting of the meeting resumed at this point.)

Review of 2021 Bonfire Approach

At the request of Councillor Beattie, the Council agreed to vary the minute under the heading "Review of 2021 Bonfire Approach" to provide for the replacement of the word "illegal" with the word "unlawful" in his proposal which had been adopted by the Committee, thereby stating that "the Council will regulate unlawful and toxic bonfires."

Amendment

Minutes of the Meeting of the Active Belfast Limited Board

Moved by Councillor Matt Collins,
Seconded by Councillor Ferguson and

Resolved - That the decision of the Strategic Policy and Resources Committee of 19th November, under the heading "Minutes of the Meeting of the Active Belfast Limited Board", insofar as it relates to the Schedule of Charges for 2022/23, be referred back to the Board with a request that it reconsider the proposed price increases.

Amendment

Update on the Future of the Brexit Committee

Moved by Alderman Kingston,
Seconded by Councillor Pankhurst and

Resolved - That the decision of the Strategic Policy and Resources Committee of 19th November, under the heading "Update on the Future of the Brexit Committee", be amended to provide for the addition of the words "and within the United Kingdom" in point x. of the Terms of Reference, thereby reading as: "To foster and maintain positive relations and cultural links with the European Union and within the United Kingdom, post Brexit."

Adoption of Minutes

Subject to the aforementioned addition, variation and amendments, the minutes of the proceedings of the Strategic Policy and Resources Committee of 23rd November were approved and adopted.

People and Communities Committee

Moved by Councillor Cobain,
Seconded by Councillor Garrett,

That the minutes of the proceedings of the People and Communities Committee of 2nd and 9th November be approved and adopted.

Variation of Minute

The Council noted that Councillor de Faioite had left the meeting before a vote had been taken on a proposal relating to the decision under the heading “Update on DfC Community Recovery Funding”, and that the minute would be formally varied at the next meeting of the Committee to provide for the removal of his name from the list of Members who had voted.

Amendment

DfC Community Recovery Funding Update

Moved by Councillor Lyons,
Seconded by Councillor McKeown and

Resolved - That the decision of the People and Communities Committee of 9th November, under the heading “DfC Community Recovery Funding Update”, be amended to provide that the £250k of Department for Communities’ funding, which had been allocated to the nine strategic partners, be redistributed as follows:

- i. £180k to be divided equally between the Salvation Army and St. Vincent de Paul to support their Christmas appeals;
- ii. £55k to be allocated to Belfast and Lisburn Women’s Aid; and
- iii. £15k to be allocated to the Belfast Men’s Advisory Project.

The Council noted the Chief Executive’s assertion that this decision would be subject to the Department for Communities confirming that the proposed expenditure met its funding conditions and to the Council undertaking a due diligence assessment.

Adoption of Minutes

Subject to the foregoing amendment, the minutes of meetings of the People and Communities Committee of 2nd and 9th November were approved and adopted.

City Growth and Regeneration Committee

Moved by Councillor Murphy,
Seconded by Alderman Kingston,

That the minutes of the proceedings of the City Growth and Regeneration Committee of 10th November be approved and adopted.

**Correspondence received
from Minister Mallon**

Amendment 1

Moved by Alderman Kingston,
Seconded by Councillor Pankhurst,

That the decision of the City Growth and Regeneration Committee of 10th November, under the heading "Correspondence received from Minister Mallon, relating to the York Street Interchange Project, be referred back to the Committee for further consideration.

On a vote, fifteen Members voted for the amendment and forty-one against and it was declared lost.

Amendment 2

Moved by Councillor Beattie,
Seconded by Councillor O'Hara and

Resolved – That the decision of the City Growth and Regeneration Committee of 10th November, under the heading "Correspondence received from Minister Mallon", be amended to provide that the Council agrees to write to the Minister outlining the rationale for withdrawing its support for the York Street Interchange project and again calling upon her to publish the report on the outcome of the Independent Assurance Review.

Adoption of Minutes

Subject to the foregoing amendment, the minutes of the meeting of the City Growth and Regeneration Committee of 10th November were approved and adopted.

Licensing Committee

Moved by Councillor Donnelly,
Seconded by Councillor Magee and

Resolved – That the minutes of the proceedings of the Licensing Committee of 29th October and 17th November, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Planning Committee

Moved by Councillor Carson,
Seconded by Councillor Hanvey and

Resolved - That the minutes of the proceedings of the Planning Committee of 16th November, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Belfast Waterfront and Ulster Hall Shareholders' Committee

Moved by Councillor McCabe,
Seconded by Councillor McAteer and

Resolved - That the Minutes of the proceedings of the Belfast Waterfront and Ulster hall Shareholders' Committee of 15th November be approved and adopted.

Minutes of Brexit Committee

Moved by Councillor Baker,
Seconded by Councillor McLaughlin and

Resolved - That the Minutes of the proceedings of the Brexit Committee of 11th November be approved and adopted.

Standards and Business Committee

Moved by Councillor McCullough,
Seconded by Councillor Garrett,

That the Minutes of the proceedings of the Standards and Business Committee of 23rd November, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Variation of Minute

The Council noted that the minute under the heading "Motions received for the Council Meeting on 1st December – Illegal Puppy Trade", would be formally varied at the next meeting of the Committee to reflect that Councillor Groogan, rather than Councillor Ferguson, had proposed that the motion be referred to the Council for debate.

Standing Orders

In response to a request from Councillor Garrett, the City Solicitor undertook to submit to a future meeting of the Committee a report addressing issues which had been raised at several Council meetings around Standing Orders 15 and 16, relating to Discussion on Committee Minutes and Amendments, respectively and confirmed that it was his intention to establish a Working Group, through the Standards and Business Committee, to review all Standing Orders.

Adoption of Minutes

Subject to the aforementioned variation and addition, the minutes of the proceedings of the Standards and Business Committee of 23rd November were approved and adopted.

Motions

Illegal Puppy Trade

In accordance with notice on the agenda, Councillor Flynn proposed:

“This Council notes the USPCA ‘Puppy Dog Fortunes’ Report recognising, with concern, the scale and seriousness of the illegal puppy trade and the abhorrent neglect, cruelty and suffering caused to animals. It reaffirms its support for Lucy’s Law and supports the ‘Justice for Reggie’ Campaign.

Accordingly, the Council resolves to write to the Minister of the Department of Agriculture, Environment and Rural Affairs and to the Minister for Agriculture, Food and the Marine in the Republic of Ireland to express its concerns and to urge the Ministers to:

- i. introduce Lucy’s Law as a matter of urgency, enacting the necessary changes proposed by the Justice for Reggie campaign;
- ii. close the legal loophole that exists within licensing of breeding establishments, allowing individuals to breed litters from multiple breeding bitches without a licence;
- iii. raise, or give Councils the power to raise breeder licence fees to deter the commodification of puppies via mass breeding and create a central database of licenced breeders across all councils, with unique identifiers assigned to each breeder;
- iv. make changes to microchipping, including a requirement for a new unique number for puppies, related to their breeder, so that puppies can be traced back to their point of origin, and a point of responsibility;
- v. make it mandatory that all breeders arrange and must provide documentation for veterinarian visits for new-born puppies, to enable robust inspections and promote animal welfare; and
- vi. require all sellers, selling forums and sites, to conduct breeder verification and to ensure traceable provenance for

each animal advertised and sold and introduce higher penalties for those who break the law, to eradicate cruel breeding methods and inhumane practices.”

The motion was seconded by Councillor McKeown.

After discussion, the motion was put to the Council and passed.

Insulation Inspection and the Provision of Insulation

In accordance with notice on the agenda, Councillor Heading proposed:

“This Council recognises the lengthy delays which Northern Ireland Housing Executive and Housing Association tenants across Belfast are facing when it comes to insulation inspections and insulation being provided. The absence of adequate insulation only compounds the problems arising from fuel poverty facing many citizens this winter.

The Council notes the warning provided by the Utility Regulator that Northern Ireland households are facing energy bills of around £1,000 higher than last year.

The Council will, therefore, write to the Minister for Communities requesting a review of the affordable warmth scheme, as the current threshold for support is too low and does not reflect the rising costs facing households earning more than £23,000.

The Council will also write to the Minister requesting a public review exercise for Northern Ireland Housing Executive and Housing Association tenants to detail their experience of accessing insulation for their homes from their housing provider.”

The motion was seconded by Councillor Lyons.

At the request of Councillor Flynn and with the consent of the Council, the proposer agreed to amend his motion to provide for the addition of the following sentence at the end of the penultimate paragraph:

“The review should also look at removing other benefits, such as Universal Credit, from the income calculation.”

After discussion, the motion, as amended and set out hereunder, was put to the Council and passed:

“This Council recognises the lengthy delays which Northern Ireland Housing Executive and Housing Association tenants across Belfast are facing when it comes to insulation inspections and insulation being provided. The absence of adequate insulation only compounds the problems arising from fuel poverty facing many citizens this winter.

The Council notes the warning provided by the Utility Regulator that Northern Ireland households are facing energy bills of around £1,000 higher than last year.

The Council will, therefore, write to the Minister for Communities requesting a review of the affordable warmth scheme, as the current threshold for support is too low and does not reflect the rising costs facing households earning more than £23,000. The review should also look at removing other benefits, such as Universal Credit, from the income calculation.

The Council will also write to the Minister requesting a public review exercise for Northern Ireland Housing Executive and Housing Association tenants to detail their experience of accessing insulation for their homes from their housing provider."

Support for Higher Education Staff Strike Action

In accordance with notice on the agenda, Councillor Matt Collins proposed:

"This Council notes that four in five higher education staff are struggling with workloads, with 86% having been directed towards support for mental health and over 30% of workers not on fixed-term contracts.

The Council further notes the disparity in pay for both women and BAME higher education staff and that these are among the key reasons why higher education staff in 58 universities, including local institutions Queen's University and University of Ulster, have overwhelmingly voted for strike action.

The Council recognises the efforts of these workers, through their union UCU, to resolve these issues and the reality that strike action is a final resort for those who are invested in delivering higher education to young people.

The Council acknowledges that it has a role to play in supporting workers fighting to win decent pay and conditions in their workplace and, therefore, will adopt a position of supporting the strike action and commits to writing to the managements of higher education institutions in Belfast, at which UCU workers have balloted for strike action, encouraging them to deliver on these demands."

The motion was seconded by Councillor Michael Collins.

After discussion, the motion was put to the Council and passed.

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**Meeting of Council
Wednesday, 1st December, 2021**

Congratulations

Prior to the meeting concluding, the Lord Mayor reported that she had learned that the Array Collective had just been awarded the Turner Prize for 2021 and congratulated all those who had contributed to that achievement.

Lord Mayor
Chairperson