

Council

MONTHLY MEETING OF BELFAST CITY COUNCIL

Held in the City Hall on Monday, 3rd September, 2018
at 6.00 o'clock p.m., pursuant to notice.

Members present: The Right Honourable the Lord Mayor (Councillor Hargey) (Chairperson); the Deputy Lord Mayor (Councillor McDonough-Brown); Aldermen Browne, Convery, Copeland, Haire, Kingston, McCoubrey, McGimpsey, L. Patterson, Rodgers, Sandford and Spence; and Councillors Attwood, Baker, Beattie, Boyle, Campbell, Canavan, Clarke, Collins, Corr, Corr Johnston, Craig, Dorrian, Dudgeon, Garrett, Graham, Groves, Heading, Hussey, Kyle, Long, Lyons, Magee, Magennis, McAllister, McConville, McReynolds, Milne, Mullan, Murphy, Newton, Nic Biorna, Nicholl, O'Donnell, O'Hara, O'Neill, Pankhurst, Reynolds and Walsh.

Summons

The Chief Executive submitted the summons convening the meeting.

Apologies

Apologies were reported on behalf of the High Sheriff (Councillor Howard), Alderman R. Patterson and Councillors Armitage, Bunting, Carson, Hutchinson, Johnston, McAteer and McCusker.

Declarations of Interest

Councillor O'Neill declared an interest in the City Growth and Regeneration minutes in that she was an employee of the Oh Yeah Music Centre.

Minutes of the Council

Moved by the Lord Mayor (Councillor Hargey),
Seconded by the Deputy Lord Mayor (Councillor McDonough-Brown) and

Resolved - That the minutes of the proceedings of the special meeting of the Council of 1st July and of the monthly meeting of the Council of 2nd July be taken as read and signed as correct.

Official Announcements

Fire at Bank Buildings

The Lord Mayor expressed gratitude to the emergency services, paying particular tribute to the Northern Ireland Fire and Rescue Service, which had responded within minutes to the fire in the Primark store in the historic Bank Buildings on Tuesday, 28th August.

She expressed her thanks to the staff in the Primark store for having evacuated the building so quickly with no reported injuries.

A number of Members expressed their support for the staff of Primark and the surrounding businesses which had been affected as a result of the fire.

The Lord Mayor explained that the Council had convened a number of inter-agency meetings with relevant statutory bodies in relation to the safety of the building and ongoing actions.

It was also pointed out that a number of engagements had been held with the surrounding businesses.

In relation to a Member's suggestion that the two trees which were located outside the Bank Buildings, and had survived the fire, be replanted within the grounds of Belfast City Hall as a symbol of hope, the Lord Mayor advised that this could be considered through the recovery plan which would be reported to the Strategic Policy and Resources Committee.

Councillor Armitage

Councillor Long, on behalf of his party, thanked the Members for their support and assistance over the past few weeks in relation to Councillor Armitage's wellbeing, and advised the Council that Councillor Armitage wanted to pass on his thanks to his Council colleagues.

The Lord Mayor, on behalf of the Council, extended her best wishes to Councillor Armitage.

Change of Membership on Committee

The Chief Executive reported that notification had been received from the Alliance Party of the following change to Committee Membership:

- The Deputy Lord Mayor (Councillor McDonough-Brown) to replace Councillor Armitage on the Planning Committee.

The Council approved the change.

Request to Address the Council

The Chief Executive reported that Mr. Mairtin Mac Gabhann, together with his son, Daithi, and Daithi's mother, Seph, had sought approval to address the Council in advance of the motion on Organ Donation which Councillor Corr was due to propose later in the meeting.

The Council agreed to receive the representatives and they were welcomed to the meeting.

Mr. Mac Gabhann explained that his 20 month old son, Daithi, was on the Routine Transplant List and was awaiting a new heart. He advised the Council that Daithi was born with a rare life threatening Congenital Heart Defect called Hypoplastic Left Heart Syndrome.

He explained to the Members that, after numerous surgeries and lengthy hospital stays in both Belfast and London, all other medical options had now been exhausted for Daithi, and a donated heart was his only option.

Mr Mac Gabhann advised the Council that it was Organ Donation Week and that he wanted to raise as much awareness as possible of the NHS Organ Donor Register. He explained that he felt more could be done to encourage people to sign up as an organ donor in Northern Ireland.

He requested that the Council consider supporting the campaign to raise awareness of organ donation and, while he recognised that it was a personal choice, to consider actively promoting organ donation. He pointed out that, in England, Scotland, Wales and the Republic of Ireland, organ donation was promoted on the side of bin lorries, bins and emergency service vehicles. He hoped that the Council would take a similar approach, perhaps with an article in City Matters.

He added that the Driver Vehicle and Licensing Authority (DVLA) asked people to consider becoming organ donors when applying or renewing their driving licence and suggested that the Council could employ a similar approach for the registration of a birth.

The Chief Executive undertook to investigate the issues in relation to an article in City Matters, the process for registering a birth and the promotion of organ donation.

The Lord Mayor thanked the representatives for their attendance and they retired from the meeting.

The Council noted the information which had been provided and that Members would have an opportunity to discuss the matter later in the meeting.

Strategic Policy and Resources Committee

Moved by Councillor Campbell,
Seconded by Councillor Alderman Browne,

That the minutes of the proceedings of the Strategic Policy and Resources Committee of 5th, 7th and 9th July, and 1st, 17th and 31st August, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Amendment

Motion of No Confidence in the Chairperson

Moved by Councillor Long
Seconded by Councillor McAllister and

Resolved - That the decision of the Strategic Policy and Resources Committee of 17th August, under the heading “Motion of No Confidence in the Chairperson”, be rejected.

Amendment

Area-Based Festivals

Moved by Councillor Reynolds,
Seconded by Councillor Craig

That the decision of the Strategic Policy and Resources Committee of 17th August, under the heading “Area-Based Festivals”, be amended to provide that the Council agrees to authorise the release of funding agreements to the Belfast South Community Resources and the Ulster Scots Community Network, with 90% of the funding to be paid up front and the remaining 10% to be paid following satisfactory completion of monitoring and evaluation returns

On a recorded vote, twenty Members voted for the amendment and twenty-seven against, with four “no votes” and it was declared lost.

<u>For 20</u>	<u>Against 27</u>	<u>No Vote 4</u>
Aldermen Browne, Copeland, Haire, Kingston, McCoubrey, McGimpsey, L. Patterson, Rodgers, Sandford and Spence; and Councillors Corr Johnston, Craig, Dorrian, Dudgeon, Graham, Hussey, Kyle, Newton, Pankhurst and Reynolds.	The Lord Mayor (Councillor Hargey); the Deputy Lord Mayor (Councillor McDonough-Brown); Councillors Attwood, Baker, Beattie, Campbell, Canavan, Clarke, Collins, Corr, Garrett, Groves, Heading, Long, Lyons, Magee, Magennis, McAllister, McConville, McReynolds, Murphy, Nic Biorna, Nicholl, O'Donnell, O'Hara, O'Neill and Walsh.	Alderman Convery and Councillors Boyle, Milne and Mullan.

Amendment

**Giants Park – North Foreshore –
Commercial Leisure Led Mixed Use Development**

Moved by Alderman Convery,
Seconded by Councillor Mullan,

That the decision of the Strategic Policy and Resources Committee of 17th August, under the heading “Giants Park – North Foreshore – Commercial Leisure Led Mixed Use Development”, be referred back to the Committee for further consideration.

On a vote by show of hands, four Members voted for the amendment and forty against and it was declared lost.

Adoption of Minutes

The minutes of the proceedings of the Strategic Policy and Resources Committee of 5th, 7th and 9th July, and 1st, 17th and 31st August were thereupon approved and adopted.

People and Communities Committee

Moved by Councillor Nicholl,
Seconded by Councillor Newton,

That the minutes of the proceedings of the People and Communities Committee of 7th August be approved and adopted.

Amendment

**Temporary Structure at Alderman
Tommy Patton Memorial Park**

Moved by Councillor Corr Johnston,
Seconded by Councillor Newton,

That the decision of the People and Communities Committee of 7th August, under the heading “Temporary Structure at Alderman Tommy Patton Memorial Park”, be rejected and accordingly the Council agrees to confirm its decision of 2nd July, to accede to the request to provide a temporary structure, subject to the terms and conditions as detailed within the report to the Committee of 5th June.

On a recorded vote, twenty Members voted for the amendment and thirty-one against and it was declared lost.

<u>For 20</u>	<u>Against 31</u>
Aldermen Browne, Copeland, Haire, Kingston, McCoubrey, McGimpsey, L. Patterson, Rodgers, Sandford and Spence; and Councillors Corr Johnston, Craig, Dorrian, Dudgeon, Graham, Hussey, Kyle, Newton, Pankhurst and Reynolds.	The Lord Mayor (Councillor Hargey); the Deputy Lord Mayor (Councillor McDonough-Brown); Alderman Convery; and Councillors Attwood, Baker, Beattie, Boyle, Campbell, Canavan, Clarke, Collins, Corr, Garrett, Groves, Heading, Long, Lyons, Magee, Magennis, McAllister, McConville, McReynolds, Milne, Mullan, Murphy, Nic Biorna, Nicholl, O'Donnell, O'Hara, O'Neill and Walsh.

Adoption of Minutes

The minutes of the proceedings of the People and Communities Committee of 7th August were thereupon approved and adopted.

City Growth and Regeneration Committee

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

Resolved - That the minutes of the proceedings of the City Growth and Regeneration Committee of 8th August be approved and adopted.

Licensing Committee

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

Resolved - That the minutes of the proceedings of the Licensing Committee of 15th August, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Planning Committee

Moved by Councillor Garrett,
Seconded by Councillor Mullan and

Resolved - That the minutes of the proceedings of the Planning Committee of 14th August, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Belfast Waterfront and Ulster Hall Ltd. Shareholders' Committee

Moved by Alderman Haire,
Seconded by Councillor Nicholl and

Resolved - That the minutes of the proceedings of the Belfast Waterfront and Ulster Hall Ltd. Shareholders' Committee of 13th August, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Brexit Committee

Moved by Councillor Walsh,
Seconded by Alderman Kingston and

Resolved - That the minutes of the proceedings of the Brexit Committee of 9th August be approved and adopted.

Notices of Motion

Graffiti

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

"This Council recognises the damage caused by and unsightliness of the growing amount of graffiti within our City centre and our neighbourhoods, on our shutters, our walls, our doors, our utility boxes etc.

As the Council has the power under Article 18 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 to remove or obliterate any graffiti which, in the opinion of Council, is detrimental to the amenity of any land in the district, pro-active policies and procedures for addressing the problem need to now be put in place, perhaps on the lines of those adopted in 2016 by Ards and North Down Borough Council.

Accordingly, the Council agrees to allocate the necessary funding and resources, or the reprioritisation of existing resources, to tackle the environmental scourge of graffiti in the City."

The motion was seconded by Councillor Dudgeon.

In accordance with Standing Order 13(f), the motion was referred, without discussion, to the People and Communities Committee.

Implementation of Perinatal Care Pathway Service

In accordance with notice on the agenda, Alderman Convery proposed:

"This Council believes that in pregnancy both lives matter, the mother and the unborn child. This commitment to the rights of both must be reflected in the support provided to mothers, the unborn child and their families throughout the pregnancy.

The Council calls for the immediate implementation of a Perinatal Care Pathway Service in Northern Ireland and eventually the provision of a Perinatal Hospice Care Facility to ensure the best medical, emotional and social support for those who are faced with the diagnosis of a severe life limiting condition."

The motion was seconded by Councillor Boyle.

Amendment

Moved by Councillor Nicholl,
Seconded by Councillor Campbell,

That the Motion standing in the name of Alderman Convery and seconded by Councillor Boyle be amended and replaced with the following:

"This Council believes in circumstances where a pregnancy is given a fatal foetal diagnosis or severe life limiting condition that support should be provided to women who choose to continue with the pregnancy and their families.

The Council calls for the immediate implementation of a Perinatal Care Pathway Service in Northern Ireland and, eventually, the provision of a Perinatal Hospice Care Facility to ensure the best medical, emotional and social support for those who are faced with the diagnosis of a fatal foetal abnormality or severe life limiting condition.

The Council further reaffirms our support to the decriminalisation of abortion as per our meeting in April"

On a vote by show of hands, twenty-eight Members voted for the amendment and nineteen against and it was declared carried.

Accordingly, the motion as amended was put to the Council as the substantive motion.

On a recorded vote, twenty-eight Members voted for the motion and seventeen against, with four "no votes" and it was declared carried.

<u>For 28</u>	<u>Against 17</u>	<u>No Vote 4</u>
The Lord Mayor (Councillor Hargey); the Deputy Lord Mayor (Councillor McDonough-Brown); Councillors Attwood, Baker, Beattie, Campbell, Canavan, Clarke, Collins, Corr, Corr Johnston, Garrett, Groves, Heading, Long, Lyons, Magee, Magennis, McAllister, McConville, McReynolds, Murphy, Nic Biorna, Nicholl, O'Donnell, O'Hara, O'Neill and Walsh.	Aldermen Convery, Haire, Kingston, McCoubrey, L. Patterson, Rodgers, Sandford and Spence; and Councillors Boyle, Craig, Dorrian, Graham, Hussey, Mullan, Newton, Pankhurst and Reynolds.	Aldermen Copeland and McGimpsey; and Councillors Dudgeon and Kyle.

Sustainable Development Strategy

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

"This Council recognises its important role in shaping a Belfast that is environmentally sustainable (as described in the Belfast Agenda). It recognises also the importance of thinking strategically and with a long-term aim of making Belfast meet the highest environmental standards, especially in the areas of energy, waste, transport, construction and resilience.

The Council agrees to establish both a Member-led Sustainable Development Think Tank and an officer steering group that meet regularly to support the development of the Council's Sustainable Development Strategy and discuss implementing best practice from across Europe and globally."

The motion was seconded by Councillor Nicholl.

In accordance with Standing Order 13(f), the motion was referred, without discussion, to the Strategic Policy and Resources Committee.

Green Spaces

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

"This Council agrees to establish a strategy to tackle the issue of grass cutting along verges and roads in the City. This will include auditing the number of sites that need maintenance, determining the best way to maintain them, increasing revenue to meet the costs and setting up a forum with other relevant agencies, including the Department for Infrastructure, to ensure that the areas are maintained in a way which promotes road safety, civic pride and protects the environment."

The motion was seconded by Councillor McReynolds.

In accordance with Standing Order 13(f), the motion was referred, without discussion, to the People and Communities Committee.

Brexit – The People's Vote

In response to a request from Councillor McAllister, the Lord Mayor declined to use her discretion under Standing Order 13(f) to allow the Council to debate the following motion as she did not consider that the issue was urgent.

Amendment

Suspension of Standing Orders

Moved by Councillor McAllister
Seconded by Councillor Nicholl

That the Council agrees to suspend Standing Order 13(f) to permit the motion on Brexit – The People's Vote to be debated by the Council rather than being referred to the Brexit Committee.

On a recorded vote, twelve Members voted for the proposal and thirty-five against. As the number of Members voting in favour of the proposal was less than 80% of those present and voting, as set out within Standing Order 25, the proposal was lost.

<u>For 12</u>	<u>Against 35</u>
The Deputy Lord Mayor (Councillor McDonough-Brown); Councillors Attwood, Boyle, Collins, Heading, Long, Lyons, McAllister, McReynolds, Mullan, Nicholl and O'Neill.	The Lord Mayor (Councillor Hargey); Aldermen Copeland, Haire, Kingston, McCoubrey, L. Patterson, Rodgers, Sandford and Spence; and Councillors Baker, Beattie, Campbell, Canavan, Clarke, Corr, Corr Johnston, Craig, Dorrian, Dudgeon, Garrett, Graham, Groves, Hussey, Kyle, Magee, Magennis, McConville, Murphy, Newton, Nic Biorna, O'Donnell, O'Hara, Pankhurst, Reynolds and Walsh.

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

“This Council acknowledges the result of the EU Referendum of June 2016, but asserts that no one in Belfast voted for a bad deal, or no deal, that could wreck our economy and jeopardise our peace process.

The Council agrees to write to the Secretary of State and to the Prime Minister expressing its support for the growing demand for a People's Vote on the final Brexit deal.”

The motion was seconded by Councillor McAllister.

In accordance with Standing Order 13(f), the motion was referred, without discussion, to the Brexit Committee.

Ireland Women's Hockey Team

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

“This Council applauds the incredible achievement of the Irish Women's Hockey team in winning a silver medal in the Hockey World Cup. The Council agrees to host a special civic reception to honour the team.”

The motion was seconded by the Deputy Lord Mayor (Councillor McDonough-Brown).

The Lord Mayor stated that she would be hosting a reception in honour of the Team's success and arrangements were currently being made.

In accordance with Standing Order 13(f), the motion was referred, without discussion, to the Strategic Policy and Resources Committee.

Unadopted Alleyways

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

“This Council will engage with relevant agencies to develop protocols in respect to addressing issues around unadopted alleyways across the City, recognising health and safety and public hygiene concerns. All efforts should be also made to identify legal owners and compel them to meet their obligations.”

The motion was seconded by Councillor Newton.

In accordance with Standing Order 13(f), the motion was referred, without discussion, to the People and Communities Committee.

Organ Donation

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

“This Council notes that Organ Donation Week this year will run from 3rd till 9th September and supports the efforts of all of those organisations seeking to increase the number of people joining the Organ Donation Register.”

The motion was seconded by Councillor Nic Biorna.

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

Empty Chair Campaign

At the request of Councillor Baker, the Council agreed, in accordance with Standing Order 13(i), that the notice of motion standing in his name be withdrawn from the agenda.

Belfast Rapid Transit

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

“This Council notes the introduction of the Belfast Rapid Transit (BRT) to the City. This £90 million investment is intended to lead to an improvement of connectivity in Belfast and in public transport for citizens. The Council notes, however, that the introduction of BRT has led to a number of serious issues that need urgent redressing if the system is not to have an adverse effect on our City.

These include:

- impaired access to homes for the elderly and those with serious disabilities;

- parents unable to safely leave children to school in some locations;
- access to local shops has been severely restricted, with car parking spaces removed without any recourse as to where this parking would go thereafter;
- double yellow lines are to be extended into residential areas, restricting access to homes and again exacerbating the parking problem;
- a severe increase in congestion, and the need to come up with solutions to this; and
- despite these issues being raised, the Department for Infrastructure has failed to introduce any mitigating measures.

In the absence of a Stormont Executive and, acknowledging the important role played by local government in community planning, this Council can play an important role in representing the views of this City to the Department on the relevant issues surrounding BRT. The Council believes that urgent measures are needed to solve these issues. This should be done in an open and transparent manner, involving residents and other stakeholders. Where necessary, aspects of BRT should be delayed to ensure a competent and satisfactory delivery.

To assist such an approach, the Council will host open meetings in East and West Belfast in order to listen to the concerns of residents on this issue. The Council will also arrange a deputation to the Department for Infrastructure, which will be open to Councillors from all political parties, to discuss how the above problems can be resolved or mitigated.”

The motion was seconded by Councillor Heading.

In accordance with Standing Order 13(f), the motion was referred, without discussion, to the City Growth and Regeneration Committee.

Lord Mayor
Chairperson