

Council

MONTHLY MEETING OF BELFAST CITY COUNCIL

Held in the City Hall on Monday, 1st October, 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); the High Sheriff (Councillor Howard), Aldermen Browne, Convery, Copeland, Haire, Kingston, McCoubrey, L. Patterson, R Patterson, Rodgers, Sandford and Spence; and Councillors Attwood, Baker, Beattie, Boyle, Campbell, Canavan, Carson, Clarke, Collins, Corr, Corr Johnston, Craig, Dorrian, Dudgeon, Garrett, Graham, Groves, Heading, Hussey, Hutchinson, Johnston, Kyle, Long, Lyons, Magee, Magennis, McAllister, McConville, McCusker, McReynolds, 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 Alderman McGimpsey and Councillors Armitage and McAteer.

Declarations of Interest

- Councillor Long declared an interest in the Strategic Policy and Resources Minutes – Area Working Update insofar as he was a member of the Bloomfield Church;
- Councillor Reynolds declared an interest in the Strategic Policy and Resources Minutes – Physical Programme Update; and
- Councillor Nicholl declared an interest in relation to the Notice of Motion – Letting Agents' Administration Fees/Applications Fees as she was employed by Queen's University Belfast Students Union who had been involved with the item being considered.

Minutes of the Council

Moved by the Lord Mayor (Councillor Hargey),
Seconded by the Councillor Corr Johnston and

Resolved - That the minutes of the proceedings of the monthly meeting of the Council of 3rd September be taken as read and signed as correct.

Official Announcements

Local Government Commissioner for Standards – Suspension of Councillor Bunting

The Chief Executive reported that Councillor Bunting had been suspended from Belfast City Council for a period of four months by the Local Government Commissioner for Standards whilst it investigated potential breaches of the Northern Ireland Local Government Code of Conduct. She advised that, whilst the investigation was ongoing, Councillor Bunting would not be permitted to attend any Council meetings, Committee meetings, Working Group meetings or meetings of outside bodies to which she had been appointed as a Council representative.

East Belfast Football Club – Point of Information

The Chief Executive advised that JWB Consulting had requested that the Council was informed that JWB Consulting operated as a sole trader and it was in that capacity that it had made the submission in respect of the East Belfast Football Club at the September meeting of Council.

Expression of Sympathy

The Lord Mayor referred to the death of the sister of Councillor McAteer, Mrs. Tish Holland, who had been a former Member of Belfast City Council, and extended to Councillor McAteer their deepest condolences.

Councillor Campbell

The Lord Mayor, on behalf of the Council, extended congratulations to Councillor Campbell on the occasion of her fiftieth birthday.

International Relations - Nashville

The Council was advised that Councilman J. Shulman had recently been elected as the Vice Mayor of the Metropolitan Council of Nashville and Davidson County.

The Lord Mayor advised that, given the Sister City relationship between Belfast and Nashville, a letter expressing the Council's congratulations had already been forwarded.

Death of Lexi Moore

The Council was advised of the recent death of Mr. Lexi Moore, who was the last survivor from the famous Belfast Celtic Football Team that had defeated Scotland, who had been British champions at the time, during a tour of America in 1949.

Following a request, the Lord Mayor undertook to examine the options available to mark the forthcoming 80th Anniversary of Belfast Celtic Football Team's last domestic match on 26th December 2018.

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:

- Councillor McAllister to replace Councillor Armitage on the People and Communities Committee.

The Council approved the change.

Request to Address the Council

The Chief Executive reported that Mr. Malachy Turley and Mr. Charlie McGarry had sought approval to address the Council in advance of the motion on a Homeless Hostel for Females which Councillor McCusker was due to propose later in the meeting.

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

Mr. Turley advised that he wished to raise awareness of the problems faced by those who suffered from alcoholism which was an illness that he himself had suffered from and proceeded to outline his own personal experience.

He stated that it was an illness that had a severe negative impact on the lives of many of our citizens, both male and female, and that problems with alcohol were often part of a person's spiral into homelessness.

Mr. Turley explained that, having experienced alcoholism, he understood the help that people needed and he stated that without that support he could not have turned his life around. He stated that he wished to highlight the plight of vulnerable people in the City, particularly women, who needed specialist assistance to try and overcome addiction and he highlighted that there was currently no specialist all-women's hostel in Belfast and he outlined his desire to have facility, similar to the all-male Rosemount House facility.

Mr. McGarry advised that, he too, wanted to raise as much awareness as possible of the need for a specialist women's hostel in Belfast, a safe space, where females could feel at ease to address their specific addiction. He explained that, in some cases, a mixed environment could hinder chances of recovery and it was his belief that a rehab centre specifically for females could provide a supportive environment for individuals to try and overcome their addiction.

The representatives concluded by asking that the Council to support the campaign to deliver a specialist all-women's hostel in Belfast.

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 Alderman Rodgers,
Seconded by Alderman Convery,

That the minutes of the proceedings of the Strategic Policy and Resources Committee of 21st September, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Fire at Bank Buildings

The Lord Mayor again expressed her gratitude to the emergency services who had responded within minutes to the fire, to the staff in the Primark store for having evacuated the building so quickly with no reported injuries and to all the Council staff, external partners and stakeholders who had worked tirelessly in the wake of the event to progress the recovery plan for the area.

A number of Members welcomed the City Recovery Investment Programme that had been approved at the Strategic Policy and Resources Committee to assist with the medium term recovery of the City and stressed the need to implement the proposed plan as soon as possible given that the Christmas trading period was imminent.

Several Members expressed concern for the surrounding businesses and outlined how businesses outside of the cordon were also being affected as a result of the fire.

The Chief Executive provided assurances around the work that the Council was taking to support city centre economic recovery, she confirmed that discussions were ongoing with the Secretary of State and the Civil Service to ascertain if any funding or assistance could be made available to assist with the long term recovery programme.

The Members were advised that a further meeting was taking place on Tuesday, 2nd October with the various stakeholders regarding the implementation of the medium term recovery plan and the Chief Executive undertook to update the Members on the outcome of this meeting.

Amendment

Personal Independence Payment

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

Resolved – That the decision of the Strategic Policy and Resources Committee of 21st September, under the heading “Motion – Personal Independence Payment”, be amended to provide that the Council agrees that an All-Party Deputation meet with the Department for Communities to discuss the criteria used in respect of Personal Independence Payments.

Amendment

Update on the Implementation of the Independent Review of Leisure

Moved by Councillor Collins,

That the decision of the Strategic Policy and Resources Committee of 21st September, under the heading “Update on the Implementation of the Independent Review of Leisure”, be amended to allow for the deletion of the following wording “acknowledged the detrimental impact to the Leisure Development Programme, and the rate payer, in the event of the Council bringing the leisure operating mode back in-house, and rule out any further consideration at this time”.

As there was no seconder for the proposal, it was not put to the meeting.

Amendment

Area-Based Festivals

Moved by Councillor McAllister,
Seconded by Councillor Long,

That the decision of the Strategic Policy and Resources Committee of 21st September, under the heading “Area-Based Festivals”, be rejected and accordingly the Council agrees not to release the funding agreements to Belfast South Community Resources and the Ulster Scots Community Network.

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

| <u>For 11</u> | <u>Against 39</u> | <u>No Vote 4</u> |
|--|---|---|
| The Deputy Lord Mayor (Councillor McDonough-Brown); The High Sheriff (Councillor Howard); and Councillors Attwood, Heading, Long, Lyons, McAllister, McCusker, McReynolds, Nicholl and O'Neill. | The Lord Mayor (Councillor Hargey); Aldermen Browne, Copeland, Haire, Kingston, McCoubrey, L Patterson, R Patterson, Rodgers, Sandford and Spence; and Councillors Baker, Beattie, Campbell, Canavan, Carson, Clarke, Corr, Corr Johnston, Craig, Dorrian, Dudgeon, Garrett, Graham, Groves, Hussey, Hutchinson, Johnston, Kyle, Magee, Magennis, McConville, Murphy, Newton, Nic Biorna, O'Donnell, O'Hara, Pankhurst and Walsh. | Alderman Convery and Councillors Boyle, Collins and Mullan. |

Adoption of Minutes

Subject to the foregoing addition and amendment, the minutes of the proceedings of the Strategic Policy and Resources Committee of 21st September were thereupon approved and adopted.

People and Communities Committee

Moved by Councillor Nicholl,
Seconded by Councillor Corr Johnston and

Resolved - That the minutes of the proceedings of the People and Communities Committee of 4th September be approved and adopted.

City Growth and Regeneration Committee

Moved by Councillor Lyons,
Seconded by Councillor Kyle and

Resolved - That the minutes of the proceedings of the City Growth and Regeneration Committee of 12th September 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 19th September, 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 Hutchinson and

Resolved - That the minutes of the proceedings of the Planning Committee of 11th September, 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 Councillor Carson,

That the minutes of the proceedings of the Brexit Committee of 20th September be approved and adopted.

Amendment

The People's Vote

Moved by Councillor Nicholl,

That the decision of the Brexit Committee of 20th September, under the heading "Motion Brexit – The People's Vote", be amended to read as follows

"This Council acknowledges the result of the EU Referendum of June 2016, recognises that the majority of people in Northern Ireland voted to remain and 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, where no deal has been negotiated and in both cases remaining in the EU must be an option".

At the request of Councillor O'Hara, the proposer agreed to amend her proposal and include the following wording:

"based on the bottom line which has been expressed by the majority of elected MLAs which supports:

- *no diminution of Human Rights and equality provisions which must be protected;*
- *we cannot withstand exclusion from the single market or customs union;*
- *that we must protect the Good Friday Agreement in all of its parts;and*
- *that the backstop agreed by both the British Government and the EU27 is the bottom line in order to safeguard our political and economic stability now and for the future.”*

The proposal, as amended, was seconded by Councillor Garrett.

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

| <u>For 31</u> | <u>Against 21</u> |
|---|---|
| The Lord Mayor (Councillor Hargey); The Deputy Lord Mayor (Councillor McDonough-Brown); The High Sheriff (Councillor Howard); and Alderman Convery; and Councillors Attwood, Baker, Beattie, Campbell, Canavan, Carson, Clarke, Collins, Corr, Garrett, Groves, Heading, Long, Lyons, Magee, Magennis, McAllister, McConville, McCusker, McReynolds, Murphy, Nic Biorna, Nicholl, O'Donnell, O'Hara, O'Neill and Walsh. | Aldermen Browne, Copeland, Haire, Kingston, McCoubrey, L Patterson, R Patterson, Rodgers, Sandford and Spence; and Councillors Corr Johnstone, Craig, Dorrian, Dudgeon, Graham, Hussey, Hutchinson, Johnstone, Kyle, Newton and Pankhurst. |

Adoption of Minutes

Subject to the foregoing amendment in relation to the Motion Brexit – The People's Vote, the minutes of the proceedings of the Brexit Committee of 20th September were thereupon approved and adopted.

Notices of Motion

Robert McCartney Murder

The Council noted that this notice of motion had been withdrawn from the agenda.

Greening of Derelict Spaces

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

“Creating green spaces in cities produces significant benefits, not least in the area of mental health. Recent research has shown a 40% reduction in feelings of depression and a 50% reduction in feelings of worthlessness among residents, as a result of greening derelict plots of land. The benefits were even greater in areas of deprivation.

Simple interventions, such as clearing rubbish, sowing grass, planting trees and marking the boundary with a low fence, can produce health benefits, remove eyesores and reduce antisocial behaviour.

This Council will carry out an audit to identify derelict sites in public ownership. It will establish a budget in the coming year and engage with other statutory bodies in order to create a programme of work whereby derelict plots of land are cleared, grassed and fenced, thus enhancing neighbourhoods and improving wellbeing.”

The motion was seconded by Councillor Attwood.

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

United Nations Convention on the Rights of Persons with Disabilities

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

“This Council notes the Concluding Observations of the United Nations Committee on the Convention of the Rights of Persons with Disabilities. Following an examination of the UK’s compliance with the United Nations Convention on the Rights of Persons with Disabilities in August 2017, this Council is concerned at the lack of actions and consistency from either the Northern Ireland Executive or the UK Government in respect of the Concluding Observations. The Council recognises the valuable contribution that those living with disabilities make to our society and will undertake to prepare a review on how the council meet local obligations within the Convention on the Rights of Persons with Disabilities.

The Council will write to the Prime Minister, Theresa May, seeking an update on the steps which the Government is taking to meet the recommendations contained within the Concluding Observations.”

The motion was seconded by Councillor McCusker.

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

Homeless Hostel for Females

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

“This Council notes the growth of alcohol and drug addiction among the female population and the impact which this has on families and communities. The Council further notes the lack of a dedicated hostel and programme to assist in the recovery of women suffering addiction and calls on the relevant statutory funders to recognise the urgent need of a hostel, similar to the all male Rosemount House facility, and to support those organisations involved in delivering this service.

The Council, therefore, agrees that an all-party delegation meet with representatives of the Northern Ireland Housing Executive and the Department of Health to discuss the establishment of an all-female hostel.”

The motion was seconded by Councillor Campbell.

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

Letting Agents' Administration/Application Fees

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

“This Council notes the June 2018 legal case of Loughran v Piney Rentals Limited and F5 Property Limited, which determined that the practice of letting agents charging letting fees, commonly referred to as administration fees or application fees, when renting properties on behalf of a landlord is unlawful under The Commission on Disposals of Land (Northern (Ireland) Order 1986.

The Council further notes that this practice has been widespread in the private rental sector in recent times, particularly where the demand for privately rented accommodation is high. Despite the recent legal case, it is apparent that some letting agents are continuing to charge these fees unlawfully.

Accordingly, the Council welcomes the decision of the court and agrees to work with other relevant agencies such as Trading Standards, the Association of Residential Letting Agents and Housing Rights to ensure that letting agents are aware that the practice of charging these fees should immediately be ceased and that appropriate action is taken against those who refuse to do so. The Council agrees also to explore ways to let citizens know their rights in relation to this issue, through the media and through the Council's publications.”

The motion was seconded by Councillor Heading.

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

Lord Mayor
Chairperson