

# Council

## MONTHLY MEETING OF BELFAST CITY COUNCIL

Held in the City Hall on Monday, 3rd December, 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, McGimpsey, Rodgers, Sandford and Spence; and Councillors Attwood, Baker, Beattie, Black, Boyle, Campbell, Canavan, Carson, Clarke, Collins, Corr, Corr Johnston, Craig, Dorrian, Dudgeon, Garrett, Graham, Groves, Heading, Hussey, Hutchinson, Johnston, Kyle, Long, Lyons, Magee, Magennis, McAteer, McReynolds, Mullan, Murphy, Nic Biorna, Nicholl, O'Donnell, O'Hara, Pankhurst, Reynolds and Walsh.

### Summons

The Chief Executive submitted the summons convening the meeting.

### Apologies

Apologies were reported on behalf of Aldermen L. Patterson and R. Patterson and Councillors Armitage, McAllister, McCusker, Newton and O'Neill.

### Declarations of Interest

Councillor Boyle declared an interest in relation to the items contained within the minutes of the Strategic Policy and Resources Committee of 23rd November and the Licensing Committee of 20th November, under the heading "Licensing of Houses of Multiple Occupation – Role of the Licensing Committee", in that he owned a number of HMO's within the City, and left the Chamber whilst the matter was being discussed.

Councillor Long declared an interest in relation to the motion being proposed by Councillor Heading, under the heading "NHS Pay Offer", in that he was employed by the National Health Service, and left the meeting for the duration of the discussion.

### 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 monthly meeting of the Council of 1st November be taken as read and signed as correct.

**Official Announcements**

The Lord Mayor, on behalf of the Council, welcomed Councillor Tina Black, who had replaced former Councillor McConville, to her first meeting and paid tribute to the former Councillor for the service which she had provided during her time on the Council.

The Lord Mayor, on behalf of the Council, extended congratulations to Councillor O'Neill and her husband, Kieran, on the occasion of their recent marriage.

At the request of Councillor Long, the Lord Mayor congratulated Councillor McAllister and her partner, Sam, on the birth of their son, Art, and congratulated also Councillor McReynolds on his recent engagement and on completing the Dublin Marathon.

At the request of Councillor Boyle, the Lord Mayor undertook to write to the President of the Irish Rugby Football Union, to congratulate the Irish Rugby Team on beating the New Zealand All Blacks for the first time in Ireland and on attaining a number of team and individual awards in 2018.

The Lord Mayor highlighted the fact that Belfast had been named as the best sister city co-operation partnership at the recent Chinese National Sister Cities Conference and, on behalf of the Council, congratulated the International Relations Team and other partners, including the Chinese Consulate, on that achievement.

**Requests to Address the Council**

The Chief Executive reported that requests had been received from Mr. Gerard Greene, Chief Executive of Community Pharmacy NI, and from Ms. Louise Kennedy, Regional Policy and Information Co-ordinator, Women's Aid Federation Northern Ireland, to address the Council in advance of the motions being proposed by Alderman Copeland and Councillor Lyons respectively.

The Council acceded to the requests.

**Community Pharmacy NI**

Mr. Greene informed the Council that Community Pharmacy NI represented community pharmacy owners in their dealings with the Health and Social Care Board and the Department of Health. He explained that there were 532 community pharmacies delivering healthcare across Northern Ireland currently and that they were visited on approximately thirty-five million occasions and dispensed around forty million prescription items annually. The number of visits were, he pointed out, significantly higher than for GP practices. He referred to a number of independent reviews which had supported an enhanced role for community pharmacies and proceeded to outline the significant financial difficulties which pharmacies were facing, due to chronic underfunding by the Department of Health, which had the potential to affect the quality of services and lead to closures.

Mr. Greene confirmed that community pharmacies had, for a number of years, failed to have their costs met and had essentially been subsidising their service.

He drew the Council's attention to the fact that the Department of Health had, in February, confirmed that £11 million had been allocated to community pharmacies over a two-year period. This, he stressed, was insufficient, given that there had already been a £20 million reduction in funding in the current year and was occurring at a time when workloads were increasing and the workforce was reducing. He pointed out that the results of a survey which had been undertaken across community pharmacies had reflected the seriousness of the funding situation and he highlighted the need to invest in the community pharmacy network to enable it to provide, for example, public health and preventative services and targeted screening and health checks, which would assist in alleviating the burden on GP practices and make it comparable with the rest of the United Kingdom.

Mr. Greene concluded by inviting the Council to support Alderman Copeland's motion and was thanked by the Lord Mayor.

### **Women's Aid Federation Northern Ireland**

Ms. Kennedy reported that Women's Aid Federation Northern Ireland was a voluntary agency which supported women, men and children who were affected by domestic and sexual violence. She provided details around the annual sixteen days of activism, which had been established to commemorate the murder in 1989 of fourteen women in École Polytechnique in Ontario, Canada, which ran from 'White Ribbon Day' on 25th November to Human Rights Day on 10th December, and pointed out that it was an opportunity to remember also other victims of misogyny and of domestic violence, sexual assault etc.

She pointed out that, whilst men were also subjected to domestic and sexual violence, it was an inescapable fact that women made up the majority of victims and, particularly in extreme cases, where there was a threat to life. She explained that, last year, two women per week had been killed by a man in the United Kingdom and that, in Northern Ireland, 717 women and 485 children had stayed in women's refuges due to concerns for their safety. A further 258 women could not gain access a refuge due to a lack of accommodation.

Ms. Kennedy then referred to the review which had been undertaken by Sir John Gillen around sexual violence and the criminal justice system and confirmed that its outcome was welcomed by Women's Aid Federation Northern Ireland, which hoped that it would lead to a marked change in the way in which sexual violence trials operated in the future. She pointed out that Women's Aid Federation Northern Ireland would be submitting a robust response to the public consultation and concluded by urging Members to engage fully in that process by supporting Councillor Lyons' motion.

Ms. Kennedy was thanked by the Lord Mayor.

### **Strategic Policy and Resources Committee**

Moved by Alderman Rodgers,  
Seconded by Councillor Campbell,

That the minutes of the proceedings of the Strategic Policy and Resources Committee of 14th and 23rd November be approved and adopted.

**Amendment**

Moved by Councillor Beattie,  
Seconded by Councillor Carson and

Resolved - That the decision of the Strategic Policy and Resources Committee of 23rd November, under the heading "Area Working Update", be amended to provide that the Girdwood project be moved to the next stage on the Capital Programme, as had been agreed by the Committee but had been omitted in error from the minutes.

**Amendment**

**Language Strategy 2018-2023**  
**Update and Action Plan 2018-2020**

Moved by Councillor Reynolds,  
Seconded by Alderman Kingston,

That the decision of the Strategic Policy and Resources Committee of 23rd November, under the heading "Language Strategy 2018-2023 Update and Action Plan 2018-2020", in so far as it relates to the secondment of the Northern Ireland Assembly's Irish Language translator to the Council, be rejected and accordingly the Council does not agree to the secondment.

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

<b><u>For 20</u></b>	<b><u>Against 30</u></b>
Aldermen Browne, Copeland, Haire, Kingston, McCoubrey, McGimpsey, Rodgers, Sandford and Spence; and Councillors Corr Johnston, Craig, Dorrian, Dudgeon, Graham, Hussey, Hutchinson, Johnston, Kyle, Pankhurst and Reynolds.	The Lord Mayor (Councillor Hargey); The Deputy Lord Mayor (Councillor McDonough-Brown); The High Sheriff (Councillor Howard); Alderman Convery; and Councillors Attwood, Baker, Beattie, Black, Campbell, Canavan, Carson, Clarke, Collins, Corr, Garrett, Groves, Heading, Long, Lyons, Magee, Magennis, McAteer, McReynolds, Mullan, Murphy, Nic Biorna, Nicholl, O'Donnell, O'Hara and Walsh.

**Amendment**

Moved by Councillor Lyons,  
Seconded by Councillor Beattie,

That the decision of the Strategic Policy and Resources Committee of 23rd November, under the heading "Visit to Brussels", be amended to provide that the visit take place to Brussels, as originally planned, but that it be postponed until the New Year.

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

**Amendment**

Moved by Councillor Nicholl,  
Seconded by Councillor Long,

That the decision of the Strategic Policy and Resources Committee of 23rd November, under the heading "Visit to Brussels", as amended, be referred back to the Committee for further consideration.

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

<b><u>For 25</u></b>	<b><u>Against 26</u></b>
The Deputy Lord Mayor (Councillor McDonough-Brown); The High Sheriff (Councillor Howard); Aldermen Browne, Copeland, Haire, Kingston, McCoubrey, McGimpsey, Rodgers, Sandford and Spence; and Councillors Corr Johnston, Craig, Dorrian, Dudgeon, Graham, Hussey, Hutchinson, Johnston, Kyle, Long, McReynolds, Nicholl, Pankhurst and Reynolds.	The Lord Mayor (Councillor Hargey); Alderman Convery; and Councillors Attwood, Baker, Beattie, Black, Boyle, Campbell, Canavan, Carson, Clarke, Collins, Corr, Garrett, Groves, Heading, Lyons, Magee, Magennis, McAteer, Mullan, Murphy, Nic Biorna, O'Donnell, O'Hara and Walsh.

**Adoption of Minutes**

Subject to the foregoing amendments, the minutes of the proceedings of the Strategic Policy and Resources Committee of 14th and 23rd November were thereupon approved and adopted.

**Amendment to Standing Orders**

Moved by Alderman Rodgers,  
Seconded by Councillor Campbell and

Resolved - That the Council agrees, in pursuance of the Strategic Policy and Resources Committee's decision of 23rd November, to adopt the amendment to Standing Order 37(d) to give effect to the Licensing Committee having delegated authority to determine applications under the Houses in Multiple Occupation Act (Northern Ireland) Act 2016.

**People and Communities Committee**

Moved by Councillor Nicholl,  
Seconded by Councillor O'Donnell,

That the minutes of the proceedings of the People and Communities Committee of 6th November be approved and adopted.

**Amendment**

**Dual Language – Rose Street**

Moved by Alderman Kingston,  
Seconded by Councillor Pankhurst,

That the decision of the People and Communities Committee of 6th November, under the heading Dual Language – Rose Street, be rejected and accordingly the Council agrees that the Committee will wait for requests to be received for dual language signs, in accordance with the established policy.

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

<b><u>For 25</u></b>	<b><u>Against 26</u></b>
The Deputy Lord Mayor (Councillor McDonough-Brown); The High Sheriff (Councillor Howard); Aldermen Browne, Copeland, Haire, Kingston, McCoubrey, McGimpsey, Rodgers, Sandford and Spence; and Councillors Corr Johnston, Craig, Dorrian, Dudgeon, Graham, Hussey, Hutchinson, Johnston, Kyle, Long, McReynolds, Nicholl, Pankhurst and Reynolds.	The Lord Mayor (Councillor Hargey); Alderman Convery; and Councillors Attwood, Baker, Beattie, Black, Boyle, Campbell, Canavan, Carson, Clarke, Collins, Corr, Garrett, Groves, Heading, Lyons, Magee, Magennis, McAteer, Mullan, Murphy, Nic Biorna, O'Donnell, O'Hara and Walsh.

**Amendment**

**Dual Language – Mountforde Park**

Moved by Alderman Kingston,  
Seconded by Councillor Pankhurst,

That the decision of the People and Communities Committee of 6th November, under the heading Dual Language – Mountforde Park, be rejected and accordingly the Council agrees that no second street nameplate be erected in Mountforde Park.

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

<b><u>For 25</u></b>	<b><u>Against 26</u></b>
The Deputy Lord Mayor (Councillor McDonough-Brown); The High Sheriff (Councillor Howard); Aldermen Browne, Copeland, Haire, Kingston, McCoubrey, McGimpsey, Rodgers, Sandford and Spence; and Councillors Corr Johnston, Craig, Dorrian, Dudgeon, Graham, Hussey, Hutchinson, Johnston, Kyle, Long, McReynolds, Nicholl, Pankhurst and Reynolds.	The Lord Mayor (Councillor Hargey); Alderman Convery; and Councillors Attwood, Baker, Beattie, Black, Boyle, Campbell, Canavan, Carson, Clarke, Collins, Corr, Garrett, Groves, Heading, Lyons, Magee, Magennis, McAteer, Mullan, Murphy, Nic Biorna, O'Donnell, O'Hara and Walsh.

**Stadia Community Benefits Initiative**

At the request of Alderman Rodgers, the Council agreed that the Chief Executive of the Irish Football Association be invited to meet with the South Belfast Area Working Group to discuss concerns which had been raised by local residents around the lack of consultation in advance of events taking place within the National Football Stadium.

**Adoption of Minutes**

Subject to the foregoing addition, the minutes of the proceedings of the People and Communities Committee of 6th November were thereupon 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 7th November be approved and adopted.

**Licensing Committee**

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

Resolved - That the minutes of the proceedings of the Licensing Committee of 20th 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 Garrett,  
Seconded by Councillor Carson and

Resolved - That the minutes of the proceedings of the Planning Committee of 13th 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 Ltd.  
Shareholders' Committee**

Moved by Alderman Haire,  
Seconded by Councillor Carson and

Resolved - That the minutes of the proceedings of the Belfast Waterfront and Ulster Hall Ltd. Shareholders' Committee of 12th November be approved and adopted.

**Congratulations**

At the request of Alderman Haire, the Lord Mayor, on behalf of the Council, congratulated the staff of the Belfast Waterfront Hall on winning the Best Local Authority Tourism Initiative category at the recent Northern Ireland Local Government Association awards ceremony.



**Brexit Committee**

Moved by Councillor Walsh,  
Seconded by Councillor McAteer and

Resolved - That the minutes of the proceedings of the Brexit Committee of 8th November be approved and adopted.

**Notices of Motion**

**Social Investment Fund**

(Councillor Beattie declared an interest in this motion in that he was a member of the West Belfast Partnership Board, which had carried out a skills and employability scheme through the Social Investment Fund, and left the meeting whilst the motion was being proposed.

Councillor McAteer declared an interest in this motion insofar as she was a member of the West Belfast Social Investment Fund Steering Group and was employed by the West Belfast Partnership Board and left the meeting whilst the motion was being proposed.

Alderman Kingston declared an interest in this motion, on the basis that he was a member of the West Belfast Social Investment Fund Steering Group and of the Greater Shankill Partnership Board, which had delivered a project under the Social Investment Fund.)

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

“This Council notes with concern the findings of the NI Audit Office report into the Social Investment Fund (SIF).

The Council notes that the Audit Office states that there were ‘*significant failings*’ and ‘*there was non-compliance with the most basic standards of public administration*’.

The Council believes that this report highlights the need for open, transparent and accountable processes in the allocation of public funds.

The Council agrees to review the SIF report and apply any learning from it to relevant Council funds. The Council agrees also to review Council funding processes to ensure that they are fully compliant with the Outcome Based Accountability principles.”

The motion was seconded by Councillor Long.

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

The Council noted that advice around declarations of interest in the context of the Social Investment Fund would be issued to Members in advance of the motion being considered by the Committee.

### **NHS Pay Offer**

(Councillor Corr Johnston declared an interest in this motion in that she was waiting to take up employment within the NHS and left the meeting whilst the motion was being discussed.)

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

“This Council affirms its support for all staff in the National Health Service. The Council notes the inadequate pay offer made to staff and their decision to ballot for industrial action and calls on all parties to use their influence to resolve the pay issue for staff.”

The motion was seconded by Councillor Lyons.

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

### **Community Pharmacies**

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

“This Council recognises the contribution to society made by Community Pharmacies and notes with growing concern the current financial crisis facing the sector, caused by a serious level of underfunding over the last decade.

The Council agrees to seek an urgent meeting between the Permanent Secretary of the Department of Health and Public Safety and an all-party delegation from the Council, along with representatives of the Pharmacies.”

The motion was seconded by Councillor Mullan.

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

### **Lighting of City Parks**

In accordance with notice on the agenda, the Deputy Lord Mayor (Councillor McDonough-Brown) proposed:

“This Council recognises the importance of our city parks to walkers, runners, cyclists, dogs, and others and appreciates the desire within our communities to use city parks all year round.

Therefore, the Council agrees to consider options for lighting our city parks, with the intention of opening parks for longer during the winter months. The Council

will consider a report which identifies the costs and benefits of lighting a range of parks to give citizens equal access to high quality outdoor space at all times of the year.”

The motion was seconded by Councillor Reynolds.

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

### **Belfast Blitz Memorial**

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

“This Council supports memorialising its more than 1,000 citizens and residents who died in the Blitz, particularly those victims of the two largest air raids in April and May 1941.

Recognising that Belfast, almost alone of heavily blitzed cities, has no commemorative site for this most devastating event in our history; recognising the generous offer of substantial funding towards a Blitz memorial from the Northern Ireland War Memorial; recognising that the Blitz victims came from every part of the city and beyond, but especially its north side, and that the havoc wreaked was immense; the Council therefore calls for a significant memorial, inclusive of the victims' names, to be erected in the city with a view to it being unveiled in time for the 80th anniversary of the Belfast Blitz in 2021.

Cathedral Gardens, which is at the York Street and Lower Donegall Street junction, is perhaps the most appropriate and suitable location, given it was subject to extensive destruction in the 1941 air raids and is Council-owned. It is also accepted that ‘Buoys Park’, as it was known, is now in need of reanimation and a major replacement feature for the departing Buoys.

For all these reasons, the Council agrees that a Blitz memorial at this location is considered as an emerging project for the capital programme in the coming financial year.”

The motion was seconded by Alderman Convery.

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

### **Arrangements to Deliver Justice in Serious Sexual Offences Cases**

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

“This Council welcomes the publication of the preliminary report by Sir John Gillen, who is leading the independent review of the arrangements to deliver justice in serious sexual offence cases.

The Council notes that a public consultation is open until 15th January and encourages all, but particularly women, to have their say in this process.

The Council also notes the eight key recommendations of the preliminary review, namely:

- public access to trials involving serious sexual offences to be confined to close family members of complainant and the defendant;
- cross-examination of complainants to be pre-recorded and away from court - initially for vulnerable people but eventually extended to all complainants in serious sexual offences;
- measures to combat rape myths and stereotypes, like suggestions that victims provoke rape by the way they dress or act;
- more robust attitude by judges to prevent improper cross-examination about previous sexual history;
- the accused will be anonymous until they are charged, but from that point they will be identified;
- accused will have right to apply for a judge-alone trial without a jury - this would only be granted in "rare circumstances";
- new legislation to manage dangers created by social media; and
- steps to combat excessive delay in the judicial system.

The Council believes that a victim led process is essential in what the report identifies as "one of the worst violations of human dignity" and recognises the immense pressure that victims of sexual crime are under. To this end, the Council cautions against the adoption of a restorative justice measure for fear it will add to intra-process pressure on the victim but agrees to respond to the public consultation outlining its support for the above recommendations."

The motion was seconded by Councillor Nicholl.

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

At the request of Councillor Canavan, the Council agreed that a report be submitted to the Strategic Policy and Resources Committee to consider the potential for submitting a wider Council response to the public consultation.

### **Sexual Harassment**

Prior to proposing his motion, Councillor McReynolds sought and was granted approval by the Council to replace the word "women" with the word "people" in the first line of his motion.

Accordingly, Councillor McReynolds proposed:

"This Council is concerned at the number of people in Belfast that feel they have been the victim of sexual harassment.

The Council understands the important role that our universities and entertainment and hospitality sector can play in tackling sexual harassment and endorses the Zero Tolerance campaign that has been adopted by Canterbury and Medway Councils. Accordingly, the Council will undertake to work with our universities, hospitality sector and the PSNI to roll out a similar scheme in Belfast."

The motion was seconded by Councillor Nicholl.

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

### **Zero Hours Contracts**

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

“In a recent study by the Centre for Longitudinal Studies, it was found that the practice of zero hours contracts is having a detrimental impact on young people’s physical and mental health.

The precarious nature of such jobs, the lack of certainty in terms of both wages earned and hours worked in any week, is making it impossible for a new generation of workers to secure mortgages, to pay their bills and to make a decent living for themselves and their families.

Precarious work has now become a systematic feature of present day employment practices. It is anathema to decent working terms and conditions and counterproductive to encouraging inclusive economic growth.

This Council agrees that zero hours contracts have no role in stimulating inclusive economic growth and should be banned.

The Council calls upon employers within Belfast to end the practice of zero hours contracts now and commits itself to doing everything that it can to help make Belfast a zero hours contracts free zone.

The Council further agrees to request the Mayor to convene a City-wide forum, including local business leaders, trade unions, employers’ organizations, youth groups, anti-poverty groups, and any other concerned sections of civic society, to develop a practical strategy aimed at bringing an end to these damaging and harmful employment practices.”

The motion was seconded by Councillor Murphy.

The proposer declined a request from Councillor Long to amend his motion.

**Amendment**

Moved by Councillor Long,  
Seconded by the High Sheriff (Councillor Howard),

That the motion, as proposed by Councillor Beattie, be amended to provide for the deletion of the existing wording and the insertion of the following:

“This Council agrees that the overuse of zero hour contracts is detrimental to balanced economic growth and social inclusion.

The Council commits itself to doing everything that it can to help create and secure quality employment for workers within the City.

The Council further agrees to request the Lord Mayor to convene a City-wide forum, including local business leaders, trade unions, employers’ organisations, youth groups, anti-poverty groups and any other concerned sections of civic society, to develop a practical strategy to address damaging and harmful employment practices.”

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

The original motion, standing in the name of Councillor Beattie and seconded by Councillor Murphy, was thereupon put to the meeting and declared carried, with twenty-four Members voting for and none against.

Lord Mayor  
Chairperson