

# Council

Thursday, 1st October, 2009

## MONTHLY MEETING OF BELFAST CITY COUNCIL

Held in the City Hall on Thursday, 1st October, 2009  
At the hour of 6.00 o'clock p.m., pursuant to Notice.

Members present: The Right Honourable the Lord Mayor  
(Councillor Long) (Chairman); and  
the Deputy Lord Mayor (Councillor Lavery);  
the High Sheriff (Councillor McCoubrey); and  
Councillors Attwood, Austin, D. Browne, M. Browne, W.  
Browne, Brownlee, Campbell, Cobain, Convery, Crozier,  
Cunningham, Cush, D. Dodds, N. Dodds, Ekin, Empey,  
Hartley, Hendron, Humphrey, Jones, B. Kelly, N. Kelly,  
Kirkpatrick, Kyle, Maginness, A. Maskey, C. Maskey,  
McCann, McCarthy, McClenaghan, McGimpsey,  
McKenzie, Mac Giolla Mhín, Mhic Giolla Mhín,  
Mullaghan, Newton, O'Neill, Patterson, Rodgers,  
Rodway, Smyth, Stalford, Stoker and Wilson.

### Reading of Scriptures

In accordance with Standing Order 9, the Lord Mayor read a passage from the Scriptures.

### Summons

The Chief Executive submitted the summons convening the meeting.

### Apologies

Apologies for inability to attend were reported from Councillors Adamson, McCausland, McMillen and O'Reilly.

### Minutes

Moved by the Right Honourable the Lord Mayor (Councillor Long),  
Seconded by Councillor Stalford and

Resolved – That the minutes of the proceedings of the Monthly Meeting of the Council of 1st September be taken as read and signed as correct.

### Filling of Casual Vacancy - Upper Falls District Electoral Area

In accordance with Notice on the summons paper, the Council considered the question of the filling of the casual vacancy in the Upper Falls District Electoral Area consequent upon the resignation of Councillor Paul Maskey.

The Chief Executive informed the Council that Section 11(4)(a) of the Electoral Law Act (Northern Ireland) 1962 enabled the Council to choose a person to fill the vacancy by co-option, provided that such a person was qualified to be a Member of the Council and was not objected to by any Member of the Council present at the meeting. In the event of the vacancy not being filled by co-option, a Bye-Election would be required to fill the vacancy.

Councillor McCann proposed the co-option of Mr. Caoimhín Mac Giolla Mhín to fill the casual vacancy in the Upper Falls District Electoral Area.

The proposal was seconded by Councillor C. Maskey.

As no objection was made to the proposal, the Lord Mayor (Councillor Long) declared Mr. Mac Giolla Mhín co-opted as Councillor for the Upper Falls District Electoral Area.

Councillor Mac Giolla Mhín, having subscribed to the Declaration of Acceptance of Office and the Declaration against Terrorism, was admitted to the meeting and welcomed by the Lord Mayor.

#### **Change of Membership on Committees**

The Council was advised that notification had been received from the Sinn Féin Party Grouping indicating that it wished:

- Councillor Caoimhín Mac Giolla Mhín to replace Councillor Austin on the Parks and Leisure Committee;
- Councillor Austin to fill the vacancy on the Strategic Policy and Resources Committee, consequent upon the resignation of Councillor Paul Maskey; and
- Councillor Caoimhín Mac Giolla Mhín to fill the vacancy on the Development Committee, consequent upon the resignation of Councillor Paul Maskey.

The Council approved the aforementioned changes.

#### **Office of High Sheriff for 2010**

The Council agreed that the question of the nomination of Members suitable for appointment to the Office of High Sheriff of the City for the year 2010 be deferred until its next monthly meeting.

**Strategic Policy and Resources Committee**

Moved by Councillor Hartley,  
Seconded by the Deputy Lord Mayor (Councillor Lavery),

That the minutes of the proceedings of the Strategic Policy and Resources Committee of 4th, 18th and 23rd September be approved and adopted.

**Amendments**

**Minutes of Memorabilia Working Group –  
Memorabilia in the City Hall**

Moved by Councillor C. Maskey,  
Seconded by Councillor Hendron,

That the decision of 18th September under the heading “Minutes of Memorabilia Working Group – Memorabilia in the City Hall” be amended to provide that the matter be not referred back to the Memorabilia Working Group but rather that the summary of recommendations submitted to the Committee be approved and adopted.

After a lengthy discussion on the amendment, it was

Moved by Councillor McCarthy,  
Seconded by Councillor N. Kelly,

That the question be now put.

A division on the proposal that the question be now put was immediately demanded. A poll having been taken on the proposal, there voted for it thirty-two Members, viz., the Right Honourable the Lord Mayor (Councillor Long); the Deputy Lord Mayor (Councillor Lavery); the High Sheriff (Councillor McCoubrey); and Councillors Attwood, Austin, D. Browne, M. Browne, Brownlee, Cobain, Convery, Cunningham, Cush, Ekin, Empey, Hartley, Hendron, B. Kelly, N. Kelly, Kirkpatrick, Maginness, A. Maskey, C. Maskey, McCann, McCarthy, McClenaghan, McGimpsey, Mac Giolla Mhín, Mhic Giolla Mhín, Mullaghan, O’Neill, Rodgers and Stoker; and against it fifteen Members, viz., Councillors W. Browne, Campbell, Crozier, D. Dodds, N. Dodds, Humphrey, Jones, Kyle, McKenzie, Newton, Patterson, Rodway, Smyth, Stoker and Wilson.

The proposal that the question be now put was accordingly declared carried.

The amendment standing in the name of Councillor C. Maskey and seconded by Councillor Hendron was thereupon put to the meeting.

A division on the amendment was demanded. A poll having been taken on the amendment, there voted for it thirty-four Members, viz., the Right Honourable the Lord Mayor (Councillor Long); the Deputy Lord Mayor (Councillor Lavery); the High Sheriff (Councillor McCoubrey); and Councillors Attwood, Austin, D. Browne, M. Browne, Brownlee, Cobain, Convery, Cunningham, Cush, Ekin, Empey, Hartley, Hendron, Jones, B. Kelly, N. Kelly, Kirkpatrick, Kyle, Maginness, A. Maskey, C. Maskey, McCann, McCarthy, McClenaghan, McGimpsey, Mac Giolla Mhín, Mhic Giolla Mhín, Mullaghan, O'Neill, Rodgers and Stoker; and against it twelve Members, viz., Councillors W. Browne, Campbell, Crozier, D. Dodds, N. Dodds, Humphrey, McKenzie, Newton, Patterson, Rodway, Stalford and Wilson. One Member, Councillor Smyth, did not vote.

The amendment was accordingly declared carried.

### **Consultation on Planning Reform**

Moved by Councillor Wilson,  
Seconded by Councillor Patterson,

That the decision of 23rd September under the heading "Consultation on Planning Reform" be amended to provide that the Council would not be supportive of the introduction of third party appeals.

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

### **Request for Matter to be Taken Back for Further Consideration**

#### **Peace III Priority 2.1 Creating Shared Public Spaces**

At the request of Councillor McCann, the Chairman, with the consent of the Council, agreed that the minute of 18th September under the heading "Peace III Priority 2.1 Creating Shared Public Spaces" be taken back to the Committee for further consideration.

### **Adoption of Minutes**

The minutes of the proceedings of the Strategic Policy and Resources Committee of 4th, 18th and 23rd September were thereupon approved and adopted, subject to:

- (i) amendment of the minute of the meeting of 18th September under the heading "Minutes of Memorabilia Working Group – Memorabilia in the City Hall" to provide that the matter be not referred back to the Memorabilia Working Group but rather that the summary of recommendations submitted to the Committee be approved and adopted; and
- (ii) the omission of the minute of the meeting 18th September under the heading "Peace III Priority 2.1 Creating Shared Public Spaces" which, at the request of Councillor McCann, was taken back to the Committee for further consideration.

**Parks and Leisure Committee**

Moved by Councillor Stoker,  
Seconded by Councillor Stalford and

Resolved – That the minutes of the proceedings of the Parks and Leisure Committee of 10th September be approved and adopted.

**Development Committee**

Moved by Councillor Humphrey,  
Seconded by Councillor Campbell,

That the minutes of the proceedings of the Development Committee of 8th and 16th September be approved and adopted.

**Requests for Matters to be Taken Back  
for Further Consideration**

**London 2012 Cultural Olympiad – Live Sites Screen**

At the request of Councillor Convery, the Chairman, with the consent of the Council, agreed that the minute of the meeting of 16th September under the heading “London 2012 Cultural Olympiad – Live Sites Screen” be taken back to the Committee for further consideration.

**Community Centres – Conditions of Hire**

At the request of Councillor Crozier and with the consent of the Council, the Chairman agreed that the minute of the meeting of 16th September under the heading “Community Centres – Conditions of Hire” be taken back to the Committee for further consideration.

**Sister City Nashville**

At the request of Councillor Stalford, the Chairman, with the consent of the Council, agreed that that portion of the minute under the heading “Sister City Nashville” in so far as it related to the outward civic visit to Nashville in 2010 be taken back to the Committee for further consideration.

**United Kingdom City of Culture 2013**

At the request of Councillor B. Kelly and with the consent of the Council, the Chairman agreed that the minute of the meeting of 16th September under the heading “United Kingdom City of Culture 2013” be taken back to the Committee for further consideration.

### **Adoption of Minutes**

The minutes of the proceedings of the Development Committee of 8th and 16th September were thereupon approved and adopted, subject to the omission of:

- (i) the minute of the meeting of 16th September under the heading "London 2012 Cultural Olympiad – Live Sites Screen" which, at the request of Councillor Convery, was taken back to the Committee for further consideration;
- (ii) the minute of the meeting of 16th September under the heading "Community Centres – Conditions of Hire" which, at the request of Councillor Crozier, was taken back to the Committee for further consideration;
- (iii) that portion of the minute of the meeting of 16th September under the heading "Sister City Nashville" in so far as it related to the outward civic visit to Nashville in 2010 which, at the request of Councillor Stalford, was taken back to the Committee for further consideration; and
- (iv) the minute of the meeting of 16th September under the heading "United Kingdom City of Culture 2013" which, at the request of Councillor B. Kelly, was taken back to the Committee for further consideration.

### **Health and Environmental Services Committee**

Moved by Councillor McCarthy,  
Seconded by Councillor Rodway and

Resolved – That the minutes of the proceedings of the Health and Environmental Services Committee of 9th September be approved and adopted.

### **Licensing Committee**

Moved by Councillor O'Neill,  
Seconded by Councillor C. Maskey and

Resolved – That the minutes of the proceedings of the Licensing Committee of 23rd September, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

**Town Planning Committee**

Moved by Councillor Campbell,  
Seconded by Councillor McCarthy and

Resolved – That the minutes of the proceedings of the Town Planning Committee of 27th August, 3rd and 17th September, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

**Notice of Motion**

**Introduction of a Cycling Scheme in Belfast**

In accordance with Notice on the Agenda, Councillor Attwood proposed:

“Belfast City Council notes the introduction recently of the Dublinbikes scheme in Dublin which seeks to encourage cycling and which makes available bicycles for public use at a negligible cost to the user; notes also that this scheme has been developed with a commercial sponsor thereby minimising the cost to the public purse and that similar schemes have been introduced successfully in Blackpool, Copenhagen and Paris.

The Council’s recently adopted Transport Policy encourages a shift away from private car use towards more sustainable forms of travel such as walking, cycling and greater use of public transport and includes a provision which commits the Council to use its influence with Statutory Agencies to seek to further these aims. The Council agrees therefore to engage with the Department for Regional Development, and other relevant agencies, in relation to the possibility of the introduction of such a cycling scheme in Belfast.”

The proposal was seconded by Councillor Hartley.

Prior to the Notice of Motion being considered, the Right Honourable the Lord Mayor (Councillor Long) reminded the Council that Standing Order 11(e) specified that, if the subject matter of any Motion of which Notice had been given comes within the province of any Committee it shall, upon being moved and seconded, stand referred without discussion to that Committee or such other Committee as the Council may determine for consideration and report.

Accordingly, the Right Honourable the Lord Mayor indicated that the matter would be referred to the Development Committee without debate.

Lord Mayor