

Council

MONTHLY MEETING OF BELFAST CITY COUNCIL

Held in the City Hall on Monday, 1st February, 2010
at the hour of 6.00 o'clock p.m., pursuant to Notice.

Members present: The Right Honourable the Lord Mayor
(Councillor Long) (Chairman);
the Deputy Lord Mayor (Councillor Lavery);
the High Sheriff (Councillor Stalford); and
Councillors Adamson, Attwood, Austin, D. Browne,
M. Browne, Brownlee, Campbell, Cobain, Convery,
Cunningham, Cush, Ekin, Empey, Hartley, Humphrey,
Jones, B. Kelly, N. Kelly, Kirkpatrick, Kyle, Mallon,
C. Maskey, McCarthy, McCoubrey, McKenzie, McMillen,
Mac Giolla Mhín, Mhic Giolla Mhín, Mullaghan, O'Neill,
O'Reilly, Rodgers, Rodway, Smyth and Stoker.

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 W. Browne, Crozier, D. Dodds, N. Dodds, Hendron, A. Maskey, McCann, McCausland, McClenaghan, McGimpsey, Newton, Patterson and Wilson.

Minutes

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

Resolved – That the minutes of the proceedings of the monthly meeting of the Council of 5th January be taken as read and signed as correct.

Councillor Adamson pointed out that he had been in attendance at the meeting on 5th January and requested that the minutes be varied to reflect this.

The Council agreed accordingly.

The original proposal relative to the minutes of the Council was thereupon put to the meeting and passed, subject to the foregoing variation.

**Request to Receive a Deputation –
Rock Concert in Giant's Park**

The Chief Executive reported that correspondence had been received from Mr. E. Rowan, PLM Promotions, seeking permission to address the Council in relation to a proposed rock concert in Giant's Park. He pointed out that, since the item had been deferred by the Strategic Policy and Resources Committee, at its meeting on 22nd January, there was little information regarding the event contained within the minutes of the meeting. Accordingly, a copy of the report which had been presented to the Committee, together with the applicant's representation to the Council, had been circulated for the Members' information.

The Council acceded to the request and Messrs. F. Mackey and E. Rowan were admitted to the meeting.

Mr. Rowan advised the Council that a request had been submitted to the meeting of the Strategic Policy and Resources Committee held on 22nd January seeking permission for his company to hire the Council-owned land at Giant's Park, Dargan Road in order for a music event to be held on 8th May. However, the Committee had deferred consideration of the matter to enable additional information such as management plans, health and safety documents and a risk assessment to be completed and submitted to the Committee for consideration. He pointed out that the information which had been requested could not be supplied until an agreement had been reached to lease the land and, therefore, he was seeking the Council's support to approve the application and reject the decision of the Committee.

Mr. Mackey advised the Council that an entertainments licence application had been submitted to the Council and was due to be considered by the Licensing Committee later in the month. In addition, the promoter had met with and had visited the site with representatives from the Police Service of Northern Ireland who had indicated that they had no objections to the holding of the event. He pointed out that the detailed arrangements for the organisation of the event required a three month lead-in period and that the Committee decision to defer consideration of the matter meant that the event could not be held.

He explained that the site provided an ideal venue for a concert since it was flat, hardcore surfaced, well drained and could be easily accessed from the City centre. It was also distanced from residential accommodation, with the nearest housing being at Mount Vernon approximately 0.6 miles away, and Shore Crescent which was 0.8 miles from the site. The stage would face east and the sound would be directed over the Belfast Lough with the Entertainments Licence specifying a maximum sound level. He reiterated that the organisation of the event was now at a critical stage and in order to proceed he requested the Council to overturn the decision of the Committee and grant the use of the land.

The deputation thanked the Council for receiving them and they retired from the meeting.

It was noted that consideration would be given to the representations which had been made when the minutes of the Strategic Policy and Resources Committee were discussed later in the meeting.

Change of Membership on Outside Body

The Council was advised that notification had been received from the Sinn Fein Party Grouping indicating that it wished to replace Councillor Chrissie Mhic Giolla Mhín with Councillor Caoimhín Mac Giolla Mhín on the membership of the District Policing Partnership South Belfast Sub-Group.

The Council approved the aforementioned change.

Strategic Policy and Resources Committee

Moved by Councillor Hartley,
Seconded by Councillor Convery,

That the minutes of the proceedings of the Strategic Policy and Resources Committee of 8th and 22nd January be approved and adopted.

Amendments

Review of Public Administration

Moved by Councillor Stoker,
Seconded by Councillor Rodway and

Resolved – That the decision of 22nd January under the heading “Review of Public Administration” be amended to provide that the Committee receive at its next meeting a detailed report on the Council’s engagement with the Northern Ireland Local Government Association and the associated benefits and detriments to the Council of continuing membership.

Rock Concert in Giant’s Park

Moved by Councillor Jones,
Seconded by Councillor Ekin and

Resolved – That the decision of the Committee of 22nd January under the heading “Rock Concert in Giant’s Park”, agreeing to defer consideration of a request to hold a proposed event at that location, be rejected and instead the Council agrees to permit the site at the North Foreshore to be used for the proposed event, subject to:

- (i) the risk assessment plan and event management plan being completed to the satisfaction of the Council’s Events Advisory Panel;
- (ii) those plans, which will include all appropriate licensing and health and safety requirements, being submitted to the Licensing Committee at its meeting on 17th February (to which all Members of the Council will be invited);

- (iii) the Licensing Committee having the delegated power from the Council to give formal approval to the holding of the event, subject to it being satisfied as to the foregoing requirements; and
- (iv) an appropriate form of legal agreement being prepared by the Director of Legal Services.

Adoption of Minutes

Subject to the foregoing amendments in respect of the Review of Public Administration and the Rock Concert at Giant's Park, the minutes of the proceedings of the Strategic Policy and Resources Committee of 8th and 22nd January were approved and adopted.

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 14th January be approved and adopted.

Access to the Countryside (Northern Ireland) Order 1983: Public Path Creation

Resolved – That the Council agrees, in accordance with Section 12 of the Access to the Countryside (Northern Ireland) Order 1983, to the following Public Path Creation Order:

- the Belfast City Council Orby Chase Public Path Creation Order 2010.

Arising out of discussion in the matter, the Council agreed also that discussion should continue with the residents affected by the Creation Order to address their concerns.

Development Committee

Moved by Councillor Humphrey,
Seconded by Councillor N. Kelly and

Resolved – That the minutes of the proceedings of the Development Committee of 13th and 25th January be approved and adopted.

Health and Environmental Services Committee

Moved by Councillor McCarthy,
Seconded by Councillor O'Neill,

That the minutes of the proceedings of the Health and Environmental Services Committee of 18th January be approved and adopted.

Amendment

**Consultation on Proposals to
Change Dog Control Legislation**

Moved by Councillor Stalford,
Seconded by Councillor D. Browne and

Resolved – That the Council's response to the consultation document be amended to reflect that in answer to question 10 the Council agrees that it should be an offence to allow a dog to attack another dog.

Adoption of Minutes

Subject to the foregoing amendment in relation to the Consultation on Proposals to Change Dog Control Legislation, the minutes of the proceedings of the Health and Environmental Services Committee of 18th January were approved and adopted.

Licensing Committee

Moved by Councillor O'Neill,
Seconded by Councillor Ekin and

Resolved – That the minutes of the proceedings of the Licensing Committee of 20th January, 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 Smyth,

That the minutes of the proceedings of the Town Planning Committee of 7th, 12th and 21st January, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Amendment

14 Upper Lisburn Road

Resolved – That the address recorded as "14 Upper Lisburn Road" in the minutes of the meeting of 21st January under the head "Planning Applications – Reconsidered Items" be deleted and substituted with "Land to the rear of 46 Sicily Park and to the rear of 47 Priory Park".

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

**Parkdean Private Nursing Home,
44 Fortwilliam Park**

At the request of Councillor Mullaghan, the Chairman (Councillor Campbell), with the consent of the Council, agreed that the minute of the meeting of 21st January under the heading "Parkdean Private Nursing Home, 44 Fortwilliam Park" be taken back to the Committee for further consideration.

Adoption of Minutes

Subject to the foregoing amendment in relation to 14 Upper Lisburn Road and the omission of the minute in relation to "Parkdean Private Nursing Home, 44 Fortwilliam Park", the minutes of the proceedings of the Town Planning Committee of 7th, 12th and 21st January, omitting matters in respect of which the Council had delegated its powers to the Committee, were approved and adopted.

Chairman