

Council

MEETING OF BELFAST CITY COUNCIL

Held in the Council Chamber, City Hall and remotely, via Microsoft Teams, on Wednesday, 1st February, 2023 at 6.00 p.m., pursuant to notice.

Members present: The Right Honourable the Lord Mayor (Councillor Black) (Chairperson);
The Deputy Lord Mayor (Councillor M. Kelly);
The High Sheriff (Councillor Kyle);
Aldermen Copeland, Dorrian, Haire, McCoubrey and Rodgers; and Councillors Beattie, Bower; Bradley, Bunting, Canavan, Carson, Cobain, Matt Collins, Michael Collins, de Faoite, M. Donnelly, R. M. Donnelly, Doran, Douglas, Duffy, Ferguson, Garrett, Gormley, Groogan, Hanvey, Heading, Howard, Hussey, T. Kelly, Long, Lyons, Magee, Maghie, Maskey, McAteer, McCabe, McCann, McCullough, McDonough-Brown, McKeown, McLaughlin, McMullan, Murphy, Murray, Nelson, Newton, O'Hara, Smyth, Spratt, Thompson, Verner, Walsh and Whyte.

Summons

The Chief Executive submitted the summons convening the meeting.

Apologies

Apologies were reported on behalf of Alderman Sandford and Councillors Flynn, Hutchinson and McCusker.

Declarations of Interest

Councillor Beattie declared an interest in relation to the minute of the Strategic Policy and Resources Committee of 20th January, under the heading "Requests for Use of the City Hall and the Provision of Hospitality", on the basis that he was employed by the Blackie River Community Group, which had been included in the list of applications for approval.

Councillor Canavan also declared an interest in relation to the aforementioned item, as she was on the Board of the Blackie River Community Group.

Councillor Groogan declared an interest in relation to the minute of the Strategic Policy and Resources Committee of 20th January, under the heading "Minutes of the Meeting of the Shared City Partnership", as she was employed by the Forward South Partnership, which had been referred to within the PEACE IV update on Building Positive Relations theme.

As neither item became the subject of discussion, the Members were not required to leave the Chamber.

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Minutes of the Council

Moved by the Lord Mayor (Councillor Black),
Seconded by Councillor McLaughlin and

Resolved - That the minutes of the proceedings of the monthly meeting of the Council of 9th January be taken as read and signed as correct, subject to Councillor Douglas being added to the list of attendees.

Official Announcements

The Lord Mayor highlighted the fact that Alderman Sandford had been in hospital recently and, on behalf of the Council, wished him a speedy recovery.

The Lord Mayor reported that St. George's Market had been named as the Best Large Indoor Market in the United Kingdom in the recent NABMA awards and congratulated the staff on their achievement.

The Deputy Lord Mayor highlighted the fact that the Flybe airline had recently been placed in administration for a second time and it was agreed that the Lord Mayor should seek a briefing with the Trades Unions and the administrator to discuss the matter further.

A number of Members welcomed the fact that the Strand Arts Centre had been allocated funding through the Levelling-Up Fund for refurbishment works.

Councillor McKeown pointed out that the Lyric Theatre had secured joint first place in the 'Theatre of the Year' category in the Stage Awards 2023 and congratulated everyone involved.

Councillor Whyte congratulated local actor Mr. James Martin and the other Irish actors who had been nominated for an Oscar at the forthcoming Academy Awards ceremony.

Councillor Lyons extended his sympathy to the family of Professor Eileen Evason, a renowned social administration lecturer and campaigner for equality and women's rights, who had died recently.

The Lord Mayor informed the Council that Mrs. Maureen McKearney, Assistant Business Manager in the Chief Executive's Department, would be leaving the Council at the end of February, having completed 46 years' service, and wished her well in her retirement.

Councillor Ferguson expressed solidarity with the significant number of workers across the country who were currently involved in strike action.

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Request to Address the Council

The Council approved a request for Mr. Máirtín Mac Gabhann to provide an update on the progress of Dáithí's Law on organ donation and he was welcomed by the Lord Mayor.

Mr. Mac Gabhann informed the Council that his son, Dáithí, had been born with a rare life-threatening heart defect and was currently on the organ donor register awaiting a heart transplant.

He reminded the Council that he had attended its meeting on 3rd September, 2018, to highlight the need for more to be done to encourage people to sign up as an organ donor in Northern Ireland. The Council had subsequently passed a motion supporting the efforts of those organisations seeking to increase the number of people joining the Organ Donation Register.

He reviewed the significant progress which had been made since then and pointed out that the Northern Ireland Assembly had, on 8th February, 2022, passed the final stage of Dáithí's Law. That meant that everyone would be considered as a potential organ donor unless they opted-out or were in an exempted group, in line with the rest of the United Kingdom. It had been the intention to bring the law into effect in the spring of 2023 but this had been delayed, as the secondary legislation required for its implementation could not be passed due to the absence of a functioning Assembly.

He reported that he had, earlier that day, met with the Secretary of State to request him to explore alternative ways of moving the secondary legislation forward as a matter of urgency but had been extremely disappointed with the outcome of that meeting.

Mr. Mac Gabhann concluded by highlighting the importance of Dáithí's Law in terms of offering hope to the local organ donation and transplantation community and saving lives and urged the Council to continue to support his family's ambition to have it implemented without further delay.

The Lord Mayor and a number of Members paid tribute to the Mac Gabhann family, following which the Council agreed that the Lord Mayor would forward a letter to the Secretary of State requesting him, in the absence of the Northern Ireland Assembly, to use the powers available to him to bring forward the secondary legislation required for the full implementation of Dáithí's Law.

Change of Membership on Committees/Outside Bodies

The Chief Executive reported that notification had been received from the Democratic Unionist Party of the following changes to Committees:

- Councillor Doran to replace Alderman Sandford on the Climate and City Resilience Committee;
- Councillor Bunting to replace Alderman Sandford on the Licensing Committee; and

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- Councillor Doran to replace Councillor Thompson on the Licensing Committee

The Council noted the changes.

Minutes of Strategic Policy and Resources Committee

Moved by Councillor McDonough-Brown,
Seconded by Councillor Beattie,

That the minutes of the proceedings of the Strategic Policy and Resources Committee of 20th and 27th January, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Amendment

Motion – School Street Schemes

Moved by Councillor de Faoite,
Seconded by Councillor McKeown,

That the decision of the Strategic Policy and Resources Committee of 20th January, under the heading “Motion – School Street Schemes” be rejected and, accordingly, the Council agrees to adopt the motion in full.

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

| For 11 | Against 45 |
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| Councillors Matt Collins, Michael Collins, de Faoite, Ferguson, Groogan, Heading, Lyons, McKeown, O’Hara, Smyth and Whyte. | The Lord Mayor (Councillor Black); The Deputy Lord Mayor (Councillor M. Kelly); The High Sheriff (Councillor Kyle); Aldermen Copeland, Dorrian, Haire, McCoubrey and Rodgers; and Councillors Beattie, Bower, Bradley, Bunting, Canavan, Carson, Cobain, M. Donnelly, R. M. Donnelly, Doran, Douglas, Duffy, Garrett, Gormley, Hanvey, Howard, Hussey, T. Kelly, Long, Magee, Maghie, Maskey, McAteer, McCabe, McCann, McCullough, McDonough-Brown, McLaughlin, McMullan, Murphy, Murray, Nelson, Newton, Spratt, Thompson, Verner and Walsh. |

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Amendment

Revenue Estimates and District Rate 2023/24

Moved by Councillor Long,
Seconded by Councillor McDonough-Brown,

That the decision of the Strategic Policy and Resources Committee of 27th January, under the heading "Revenue Estimates and District Rate 2023/24", be amended to provide that the Council agrees:

- i. not to allocate funding of £500k to the Summer Diversionary Festival Programme in 2023/24, thereby reducing the District Rate to 7.71%, subject to an equality screening and that, should that fail to be completed before the statutory deadline, the original increase of 7.99%, as agreed by the Committee on 27th January, be implemented; and
- ii. that a Working Group be established to develop an effective, sustainable diversionary scheme, to be implemented in 2024, to build capacity in local communities and that relevant stakeholders be included in the process.

On a recorded vote, twelve Members voted for the amendment and forty-three against and it was declared lost.

| For 12 | Against 43 |
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| The Deputy Lord Mayor (Councillor M. Kelly); and Councillors Bower, Groogan, Hanvey, Long, Maghie, McDonough-Brown, McMullan, Murray, Nelson, O'Hara and Smyth. | The Lord Mayor (Councillor Black); The High Sheriff (Councillor Kyle); Aldermen Copeland, Dorrian, Haire, McCoubrey and Rodgers; and Councillors Beattie, Bradley, Bunting, Canavan, Carson, Cobain, Matt Collins, Michael Collins, de Faoite, M. Donnelly, R. M. Donnelly, Doran, Douglas, Duffy, Ferguson, Garrett, Gormley, Heading, Howard, Hussey, T. Kelly, Magee, Maskey, McAteer, McCabe, McCann, McCullough, McKeown, McLaughlin, Murphy, Newton, Spratt, Thompson, Verner, Walsh and Whyte. |

At the request of Councillor McLaughlin, the Council agreed that a letter be forwarded to the Secretary of State and the leaders of the local Political Parties asking them to examine the potential for implementing a policy which would allow the Council to retain the rate growth achieved in the district for a period of five years, which would assist

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it in developing a medium term financial plan, incentivise it to increase the rate base and deal with immediate pressures as a result of the cost-of-living crisis.

At the request of Councillor Whyte, the Council agreed that engagement take place with Land and Property Services and the Department of Finance to establish if the costs incurred by the Council in providing a waste collection service for purpose-built student accommodation which was exempt from paying rates could be clawed back.

The Council agreed also that a letter be forwarded to the Secretary of State and the leaders of the local Political Parties calling for a reform of the current legislation which provided rates exemptions for purpose-built student accommodation.

Dual-Language Street Signage

At the request of Councillor McLaughlin, the Council agreed that the report to be presented to the next meeting of the Committee on the backlog of applications for dual-language street signs should also address the establishment of the Stakeholders' Group and provide up-to-date costings for completing the remaining 330 streets in the Gaeltacht quarter and an update on the Equality Impact Assessment for Olympia Leisure Centre.

Adoption of Minutes

The Lord Mayor called upon the Council to approve and adopt the minutes of the proceedings of the Strategic Policy and Resources Committee of 20th January, including the foregoing additions and omitting matters in respect of which the Council has delegated its powers to the Committee, and the minutes of the proceedings of 27th January.

Proposal

Moved by Councillor Lyons,
Seconded by Councillor de Faoite,

That the Council agrees not to adopt the minutes of the proceedings of the Strategic Policy and Resources Committee of 20th, as amended, and 27th January.

On a recorded vote, seven Members voted for the proposal and forty-five against, with three 'no votes' and it was declared lost.

| For 7 | Against 45 | No Vote 3 |
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| Councillors Matt Collins, Michael Collins, de Faoite, Ferguson, Lyons, McKeown and Whyte. | The Lord Mayor (Councillor Black); The Deputy Lord Mayor (Councillor M. Kelly); The High Sheriff (Councillor Kyle); Aldermen Copeland, Dorrian, Haire, McCoubrey | Councillors Groogan, O'Hara and Smyth. |

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| | and Rodgers; and Councillors Beattie, Bower, Bradley, Bunting, Canavan, Carson, Cobain, M. Donnelly, R. M. Donnelly, Doran, Douglas, Duffy, Garrett, Gormley, Hanvey, Howard, Hussey, T. Kelly, Long, Magee, Maghie, Maskey, McAteer, McCabe, McCann, McCullough, McDonough-Brown, McLaughlin, McMullan, Murphy, Murray, Nelson, Newton, Spratt, Thompson, Verner and Walsh. | |
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Subject to the foregoing additions, the minutes of the proceedings of the Strategic Policy and Resources Committee of 20th January, omitting matters in respect of which the Council has delegated its powers to the Committee and as amended, and the minutes of the proceedings of 27th January were thereupon approved and adopted.

Minutes of People and Communities Committee

Moved by Councillor Murray,
Seconded by Councillor O'Hara,

That the minutes of the proceedings of the People and Communities Committee of 10th and 25th January be approved and adopted.

Department for Communities Private Tenancies Act (Northern Ireland) 2022 - Update on Powers for Councils commencing in April, 2023

At the request of Councillor O'Hara, the Council agreed that the letter which the Committee had agreed to send to the Permanent Secretary in the Department for Communities in relation to resource/funding implications and fines payable should also stress the Council's support for Rent Controls and request an update on the further policy and legislative work being undertaken by the Department to fairly regulate the private rental sector, which the Minister had committed to in the previous mandate.

Adoption of Minutes

Subject to the foregoing addition, the minutes of the proceedings of the People and Communities Committee of 10th and 25th January were thereupon approved and adopted.

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Minutes of City Growth and Regeneration Committee

Moved by Councillor Murphy,
Seconded by Councillor McCabe and

Resolved - That the minutes of the proceedings of the City Growth and Regeneration Committee of 11th and 25th January be approved and adopted.

Minutes of Planning Committee

Moved by Councillor Maskey,
Seconded by Councillor Groogan,

That the minutes of the proceedings of the Planning Committee of 17th, 19th and 25th January, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Amendment

Update on Tree Protection Orders

Moved by Councillor Groogan,
Seconded by Councillor O'Hara,

That the decision of the Planning Committee of 17th January, under the heading "Update on Tree Protection Orders", be amended to provide that the Council agrees to support the reform of the Tree Protection Order system and will ask the Department for Infrastructure to undertake a review of the current legislation to move to a system which provides automatic protection for all trees, requiring notification and approval for all felling, notwithstanding the usual exemptions around health and safety and any others to make the legislation workable.

At the request of Councillor Hanvey, the proposer agreed to withdraw her amendment to allow for a report to be submitted to the Committee in the first instance on how the current Tree Protection Order legislation and systems in place to protect trees might be improved and that it include, at the request of Councillor Garrett, reference to biodiversity net gain.

Adoption of Minutes

Subject to the foregoing addition, the minutes of the proceedings of the Planning Committee of 17th, 19th and 25th January, omitting matters in respect of which the Council has delegated its powers to the Committee, were approved and adopted.

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**Minutes of Belfast Waterfront and Ulster Hall Ltd.
Shareholders' Committee**

Moved by Councillor Maghie,
Seconded by Councillor Smyth and

Resolved - That the minutes of the proceedings of the Belfast Waterfront and Ulster Ltd. Shareholders' Committee of 16th January, be approved and adopted.

Minutes of Standards and Business Committee

Moved by Councillor Harvey,
Seconded by Councillor Duffy and

Resolved - That the minutes of the proceedings of the Standards and Business Committee of 24th January, omitting matters in respect of which the Council has delegated its powers to the Committee and subject to the amendment to provide that the motions on Ending Hostile Environment and Support for Striking Health Workers had been adopted by the Committee, be approved and adopted.

Motions

End Hostile Environment

The Council noted that this motion had been withdrawn from the agenda, on the basis that it had been adopted by the Standards and Business Committee at its meeting on 24th January.

Support for Striking Health Workers

The Council noted that this motion had been withdrawn from the agenda, on the basis that it had been adopted by the Standards and Business Committee at its meeting on 24th January.

Lord Mayor
Chairperson