

Council

MEETING OF BELFAST CITY COUNCIL

Held in the Council Chamber, City Hall and remotely, via Microsoft Teams, on Monday, 4th September, 2023 at 6.00 p.m., pursuant to notice.

Members present: The Right Honourable the Lord Mayor (Councillor Murphy) (Chairperson);
The Deputy Lord Mayor (Councillor Groogan);
Aldermen Copeland, Lawlor, McCullough and Rodgers;
Councillors Anglin, Beattie, Bell, Black, Bower, Bradley, R. Brooks, T. Brooks, Bunting, Canavan, Carson, Cobain, Collins, de Faoite, Doherty, M. Donnelly, P. Donnelly, R-M Donnelly, Doran, D. Douglas, S. Douglas, Duffy, Ferguson, Flynn, Garrett, Gormley, Hanvey, Kelly, Long, Lyons, Magee, Maghie, Maskey, F. McAteer, G. McAteer, McCabe, McCann, McCormick, McCusker, McDowell, McKeown, I. McLaughlin, R. McLaughlin, McMullan, Murray, Nelson, Nic Bhranair, Ó Néill, Smyth, Verner, Walsh and Whyte.

Summons

The Chief Executive submitted the summons convening the meeting.

Apologies

Apologies were reported on behalf of Alderman McCoubrey and Councillor McDonough-Brown.

Declarations of Interest

Alderman Copeland and Councillors Beattie, Black, Canavan, Carson, M. Donnelly, Duffy, Gormley, McCabe, McCullough, Ó Néill and Verner declared an interest in agenda item "Department for Communities Letter of Officer Community Support Programme" within the People and Communities minutes, in that they were associated with or worked for an organisation which was in receipt of funding.

Councillors Beattie, Canavan and Verner declared an interest in agenda item "Social Supermarket Update" of the People and Communities Committee minutes in that they were associated with or worked for an organisation which was in receipt of funding and left the meeting whilst the item was under consideration.

Councillor Groogan declared an interest in relation to the items "Shared City Partnership minutes" within the Strategic Policy and Resources Committee minutes and "Notice of Motion - Playful Belfast City Streets", "Department for Communities Letter of Officer Community Support Programme" and "Social Supermarket Update" within the People and Communities minutes in that she was employed by the Forward South Partnership who were

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in receipt of funding and left the meeting whilst the item “Social Supermarket Update” was under consideration.

Councillor Nelson declared an interest in item “Consultation on the Department of Health’s Equality Impact Assessment of the 2023-24 Budget Outcome – Council Response” on the basis that he was employed by an organisation which received funding from the Department of Health.

Councillor Ferguson declared an interest in respect of agenda item “Update on the Physical Programme” under the Strategic Policy and Resources minutes, in so far as it related to the refurbishment of the Belfast Orange Hall under the Neighbourhood Regeneration Fund, on the basis that he was a member of Duke of Schomberg LOL 486, which held meetings in the building and left the meeting whilst the item was under consideration.

Alderman Lawlor and Councillor R. Brooks declared an interest in relation to the following item under the Planning Committee minutes “LA04/2022/0118/F – The proposed erection of 46No.apartment units over three stories, with associated car parking site and landscaping works and the alteration of an existing vehicular access. 146 Parkgate Avenue, Strandtown”, in that they worked for Gavin Robinson MP, who had submitted correspondence in support of the application.

Councillor McDowell declared an interest in respect of agenda item “Update on the Physical Programme” under the Strategic Policy and Resources minutes, in so far as it related to the refurbishment of the Belfast Orange Hall under the Neighbourhood Regeneration Fund, on the basis that he was a trustee and left the meeting whilst the item was under consideration.

Councillors Gormley, McCullough and I. McLaughlin, Nic Bhranair, declared an interest in respect of agenda item “Update on the Physical Programme” under the Strategic Policy and Resources minutes, in that the organisations they worked for was in receipt of the Neighbourhood Regeneration Fund and left the meeting whilst the item was under consideration.

Councillor Whyte declared an interest in relation to the item “Update on The MAC (Metropolitan Arts Centre)” within the Strategic Policy and Resources Committee minutes as the Company he works for is a supplier for the MAC.

In relation to the Standards and Business Committee, Councilor Doherty declared an interest in that he was a Board Member for West Wellbeing – Suicide Awareness.

Councillors McCabe and Nic Bhranair declared an interest in item “Major Events Update” under the City Growth and Regeneration Minutes in that the organisations they worked for were associated or in receipt of funding.

Councillors Long, McKeown and Smyth declared an interest in respect of agenda item “Consultation on the Department of Health’s Equality Impact Assessment of the 2023-24 Budget Outcome” under the Strategic Policy and Resources minutes on the basis that they were employed by the Department of Health.

Councillor de Faoite declared an interest in item “Data Protection” under the Strategic Policy and Resources minutes, on the basis that the named individual referred to had made a

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complaint against him to the Standards Commissioner, which was currently under review, having been decided.

Minutes of the Council

Moved by the Lord Mayor (Councillor Murphy),
Seconded by Councillor Nic Bhranair and

Resolved - That the minutes of the proceedings of the special meeting of 1st July and the monthly meeting of 3rd July be taken as read and signed as correct, subject to the minutes of 3rd July, under the heading 'Declarations of Interest', being amended to reflect that Alderman Rodgers is a shareholder of Glentoran Football Club and those of 1st July being amended to include Councillor P. Donnelly in the list of attendees.

Official Announcements

Committee and Council Agendas

Councillor Beattie raised concerns regarding the short timeframe in which Committee and Council agendas and reports were being received by Members and highlighted the importance of receiving Committee reports and agenda packs in a timely manner to allow full consideration before meetings. The Chief Executive advised the issue was being examined.

Congratulations

Councillor Verner congratulated the Shankill businesses on winning a silver award in the Retail NI High Street Awards. She also congratulated the Shankill Junior Football Club on winning the Foyle Cup in the 2012 age group final.

At the request of Councillor Murray, the Lord Mayor agreed to forward a letter of congratulations to both the organisations who implemented Belfast Pride and the Belfast Mela on the delivery of successful festivals.

Councillor Murray congratulated the New Santos Football Club on its recent win against St. James' Swifts Football Club.

Councillor McCullough congratulated the communities across Belfast who organised and promoted the events of 11th and 12th July commemorations.

At the request of Councillor Maghie, the Lord Mayor agreed to forward a letter of congratulations to the Ormiston Cricket Club on winning the All-Ireland T20 championship.

The Lord Mayor, together with Councillor Long congratulated Councillor Bower on the recent birth of her baby Erin.

Councillor R. Brooks congratulated the Lord Mayor on his recent marriage.

Councillor R. Brooks congratulated the Pride of the Raven Flute Band on their recent annual fundraising parade for Alzheimer's UK.

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Councillor R. Brooks advised that the new Walkway Community Centre opens next week, and congratulated Ms. R. Davidson and the staff for their dedication and perseverance.

Councilor D. Douglas congratulated Bloomfield Ladies Football Club on their recent league and cup double success.

Events

Councillor P. Donnelly highlighted the Transpride Rally scheduled for 16th September in Writers Square and suggested that the Council showed its support for this.

Councillor Nelson stated that the North Belfast Foodbank had been in operation for ten years and would be recognising the hard work of its volunteers with an event on 17th October which the organisers welcomed the Lord Mayor and North Belfast elected representatives to join them.

Councillor Collins condemned the recent attack on Belfast Iqraa Mosque and highlighted the successful United Against Racism Rally which had taken place as a show of solidarity. The Lord Mayor advised he had attended the Mosque's recent celebration day and he would be extending an invitation to the Iqraa Mosque to visit the City Hall.

Councilor I. McLaughlin congratulated the work of those involved in the Shankill Safe Programme, funded by Communities in Transition, and highlighted the launch of the new mural at the bottom of the Shankill Road.

Condolences

The Lord Mayor offered his condolences to the family of Tom Orr, former Head of Digital Services, who died recently.

The Lord Mayor offered his condolences to Dominica Thornton, Legal Services, on the recent passing of her husband Kevin.

Request to address the Council

The Chief Executive reported that a request to address the Council had been received from Dr. C. Brennan, Director, Environmental Justice Network Ireland and Dr. B. McNeill, Lecturer in Land and Property Law, QUB, in relation to the Future Management Structures of Lough Neagh motion which was being proposed later in the meeting.

The Council acceded to the request and, accordingly, D. Brennan and Dr. McNeill, were welcomed to the meeting by the Lord Mayor.

Dr. Brennan explained that the EJNI were a platform to promote collaboration to undertake research and advocacy to...the route causes of environmental injustice.

She stated that Lough Neagh held enormous cultural and economic significance for the communities who lived and worked in and around the area and it was also recognised to have international significant ecological importance. However, the management of the Lough,

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which was currently mainly in private ownership, had been problematic, and controversies stretching back decades had surrounded its declining environmental quality.

She suggested that recent media reports about the condition of the lough had reignited calls for 'public ownership' and the need to address the catastrophic mismanagement.

Dr. McNeill provided an overview of the question of ownership and alternative ownership models that could produce better environmental, social and economic outcomes.

She highlighted one possible option would be a 'rights of nature' approach in which the Lough would, in law, own itself and would be closely intertwined with the rights of the community.

Dr. Brennan concluded that current management of Lough Neagh was unsustainable, and had led to significant damage to this culturally, socially, environmentally and economically significant resource. The question of ownership should be at the forefront of discussions about the lough's future because ownership dictated governance and management arrangements. She advised that a rights of nature approach might be used to inform the design of a better governance frameworks that would be capable of producing better outcomes for Lough Neagh.

The Lord Mayor thanked the representatives for their informative presentation, and they left the meeting.

The Council noted the information.

Minutes of Strategic Policy and Resources Committee

Moved by Councillor Black,
Seconded by Beattie,

That the minutes of the proceedings of the Strategic Policy and Resources Committee of 29th June, 5th July and 18th August, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Update on the Physical Programme

At the request of Councillor Canavan, the Council agreed that a report be submitted to a future committee to provide an update on the inclusion of the independently managed community facilities in the Leisure Transformation Programme.

Festive Lighting Scheme/Future Christmas Programming

Standing Order 13(l)

The Lord Mayor, in consultation with the Chief Executive, ruled to enact Standing Order 13(l), insofar as that the Council could commit to expenditure not previously agreed through the Committee process in that the matter was one of emergency or of such urgency that it would be impractical to the Council's interests to require compliance.

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Amendment

The Chief Executive suggested an amendment to the minute to allow funding to be sourced by the Director of Finance from budgetary underspends or specified reserves for the current city centre festive lighting scheme contract to be awarded.

The Council agreed to the amendment and, in accordance with Standing Order 48 (a) that the aforementioned decision would not be subject to call-in, on the basis that an unreasonable delay could result in a breach of a contractual duty.

Adoption of Minutes

Subject to the foregoing amendments, the minutes of the proceedings of the Strategic Policy and Resources Committee of 29th June, 5th July and 18th August, were approved and adopted.

Minutes of People and Communities Committee

Moved by Councillor Murray,
Seconded by Councillor M. Donnelly,

That the minutes of the proceedings of the People and Communities Committee of 8th August, be approved and adopted.

Pitches Strategy Update

At the request of Councillor T. Brooks, the Council agreed that the minute under the heading "Pitches Strategy Update" be amended to reflect that a report was being undertaken by Council officers in relation to the use of micro plastics, which would include Health and Safety Risks, and the duties and obligations of the Council, in this regard.

In response to Councillor Ferguson's request for the Council to engage with Mr. R. Johnston, Chairman of South Belfast Youth League regarding the Pitches Strategy, the Chief Executive advised that this would be explored as part of the wider process.

The Bullring DFC/BSC Capital Project

At the request of Councillor Black, the Council agreed that a report be submitted to a future Committee meeting in relation to the operation of the Divis Back Path Facility and the reinstatement of the temporary facility management agreement that had previously been in place.

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Amendment

Responsible Dog Ownership

Moved by Councillor Garrett,
Seconded by Councillor Beattie,

That the minute of the People and Communities Committee of 8th August, under the heading “Responsible Dog Ownership” be taken back to the Committee for further consideration, and to allow further information on the issue to be provided.

On a recorded vote, thirty-nine Members voted for the proposal and seventeen against and it was declared carried.

For 39	Against 17
The Right Honourable the Lord Mayor (Councillor Murphy); Aldermen Copeland, Lawlor, McCullough and Rodgers; Councillors Anglin, Beattie, Black, Bradley, R. Brooks, Bunting, Canavan, Carson, Collins, M. Donnelly, P. Donnelly, R-M Donnelly, Doran, D. Douglas, S. Douglas, Duffy, Ferguson, Garrett, Gormley, Kelly, Magee, Maskey, G. McAteer, McCabe, McCann, McCormick, McCusker, McDowell, I. McLaughlin, R. McLaughlin, Nic Bhranair, Ó Néill, Verner, Walsh	The Deputy Lord Mayor (Councillor Groogan); Councillors Bell, Bower, T. Brooks, de Faoite, Doherty, Flynn, Long, Lyons, Maghie, F. McAteer, McKeown, McMullan, Murray, Nelson, Smyth, and Whyte.

Sustainable Period Product Scheme

At the request of Councillor McCabe and with the permission of the Council, the Chairperson (Councillor Murray) agreed that the minute under the heading “Sustainable Period Product Scheme” be taken back to the Committee for further consideration.

Social Supermarket Fund – Update

Amendment

Moved by Councillor Murray,
Seconded by Councillor Flynn,

That the minute of the People and Communities Committee of 8th August, under the heading “Social Supermarket Fund – Update” be rejected and, accordingly, the Council agrees to deliver the allocation of funding for the social supermarket through an open call process, with 25% of the budget to be set aside to support the establishment of new social supermarket provision.

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On a recorded vote, eighteen Members voted for the proposal and thirty-three against and it was declared lost.

For 18	Against 33
Councillors Bell, Bower, T. Brooks, Collins, de Faoite, Doherty, Flynn, Long, Lyons, Maghie, F. McAteer, McCusker, McKeown, McMullan, Murray, Nelson, Smyth, and Whyte.	The Right Honourable the Lord Mayor (Councillor Murphy); Aldermen Copeland, Lawlor and Rodgers; Councillors Anglin, Black, Bradley, R. Brooks, Bunting, Carson, M. Donnelly, P. Donnelly, R-M Donnelly, Doran, D. Douglas, S. Douglas, Duffy, Ferguson, Garrett, Gormley, Kelly, Magee, Maskey, G. McAteer, McCabe, McCann, McCormick, McDowell, I. McLaughlin, R. McLaughlin, Nic Bhranair, Ó Néill and Walsh.

Street Sign Format

Amendment

Moved by Councillor R.M Donnelly,
Seconded by Councillor O'Neill,

That the minute of the People and Communities Committee of 8th August, under the heading "Street Sign Format" be rejected and, accordingly, the Council agrees that the report, as noted in the minutes, would not be submitted to the Committee for consideration.

On a vote, thirty-seven Members voted for the proposal and twenty against and it was declared carried.

Adoption of Minutes

Subject to the foregoing amendments, the minutes of the proceedings of the People and Communities Committee of 8th August, were approved and adopted.

Minutes of City Growth and Regeneration Committee

Moved by Councillor Nic Bhranair,
Seconded by Councillor Duffy,

That the minutes of the proceedings of the City Growth and Regeneration Committee of 9th and 23rd August be approved and adopted.

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Renewed Ambition Partnership

Amendment

Moved by Councillor Flynn,
Seconded by Councillor McDowell,

That the minute of the City Growth and Regeneration Committee of 9th August, under the heading “Renewed Ambition Partnership” be rejected and, accordingly, the Council will not send representatives to attend MIPM or the New York real estate investment showcase and will not approve an investment fund of £80k to support the delivery of 23/24 programme. The Council will instead use this £80k to set up a pilot community vacant to vibrant scheme outside of the city centre, aimed at driving inclusive growth in communities and helping us deliver on our ambition for community and neighbourhood regeneration under the Belfast agenda.

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

For 9	Against 45
The Deputy Lord Mayor (Councillor Groogan); Councillors Collins, de Faoite, Doherty, Flynn, Long, Lyons, McCusker, McKeown, McMullan, Murray, Nelson, Smyth, and Whyte.	The Right Honourable the Lord Mayor (Councillor Murphy); Aldermen Copeland, Lawlor and Rodgers; Councillors Anglin, Bell, Black, Bower, Bradley, R. Brooks, T. Brooks, Bunting, Carson, M. Donnelly, P. Donnelly, R-M Donnelly, Doran, D. Douglas, S. Douglas, Duffy, Ferguson, Garrett, Gormley, Kelly, Magee, Maghie, Maskey, F. McAteer, G. McAteer, McCabe, McCann, McCormick, McDowell, I. McLaughlin, R. McLaughlin, Nic Bhranair, Ó Néill and Walsh.

Future City Centre Programme - Vacant to Vibrant

At the request of Councillor Garrett, the Council agreed that a report be submitted to a future Committee meeting in relation to two previous successful regeneration schemes which had been undertaken, namely, Renewing the Routes Scheme and the Dereliction Scheme (Department of Economy).

Adoption of Minutes

Subject to the foregoing amendments, the minutes of the proceedings of the City Growth and Regeneration Committee of 9th and 23rd August, were approved and adopted.

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Minutes of Licensing Committee

Moved by Councillor McKeown,
Seconded by Councillor Smyth and

Resolved - That the minutes of the proceedings of the Licensing Committee of 16th August, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Minutes of Planning Committee

Moved by Councillor Garrett,
Seconded by Councillor McCullough and

Resolved - That the minutes of the proceedings of the Planning Committee of 1st and 15th August, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Minutes of Climate and City Resilience Committee

Moved by Councillor R. Donnelly,
Seconded by Councillor R. McLaughlin and

Resolved - That the minutes of the proceedings of the Climate and City Resilience Committee of 10th August be approved and adopted.

Minutes of Standards and Business Committee

Moved by Alderman Rodgers,
Seconded by Councillor McCullough and

Resolved - That the minutes of the proceedings of the Standards and Business Committee of 29th August, 2023, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Motion

Future Management Structures of Lough Neagh

In accordance with notice on the agenda, Councillor Smyth proposed the following motion, including the amendment set out in bold:

“The Council recognises that the recent spread of toxic blue green algae on Lough Neagh is of major concern to the residents of Belfast. Over 50% of Belfast’s water comes from Neagh. Many people will have seen many recent reports that the Lough is dying. Lough Neagh is the largest lake in these islands and has been described as hyper- eutrophic - in other words the Lough suffers from nutrient enrichment mainly from human sewage and agricultural run-off both directly into the Lough and the wider water catchment.

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This severe deterioration in water quality is the latest in a number of problems ranging from extractive industries, invasive species, and the depletion in the numbers of fish and birds. If Lough Neagh was a person, it would be described as having multiple organ failure. Over decades the current management and ownership structures have proven incapable of dealing with these complex problems

For such a strategic asset and its importance for drinking water, fishing, culture, recreation and biodiversity, Lough Neagh deserves a more effective form of ownership and a management structure that works in the public interest to deal with these multiple problems.

It is the Council's view that the public acquisition of Lough Neagh is sought from Lord Shaftesbury, including acquiring the bed of the Lough. Furthermore, the Council supports **the exploration of** a right of nature for Lough Neagh that guarantees a model of ownership that protects the rights of Lough Neagh to exist and evolve **and supports the sustainability of activities on the Lough, vital to the surrounding communities, into the future.** Finally, the Council recognises that public acquisition of Lough must involve in the future participation of the Lough Neagh communities in any future decision making for the Lough."

The motion was seconded by Councillor Flynn.

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

Lord Mayor
Chairperson