

LISBURN & CASTLEREAGH CITY COUNCIL

Minutes of the Hybrid Monthly Meeting of Council held on Tuesday 26 September, 2023 at 7:00 pm

PRESENT IN CHAMBER:

The Right Worshipful the Mayor
Councillor A Gowan

Deputy Mayor
Councillor G McCleave

Aldermen A G Ewart MBE, O Gawith, M Gregg, A Grehan,
M Guy, H Legge, S P Porter, S Skillen and J Tinsley

Councillors D Bassett, R T Beckett, P Burke, S Burns,
R Carlin, P Catney, K Dickson, N Eaton, A P Ewing, J Gallen,
A Givan, G Hynds, C Kemp, P Kennedy, J Lavery BEM,
S Lowry, C McCready, A McIntyre, M McKeever,
R McLernon, U Mackin, A Martin, N Parker, T Mitchell,
G Thompson and N Trimble

IN ATTENDANCE:

Lisburn & Castlereagh City Council

Chief Executive
Director of Finance and Corporate Services
Director of Leisure and Community Wellbeing
Director of Organisation Development and Innovation
Director of Regeneration and Growth
Acting Director of Environmental Services
Head of Corporate Communications and Administration
Head of Finance
Head of Sports Services
Member Services Officers
Technician
IT Officer

Mr D Roberts, Mayor's Chaplain

Commencement of the Meeting

At the commencement of the meeting, The Right Worshipful the Mayor, Councillor A Gowan, welcomed those present to the meeting of Council which was being live streamed to enable members of the public to hear and see the proceedings. He pointed out that, should the meeting go into committee to consider confidential business, any members of the press and the public in attendance would be required to leave the Council Chamber for the duration of those matters.

The Member Services Officer read out the names of the Elected Members and Officers in attendance at the meeting.

The Chief Executive outlined the evacuation procedures in the case of an emergency.

The Right Worshipful the Mayor requested that all mobile phones be put on silent or switched off for the duration of the meeting and pointed out that, in accordance with the Council's Standing Orders, whilst the meeting was being live-streamed, unauthorised recording was not permitted.

Prayers

The Right Worshipful the Mayor, Councillor A Gowan, welcomed his Chaplain, Mr D Roberts, to the meeting. Mr Roberts gave an address.

The Right Worshipful the Mayor expressed condolences to Councillor J Lavery on the recent death of his mother, Violet. Mr Roberts said a prayer, during which he too remembered the Lavery family.

At this point, The Right Worshipful the Mayor thanked Mr Roberts for his attendance and he left the meeting (7.14 pm).

1. Business of The Right Worshipful the Mayor

1.1 Mayor's Engagements (00:14:27)

The Council noted a number of engagements attended by The Right Worshipful the Mayor, Councillor A Gowan, and the Deputy Mayor, Councillor G McCleave, since the last meeting of Council.

2. Apologies (00:14:36)

It was agreed to accept apologies for non-attendance at the meeting on behalf of Alderman J Baird and Councillors D J Craig and B Higginson.

3. Declarations of Interest (00:15:09)

There were no declarations of interest.

4. Council Minutes (00:15:48)

It was proposed by Alderman M Gregg, seconded by Alderman S P Porter and agreed that the minutes of the meeting of Council held on 22 August, 2023 be confirmed and signed.

5. Matters Arising (00:16:39)

There were no matters arising.

6. Deputations (00:16:55)

There were no deputations.

7. Business Required by Statute

(i) Signing of Legal Documents (00:17:00)

It was proposed by Councillor A Givan, seconded by Councillor S Lowry and agreed that the following legal documents be signed at the meeting:

- Lisburn and Castlereagh City Council and Lisburn Rugby Club, 71a Eglantine Road, Lisburn BT27 5RQ – Letter of Offer to Lisburn Rugby Football Club – Community Investment Fund – Funding Agreement;
- Lisburn and Castlereagh City Council and Citywatch CCTV Northern Ireland, PSNI, 15 Barrack Street, Lisburn BT28 1TJ – Citywatch Letter of Offer and associated Chattels Mortgage;
- Lisburn and Castlereagh City Council and Play and Leisure Services, 31 Carrowdore Road, Greyabbey, Co Down BT22 2LU – T22/23-003 – Contract for Tender for Supply of Park Equipment; and
- Lisburn and Castlereagh City Council and Cleaver Fulton Rankin, 50 Bedford Street, Belfast BT2 7FW and Arthur Cox, Victoria House, Gloucester Street, Belfast BT1 4LS and A&L Goodbody, 42-46 Fountain Street, Belfast BT1 5EF – T22/23-064 – Contract for Provision of Legal Services for Lisburn and Castlereagh City Council – Lots 1-6.

8. Adoption of Minutes of Committees (00:17:17)

Community and Wellbeing Committee

5 September, 2023

(00:17:32)

Proposed by Councillor R T Beckett

Seconded by Councillor J Gallen

Environment and Sustainability Committee

6 September, 2023

(00:18:02)

Proposed by Councillor C McCready

Seconded by Councillor R Carlin

Regeneration and Growth Committee

7 September, 2023

(00:18:43)

Proposed by Councillor J Laverty

Seconded by Alderman A G Ewart

Corporate Services Committee

13 September, 2023

(00:19:13)

Proposed by Alderman O Gawith

Seconded by Alderman M Guy

Alderman O Gawith pointed out that the Corporate Services Committee minutes were still subject to the call-in procedure until the following morning.

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Notice of Motion – Support of the LGBTQ+ Community in Lisburn & Castlereagh City Council

Alderman S P Porter referred to the above matter and requested that the Chairman of Corporate Services Committee, Alderman O Gawith, agree to have it referred back to the Committee in order that clear legal advice could be obtained to protect staff from any future legal challenges that may arise. He further asked that the Notice of Motion and the actions contained therein be equality impact assessed before being brought back to Council and that staff be consulted. He voiced particular concerns around reference in the Notice of Motion to (a) staff and Members undergoing education and sensitivity training – who would be delivering such training and would it be mandatory; (b) actively participating in local Pride events – could a staff member refuse to work on such events; and (c) provision of safe spaces.

The Chairman of the Corporate Services Committee, Alderman O Gawith, stated that he was not minded to have this matter referred back to the Committee. He considered that the Notice of Motion had been thoroughly debated at the meeting and that there had not been any shortcoming in the decision taken by the majority of the Committee.

Discussion ensued, during which a number of Members spoke, both in support of and in opposition to Alderman Porter's request to have the matter referred back to Committee.

The Chief Executive stated that the Notice of Motion was not a policy. Officers would need to develop a proposed action plan and there may be consultation with staff, communities and businesses needed depending on the actions. Officers would be obliged to carry out equality impact screening and then an Equality Impact Assessment, if required following screening, which would require consultation. There would also need to be consideration of the requirement for a rural needs impact assessment.

Reference having been made to Standing Orders, clarification was provided that, as written notice had not been provided to the Chairman of the Corporate Services Committee 24 hours prior to the Council meeting regarding this issue, he had discretion to decide whether or not the matter be referred back to the Committee. Alderman Gawith not having received advance written notice and not having acceded to the request to refer the matter back, the only alternative open to Members who disagreed with the Notice of Motion would be to follow the call-in process.

Alderman J Tinsley put on record (a) the disappointment of the DUP Party that the Chairman of the Corporate Services Committee would not allow this matter to be referred back for further consideration; and (b) that the DUP Party was not in support of item 3.1 in the Corporate Services Committee minutes.

In response to a query from Alderman S Skillen regarding the Chairman being included in photoshoots in respect of building light-ups, but not the Vice-Chairman, the Chief Executive stated that, in line with policy, this was the Chairman's prerogative. Councillor A P Ewing stated that he had not authorised his photograph to be used in relation to the light-up for Pride and, since that, he had not been included in any light-ups for other causes and deemed that to be unfair.

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Royal British Legion – NI Festival of Remembrance 2023

and

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Anniversary of the Greenfinches

The Right Worshipful the Mayor, Councillor A Gowan, advised that a call-in had been received in respect of each of the above items.

Governance and Audit Committee

14 September, 2023

(00:53:34)

Proposed by Councillor R McLernon

Seconded by Councillor S Lowry

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Asset Management

The Chairman of the Governance and Audit Committee, Councillor R McLernon, advised of a revision to the above item in that a redacted report would be made available rather than the full report that was presented at the meeting.

Special Regeneration and Growth Committee

18 September, 2023

(00:54:30)

Proposed by Councillor J Laverty

Seconded by Councillor A Martin

Councillor J Laverty pointed out that the special Regeneration and Growth Committee minutes were still subject to the call-in procedure until the morning of Friday, 29 September.

Special Governance and Audit Committee

21 September, 2023

(00:55:31)

Proposed by Councillor R McLernon

Seconded by Councillor J Gallen

Councillor R McLernon pointed out that the Governance and Audit Committee minutes were still subject to the call-in procedure. Standing Order 14.1 stated that "Minutes of meetings of a Committee held less than five clear days before the meeting of the Council shall not be submitted to that meeting for approval. This may be disapplied where a Committee considers the matter to be of extreme urgency and records such in its minutes". The special meeting of the Governance and Audit Committee had been necessitated on 21 September as reports had not been available before that date.

Planning Committee

7 August, 2023

(00:57:04)

The minutes of the Planning Committee meeting of 7 August, 2023 had been circulated for noting only as these minutes had been agreed at the subsequent meeting of the Planning Committee on 4 September, 2023. It was proposed by Alderman M Gregg, seconded by Councillor U Mackin and agreed that their contents be noted.

9. Reports from Members on Boards (00:57:43)

There were no reports from Members on Boards.

10. Reports on Decisions Subject to the Reconsideration Procedure (00:57:48)

10.1 Appointments to Working Groups and Outside Bodies (00:58:00)

It was proposed by Councillor U Mackin, seconded by Alderman M Gregg and agreed:

- (a) that the minutes of the Ad Hoc Committee meeting held on 13 September, 2023, at which it had been agreed to uphold the decision of the Corporate Services Committee of 21 June, 2023, be approved;
- (b) to note that a report, for information, would be tabled at the next meeting of the Corporate Services Committee detailing nominations; and
- (c) to approve the payment of expenses related to Members' attendance at events associated with their role on outside bodies for the duration of the Council term.

Alderman O Gawith voiced concerns in relation to the Council having been disadvantaged by the delay that had occurred in obtaining legal advice during the summer months and sought an assurance, both from CMT and the lawyers, that the Council would receive prompt service in future, no matter the time of year. Councillor N Trimble concurred with the comments made by Alderman Gawith and stated that it would be worthwhile pursuing other avenues, if required, to obtain legal opinion in a more expedient fashion. In response, the Chief Executive stated that this matter had been addressed in the report that had been presented to the Ad Hoc Committee meeting on 13 September. Mention had been made of lessons learned, one of them being obtaining legal advice on governance processes and recognising time issues. As set out in the report, the Chief Executive confirmed that Officers were currently exploring alternatives to ensure that business could continue regardless of the time of year.

11. Notice of Motion (01:03:08)

11.1 Blue Green Algae (01:03:21)

A copy of the following Notice of Motion in the name of the Deputy Mayor, Councillor G McCleave, had been circulated to Members with the notice convening the meeting:

“This Council calls on the Local Government Association (NILGA) to immediately establish a working group made up of DAERA and its respective agencies including NIEA, Inland Fisheries and others, along with representatives from the four Councils that border Lough Neagh, and other relevant agencies including NI Water, the Public Health Agency and Food Standards Agency in order to hold the department(s) and agencies accountable for the development of a timebound targeted strategy to address the poor

11.1 Blue Green Algae (Contd))

water quality and in particular the impact of toxic Blue Green Algae affecting Lough Neagh, and its impact on the environment, the loughs residents, businesses and recreational users. NILGA will convene the working group and strategy to address the issue”.

The Notice of Motion was proposed by the Deputy Mayor, Councillor G McCleave, and seconded by Councillor N Parker.

In accordance with Standing Order 16.1 (6), The Right Worshipful the Mayor, Councillor A Gowan, advised that the above Notice of Motion would be referred to the Environment and Sustainability Committee for consideration.

12. Confidential Business (01:04:37)

The matter contained in the confidential report would be dealt with “In Committee” due to containing information relating to the financial or business affairs of any particular person (including the Council holding that information).

“In Committee”

It was proposed by Alderman J Tinsley, seconded by Councillor C McCreedy and agreed that the following item be considered “in committee”, in the absence of members of the press and public being present. The livestream was paused at 8.06 pm.

12.1 Full Business Case – Redevelopment of Dundonald International Ice Bowl
(Report would never be available)

Councillor M McKeever left, and returned to, the meeting during consideration of this item of business (8.07 pm and 8.10 pm respectively), as did Councillor N Parker (8.21 pm and 8.25 pm).

Councillor R T Beckett, as current Chairman of the Community and Wellbeing Committee, proposed that:

- (a) the Full Business Case for the redevelopment of a new Dundonald International Ice Bowl (DIIB) be approved;
- (b) the award of the main construction works contract, as outlined in the Chief Executive’s report, be approved;
- (c) the award of the specialist contracts be approved, subject to novation agreement, as outlined in the Chief Executive’s report;
- (d) financial considerations outlined be noted;
- (e) approval be given to the creation and appointment of a Transition Manager role for a period of 24 months.

This proposal was seconded by Councillor S Lowry.

Councillor J Gallen stated that the SDLP Party opposed the progression of this project and outlined the reasons for this.

12.1 Full Business Case – Redevelopment of Dundonald International Ice Bowl (Contd)

Councillor R Carlin stated concerns he had regarding the proposal by Councillor Beckett and wished to put forward an amended proposal.

Adjournment of Meeting

In order that Members would be clear as to what Councillor Carlin's amendment was, the meeting was adjourned at 8.26 pm in order that he could provide this in writing to the Chief Executive.

Resumption of Meeting

The meeting was resumed at 8.40 pm.

The Chief Executive read out the amendment proposed by Councillor R Carlin, ie. that this decision not be taken in isolation of the full Council's Capital Programme and that an equality impact assessment be taken, with a 12-week public consultation on the full Capital Programme, including Dundonald International Ice Bowl. This was seconded by Councillor J Gallen.

The Chief Executive responded to a number of queries raised by Members. Alderman A Grehan asked that the following response be noted in the minutes. The Chief Executive advised that:

- (a) DIIB was part of the Council's Capital Programme and that programme had already been equality screened; and
- (b) should the redevelopment of DIIB not proceed at this stage, the £12.2m Levelling-Up funding that was currently available would be lost and £3m in costs would require to be set against revenue budgets for this year.

The amendment by Councillor R Carlin was put to the meeting and, at the request of Councillor J Gallen, a recorded vote was taken. The amendment by Councillor Carlin was declared "lost", the voting being as follows:

In favour: Councillor D Bassett, Councillor P Burke, Councillor R Carlin, Councillor P Catney, Councillor J Gallen, Deputy Mayor, Councillor G McCleave (6)

Against: Councillor R T Beckett, Councillor S Burns, Councillor K Dickson, Councillor N Eaton, Alderman A G Ewart, Councillor A P Ewing, Alderman O Gawith, Councillor A Givan, The Right Worshipful the Mayor, Councillor A Gowan, Alderman M Gregg, Alderman A Grehan, Alderman M Guy, Councillor G Hynds, Councillor C Kemp, Councillor P Kennedy, Councillor J Lavery, Alderman H Legge, Councillor S Lowry, Councillor U Mackin, Councillor A Martin, Councillor T Mitchell, Councillor C McCready, Councillor A McIntyre, Councillor M McKeever, Councillor R McLernon, Councillor N Parker, Alderman S P Porter, Alderman S Skillen, Councillor G Thompson, Alderman J Tinsley, Councillor N Trimble (31)

12.1 Full Business Case – Redevelopment of Dundonald International Ice Bowl (Contd)

The proposal in the name of Councillor R T Beckett was put to the meeting and, at the request of Councillor J Gallen, a recorded vote was taken. The proposal by Councillor Beckett was declared “carried”, the voting being as follows:

In favour: Councillor R T Beckett, Councillor S Burns, Councillor K Dickson, Councillor N Eaton, Alderman A G Ewart, Councillor A P Ewing, Alderman O Gawith, Councillor A Givan, The Right Worshipful the Mayor, Councillor A Gowan, Alderman M Gregg, Alderman A Grehan, Alderman M Guy, Councillor G Hynds, Councillor C Kemp, Councillor P Kennedy, Councillor J Lavery, Alderman H Legge, Councillor S Lowry, Councillor U Mackin, Councillor A Martin, Councillor T Mitchell, Councillor C McCready, Councillor A McIntyre, Councillor M McKeever, Councillor R McLernon, Councillor N Parker, Alderman S P Porter, Alderman S Skillen, Councillor G Thompson, Alderman J Tinsley, Councillor N Trimble (31)

Against: Councillor D Bassett, Councillor P Burke, Councillor R Carlin, Councillor P Catney, Councillor J Gallen, Deputy Mayor, Councillor G McCleave (6)

Resumption of Normal Business

It was proposed by Alderman M Gregg, seconded by Councillor A P Ewing and agreed to come out of committee and normal business was resumed. The live stream of the meeting was recommenced at this stage (8.48 pm).

13. Report by Chief Executive

13.1 Redevelopment of Dundonald International Ice Bowl (01:05:58)

The Chief Executive stated that the redevelopment of DIIB was presented as the single biggest investment decision the Council would take since its formation in 2014. This facility had strategic importance not only for the Council, but for the wider Northern Ireland region. The current building was 37 years old and its energy efficiency was extremely poor. The significant investment that would be made would provide for an Olympic size ice rink, as well as other features including state of the art gym, ten pin bowling, restaurant etc. The current facility was the second most visited visitor attraction in Northern Ireland, with over ½ million visitors each year. The new facility was forecasted to have an increase in visitor numbers of over 200,000 in the first year of business. The construction process would also support 373 jobs. The Government’s Levelling-Up Fund had provided £12.2m towards the overall cost of redevelopment and Council would continue to explore avenues to provide funding in order to minimise the impact of borrowing requirements. The redevelopment of DIIB formed part of the Council’s wider Capital Programme and the Chief Executive referred to a number of other projects within the Programme that were currently in progress.

13.1 Redevelopment of Dundonald International Ice Bowl (Contd)

Councillor R T Beckett, as current Chairman of the Communities and Wellbeing Committee, welcomed the redevelopment of DIIB, which was not only a much-used facility by the residents of the Council area, but received visitors from all over the Province and wider afield. He paid tribute to all Council Officers who had been involved in the project over the past number of years for their hard work in moving it forward. Councillor Beckett proposed that the Council:

- (a) agree to the progression of the £52m construction of a new Dundonald International Ice Bowl;
- (b) note the planned communications and marketing strategy to run in tandem with the construction, opening and operations of the new facility; and
- (c) note the planned engagement regarding the future Capital Programme.

Councillor S Lowry seconded Councillor Beckett's proposal and, in doing so, she too paid tribute to the work of Officers to date and welcomed the progression of this flagship project for the Council and the benefits it would bring.

A number of Members voiced their support for this ambitious project, namely Councillor N Trimble, on behalf of the UUP, Alderman M Gregg, Alderman S Skillen, Alderman J Tinsley and Councillor J Laverty. In supporting the project, Members stated that it was testament to the desire of the Council to serve its residents. Reference was made to the economic benefits that would be brought about by the redevelopment of DIIB and the tourism opportunities it would present by the fact that it was a regional asset that would bring people from all over Northern Ireland, Ireland and beyond, showcase the Council area and be a gateway to its other tourist attractions.

Members put on record their thanks to Officers for their efforts over the years on working on this project.

Councillor J Gallen stated that the SDLP was opposed to the progression of this project at present. The reasons he cited for this were in relation to the current uncertain economic conditions, with high interest rates and the potential for costs to escalate. He considered that the project would place a rates burden on families who were already struggling with the cost of living crisis and that the debt burden the DIIB project would place on the Council could impact on the progression of other projects.

Councillor R Carlin stated that he could not support the redevelopment of DIIB progressing in isolation and without appropriate public equality consultation. He too referred to the current cost of living crisis. Whilst acknowledging the significance of DIIB within the community, he raised concerns regarding disproportionate allocation of funding across the Council.

The proposal in the name of Councillor R T Beckett was put to the meeting and, at the request of Alderman M Gregg, a recorded vote was taken. The proposal by Councillor Beckett was declared "carried", the voting being as follows:

13.1 Redevelopment of Dundonald International Ice Bowl (Contd)

In favour: Councillor R T Beckett, Councillor S Burns, Councillor K Dickson, Councillor N Eaton, Alderman A G Ewart, Councillor A P Ewing, Alderman O Gawith, Councillor A Givan, The Right Worshipful the Mayor, Councillor A Gowan, Alderman M Gregg, Alderman A Grehan, Alderman M Guy, Councillor G Hynds, Councillor C Kemp, Councillor P Kennedy, Councillor J Lavery, Alderman H Legge, Councillor S Lowry, Councillor U Mackin, Councillor A Martin, Councillor T Mitchell, Councillor C McCready, Councillor A McIntyre, Councillor M McKeever, Councillor R McLernon, Councillor N Parker, Alderman S P Porter, Alderman S Skillen, Councillor G Thompson, Alderman J Tinsley, Councillor N Trimble (31)

Against: Councillor D Bassett, Councillor P Burke, Councillor R Carlin, Councillor P Catney, Councillor J Gallen, Deputy Mayor, Councillor G McCleave (6)

At this point, The Right Worshipful the Mayor, Councillor A Gowan, expressed his appreciation to Officers for their work in bringing the DIIB project to its current position. He stated that he looked forward to work commencing on site and the ultimate completion of the scheme.

13.2 Adoption of Lisburn & Castlereagh City Council Local Development Plan 2023, Plan Strategy (01:29:49)

(It was noted at R&G on 5 October that the adoption date of the Plan was 26 September, 2023)

It was proposed by Councillor J Lavery, seconded by Councillor T Mitchell and agreed that the Plan Strategy of the Local Development Plan be adopted by resolution of the full Council. Councillor Lavery passed on the thanks of the Regeneration and Growth Committee to those Officers involved in the preparation of the Plan Strategy.

Alderman J Tinsley commented that some planning applicants had been left disappointed, having been caught between the old and new policies, particularly in respect of infill applications (development in the countryside). Whilst the Planning Unit had been working sympathetically with those applicants, ultimately decisions would now require to be made in line with the new policy. Alderman A Grehan concurred with these sentiments and queried if there was anything the Council could look at within the Ministerial Statement to address this unfortunate situation.

14. Any Other Business (01:34:30)

14.1 Illegal Car Washes (01:34:50)
Councillor C McCready

Councillor C McCready referred to recent incidents when Border Force and the PSNI had shut down illegal car washes in Moira and on the Lisburn Road for reasons of human extortion. He believed the Council had a responsibility in

14.1 Illegal Car Washes (Contd)
Councillor C McCready

relation to car washes being able to operate under planning permission. He asked what the role the Council could play in assisting the PSNI and Border Force to ensure such incidents did not recur and that car washes were operating legally and meeting standards required in Northern Ireland. The Chief Executive agreed that a report on this matter would be presented in due course to the Environment and Sustainability Committee.

Conclusion of the Meeting

At the conclusion of the meeting, The Right Worshipful the Mayor, Councillor A Gowan, thanked those present for their attendance.

There being no further business for consideration, the meeting was terminated at 9.19 pm.

Mayor