

## **NEWRY, MOURNE & DOWN DISTRICT COUNCIL**

**NMD/C/**

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### **Minutes of Council Meeting held on Tuesday 5 June 2018 at 6pm in the Mourne Room, Downshire Civic Centre, Downpatrick**

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**In the Chair:** Councillor M Murnin

**In attendance: (Councillors)**

Councillor T Andrews	Councillor P Brown
Councillor R Burgess	Councillor P Byrne
Councillor M Carr	Councillor C Casey
Councillor W Clarke	Councillor G Craig
Councillor D Curran	Councillor L Devlin
Councillor S Doran	Councillor C Enright
Councillor G Fitzpatrick	Councillor G Hanna
Councillor H Harvey	Councillor T Hearty
Councillor D Hyland	Councillor L Kimmins
Councillor K Loughran	Councillor J Macauley
Councillor D McAteer	Councillor O McMahon
Councillor A McMurray	Councillor M Murnin
Councillor B Ó Muirí	Councillor B Quinn
Councillor H Reilly	Councillor J Rice
Councillor M Ruane	Councillor M Savage
Councillor G Sharvin	Councillor G Stokes
Councillor D Taylor	Councillor JJ Tinnelly
Councillor B Walker	

**(Officials)**

Mr L Hannaway, Chief Executive  
Mr M Lipsett, Director of Active & Healthy Communities  
Ms M Ward, Director of Enterprise, Regeneration & Tourism  
Mr R Moore, Acting Director of Neighbourhood Services  
Miss S Taggart, Democratic Services Officer

**C/086/2018      APOLOGIES AND CHAIRPERSON'S REMARKS**

Apologies were received from Councillors Bailie and Harte.

**C/087/2018      DECLARATIONS OF INTEREST**

There were no declarations of interest.

**C/088/2018      ACTION SHEET ARISING FROM COUNCIL MEETING HELD  
ON 8 MAY 2018**

Read: Action Sheet from Council Meeting held on 8 May 2018 (copy circulated).

Councillor Reilly queried the legal advice that had been obtained stating there were subjective comments on the actual case ongoing regarding McCreesh Park. He asked for advice to be obtained from a separate solicitor with knowledge of local government.

Mr Hannaway advised that Belfast City Council solicitors, from which the legal advice had been obtained, had the best knowledge of local government and operate under an SLA in accordance with Local Government legislation.

**AGREED: The Action Sheet from Council Meeting held on 8 May 2018 was agreed.**

### **COUNCIL MINUTES FOR ADOPTION AND SIGNING**

**C/089/2018      MINUTES OF COUNCIL MEETING HELD ON 8 MAY 2018**

Read: Minutes of Council Meeting held on 8 May 2018 (copy circulated).

**AGREED: The Minutes of the Council meeting held on 8 May 2018 were agreed as an accurate record and adopted on the proposal of Councillor Stokes, seconded by Councillor Craig.**

**C/090/2018      MINUTES OF SPECIAL COUNCIL MEETING HELD ON 30 APRIL 2018**

Read: Minutes of Special Council Meeting held on 30 April 2018 (copy circulated).

**AGREED: The Minutes of the Special Council meeting held on 30 April 2018 were agreed as an accurate record and adopted on the proposal of Councillor Hearty, seconded by Councillor Howell.**

### **COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION**

**C/091/2018      MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 14 MAY 2018**

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 14 May 2018 (copy circulated).

**AGREED:** The Minutes were agreed as an accurate record and adopted on the proposal of Councillor Burgess, seconded by Councillor Stokes.

**C/092/2018** **MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 17 MAY 2018**

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 17 May 2018 (copy circulated).

Councillor Sharvin advised he had submitted an apology for the meeting and this had not been recorded.

**AGREED:** The Minutes were agreed as an accurate record, subject to the above amendment, and adopted on the proposal of Councillor Hearty, seconded by Councillor Burgess.

**C/093/2018** **MINUTES OF ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 21 MAY 2018**

Read: Minutes of Active and Healthy Communities Committee Meeting held on 21 May 2018 (copy circulated)

**AHC/096/2018 – Warrenpoint Community Hub**

Councillor Carr proposed that a letter be sent to the Chief Constable asking for a detailed explanation as to why the PSNI had let down the people of Warrenpoint. This was seconded by Councillor McAteer.

**AGREED:** It was agreed on the proposal of Councillor Carr, seconded by Councillor McAteer to write to the Chief Constable asking for a detailed explanation as to why the PSNI had let down the people of Warrenpoint.

**AHC/104/2018 – Landfill Funding**

Councillor Sharvin queried whether the Downpatrick group whose funding was to be reallocated to Saintfield had been informed.

Mr Lipsett advised the group had not been informed however the money for Downpatrick would not have been spent by this summer, as per the funding stipulations, therefore it would be moved to Saintfield where it would be spent. The resultant underspend in the Saintfield project would then be reallocated to the Downpatrick scheme.

**AGREED:** The Minutes were agreed and adopted on the proposal of Councillor Andrews, seconded by Councillor Walker.

**C/094/2018**

**MINUTES OF REGULATORY & TECHNICAL SERVICES  
COMMITTEE MEETING HELD ON 24 MAY 2018**

Read: Minutes of Regulatory and Technical Services Committee Meeting held on 24 May 2018 (copy circulated)

**RTS/077/2018 – Car Park Tariff Pre-Review Report**

Councillor Devlin asked whether the consultation would involve local residents and local businesses and what form this consultation would take.

Mr Hannaway advised there would be a broad consultation carried out with the chambers of commerce and the various BID companies across the District being involved as well as the DEA Forums.

Councillor Devlin suggested the consultation be carried out online also.

Councillor Sharvin raised concerns regarding the carparking charges in Downpatrick and the adverse effect they were having on footfall in the town. He proposed the review begin immediately rather than in six months' time in order to investigate whether the right approach had been taken and whether the charges were equal across the board. This was seconded by Councillor Andrews.

The Chairperson put the matter to a vote, the results of which were as follows:

**FOR: 22**  
**AGAINST: 13**  
**ABSTENTIONS: 0**

**The proposal was CARRIED.**

**AGREED:** It was agreed on the proposal of Councillor Sharvin, seconded by Councillor Andrews that the carparking charges be reviewed immediately rather than in six months' time as previously agreed.

**AGREED:** The Minutes were agreed as an accurate record and adopted, on the proposal of Councillor Andrews, seconded by Councillor Kimmins.

**C/095/2018**

**MINUTES OF AUDIT COMMITTEE MEETING HELD ON 26  
APRIL 2018**

Read: Minutes of Audit Committee Meeting held on 26 April 2018 (copy circulated).

**AGREED:** The Minutes were agreed as an accurate record and adopted, on the proposal of Councillor Ruane, seconded by Councillor Sharvin.

## **CORRESPONDENCE AND CONFERENCES**

**C/096/2018**

### **CORRESPONDENCE RECEIVED FROM NORTHERN IRELAND OFFICE RE: MOTION ON CLERICAL ABUSE**

Read: Correspondence received from NIO, dated 23 April 2018, regarding Motion on Clerical Abuse (copy circulated).

Councillor Tinnelly proposed that Council write to the interdepartmental working group highlighting Council's concerns and asking for an update on the progress of their work. This was seconded by Councillor Hyland.

**AGREED:** It was agreed on the proposal of Councillor Tinnelly, seconded by Councillor Hyland to write to the Interdepartmental Working Group asking for an update on the progress of their work.

**C/097/2018**

### **CORRESPONDENCE RECEIVED FROM NIHE AND DEPARTMENT FOR COMMUNITIES RE: SOCIAL HOUSING ACROSS NEWRY, MOURNE AND DOWN COUNCIL AREA**

Read: Correspondence received from NIHE, dated 16 May 2018, and Department for Communities, dated 23 May 2018, regarding Social Housing (copy circulated).

Members welcomed the correspondence received from NIHE and highlighted the chronic housing need that existed across the District. Councillor Clarke asked that a letter be written back to NIHE outlining the chronic need in Newcastle and that fact that there was no available land to build housing on, therefore NIHE and Housing Associations need to look at alternative methods of providing housing. This should be done in advance of NIHE coming to Council on 24 September 2018.

**AGREED:** It was agreed to write to NIHE outlining the chronic housing need in the District, particularly in the Newcastle area where there is no available land to build on, and ask that they along with Housing Associations look at alternative methods of providing housing. They should also be asked to address this issue at their meeting with Council on 24 September 2018.

**C/098/2018**

### **CORRESPONDENCE RECEIVED FROM NILGA**

Read: Correspondence received from NILGA re: Community Planning and Wellbeing Network Event (copy circulated).

**AGREED:** It was agreed that any Member who wished to attend to contact Democratic Services.

**C/099/2018**

**CORRESPONDENCE RECEIVED FROM NILGA**

Read: Correspondence received from NILGA re: 2018 NILGA Conference (copy circulated).

Councillor Walker asked that Council nominate for the NILGA Awards.

**AGREED: It was agreed that NILGA Members attend the Conference.**

**C/100/2018**

**CORRESPONDENCE RECEIVED FROM NATIONAL ASSOCIATION OF COUNCILLORS**

Read: Correspondence received from National Association of Councillors regarding Summer Conference (copy circulated).

Councillor Macauley proposed that the Chair of PCSP attend the event, this was seconded by Councillor Walker.

**AGREED: It was agreed on the proposal of Councillor Macauley, seconded by Councillor Walker that the Chair of PCSP attend the NAC Summer Conference.**

**NOTICES OF MOTION**

**C/101/2018**

**NOTICE OF MOTION RECEIVED FROM COUNCILLOR ANDREWS**

The following Notice of Motion came forward for consideration in the name of Councillor Andrews:

**“On the 45th Anniversary of his election in 1973, Newry , Mourne and Down District Council , would like to pay tribute to Councillor Dermot Curran for his many years of dedicated service to the community and successive councils.”**

In formally proposing the motion, Councillor Andrews outlined the dedicated service by Councillor Curran over the last 45 years, especially to the community. Councillor Stokes seconded the motion.

Parties spoke unanimously in support of the motion highlighted the attributes of Councillor Curran that had enabled him to serve in office for 45 years.

Mr Hannaway thanked Councillor Curran on behalf of all Council staff, for his dedication to duty and friendship since the amalgamation of the new Council.

Councillor Curran thanked all his colleagues for their kind words and thanked the press and Council officers, particularly those from Down District Council time. He

stated he was privileged to work for the people in the District and thanked those who had voted for him over the years.

The Chairperson echoed the comments of the rest of the Members and advised a recognition event would be organised in due course.

**AGREED:** **It was agreed on the proposal of Councillor Andrews, seconded by Councillor Stokes that Council pay tribute to Councillor Dermot Curran for his many years of dedicated service to the community and successive Councils.**

**C/102/2018**      **NOTICE OF MOTION RECEIVED FROM COUNCILLOR HANNA**

The following Notice of Motion came forward for consideration in the name of Councillor Hanna:

**“That Newry, Mourne and Down Council is failing to fulfil its equality and good relations duties in its policy development and funding programmes to support cultural expression, in particular the variety of expressions of Britishness receiving minimal and non-mainstream expenditure from the Council. The Council commits to commissioning an independent review of its support for Britishness and associated cultural expressions in the Council area and an action plan to redress this imbalance and mainstream support for such expression.”**

In formally proposing the motion, Councillor Hanna stated equality was needed when it came to funding cultural events as many within the Unionist community feel there was an imbalance which needed addressed. Councillor Walker seconded the motion stating equality and respect was all that was being asked.

Councillor Savage stated he could not support the motion with the current wording and proposed an amendment:

**“This Council acknowledges the need to ensure that all minority communities in this District, including the Unionist community feel that their culture, tradition and identity is fully respected and celebrated and that a fair share of funding is allocated to support all cultural expressions across the district. This Council agrees to set up a Working Group reporting to the Council’s Good Relations Committee and Audit Committee to address the concerns of minority communities and report back to Council with recommendations on any need to enhance opportunities of cultural expression for minorities across the district.**

The amendment was seconded by Councillor Andrews.

The Chairperson asked whether Councillor Hanna would accept the amendment proposed by Councillor Savage. Councillor Hanna accepted the amendment.

Members discussed the issue, raising the following points:

- What were the cultural events being proposed and why was funding not forthcoming?
- Equality screening was carried out for all Council funded projects.
- Officers should investigate the allegations and carry out equality impact assessment to ensure that no one community felt that their culture was being eroded.
- Unionists within the District felt they were neglected.
- A working group was a useful forum to engage with all minority groupings and the Council had an onus to listen to concerns and if any capacity issues exist to assist those groups that require assistance in grant and funding applications.

The Chief Executive advised the Good Relations Forum already consisted of Members from all parties and suggested that may be the vehicle to use for the proposals outlined in the amendment. This was agreed by the proposer.

Councillor Hanna, in summing up, stated he was disappointed that Members, in particular those from Sinn Fein, had no understanding of how the unionist/protestant community felt, that Council did not represent them or highlight them in any way.

**AGREED:**

**It was agreed on the proposal of Councillor Savage, seconded by Councillor Andrews, that Council acknowledged the need to ensure that all minority communities in the district, including the Unionist community feel that their culture, tradition and identity was fully respected and celebrated and that a fair share of funding was allocated to support all cultural expressions across the district. It was also agreed that Council use the Good Relations Forum, to address the concerns of minority communities and report back to Council with recommendations on any need to enhance opportunities of cultural expression for minorities across the district.**

**C/103/2018**

**NOTICE OF MOTION RECEIVED FROM COUNCILLOR REILLY**

The following Notice of Motion came forward for consideration in the name of Councillor Reilly:

**“Given the Significant doubt that has been cast on the validity of the convictions of Newry, Mourne and Down residents Mr Eric Cullen, Cyril Cullen and George Kirkpatrick for the 1975 murder of Mr Francis Rice as demonstrated by recent TV programmes carried out by respected investigative journalists. That this council calls for a full independent judge led enquiry into the convictions.”**



In formally proposing the motion, Councillor Reilly stated that following the recent TV programmes, the validity of the convictions of the three men for the murder of Francis Rice had been cast into doubt and called for a full, independent, judge-led enquiry into the convictions. This was seconded by Councillor Hanna.

Members spoke in support of the motion stating there could be no justification for the murder of a 17 year old and recognising that the recent publicity around the case had re-traumatised the family of the victim.

Councillor McMurray stated the Alliance Party could not support the motion as there was an agreed mechanism in place to agree with the past.

**AGREED:** **It was agreed on the proposal of Councillor Reilly, seconded by Councillor Hanna that a full, independent, judge-led enquiry into the convictions of Mr Eric Cullen, Mr Cyril Cullen and Mr George Kirkpatrick for the murder of Mr Francis Rice in 1975.**

**C/104/2018**      **NOTICE OF MOTION RECEIVED FROM COUNCILLOR CASEY**

The following Notice of Motion came forward for consideration in the name of Councillor Casey:

**“That this Council supports the right to work: right to welfare (R2W) groups "People's Proposal" Aim at introducing a simple but vital checklist for Social Security decision makers. This council supports the aim and will write to the Permanent Secretary for the Department of Communities, calling for the issuance of guidance to all decision makers. Requiring them to ensure that both due process and impact assessments are undertaken and fully complied within the decision making process.”**

In formally proposing the motion, Councillor Casey stated there were 120,000 children living in poverty in the North of Ireland and called for a simple checklist to be introduced for Social Security decision makers. This was seconded by Councillor Ruane.

Members spoke unanimously in support of the motion stating a lot of trauma had been experienced by constituents and the system needed to be reformed.

**AGREED:** **It was agreed on the proposal of Councillor Casey, seconded by Councillor Ruane that Council support the right to work: right to welfare (R2W) groups "People's Proposal" Aim at introducing a simple but vital checklist for Social Security decision makers. This council supports the aim and will write to the Permanent Secretary for the Department of Communities, calling for the issuance of guidance to all decision makers. Requiring them to ensure that**

both due process and impact assessments are undertaken and fully complied within the decision making process.

C/105/2018

**NOTICE OF MOTION RECEIVED FROM COUNCILLOR  
TAYLOR, MACAULEY AND BURGESS**

The following Notice of Motion came forward for consideration in the name of Councillor Taylor, Macauley and Burgess:

**“Newry Mourne & Down District Council offers its warmest congratulations to the Duke and Duchess of Sussex on their marriage and wishes them a long life of fulfilment, blessed to enjoy many happy years together. We also welcome the recognition of our District in the conferring of their titles Baron and Baroness Kilkeel upon the occasion of their marriage and the new Royal couple would be warmly received during a visit to our wonderful District.”**

In formally proposing the motion, Councillor Macauley stated the bestowing of the title of Baron and Baroness Kilkeel upon Prince Harry and Meghan Markle was a wonderful opportunity for Mourne and the District and Kilkeel could only benefit from the news. Councillor Taylor seconded the motion.

Members spoke on the motion stating that following the wedding, Kilkeel was trending worldwide on Twitter and Facebook which could only be good news for tourism within the District.

Councillor Clarke stated that Sinn Fein would be abstaining from voting on the motion as they did not support the conferring of titles onto British monarchy, however were happy to offer congratulations to the couple on their wedding.

The Chairperson put the motion to a vote, the results of which were as follows:

<b>FOR:</b>	<b>22</b>
<b>AGAINST:</b>	<b>0</b>
<b>ABSTENTIONS:</b>	<b>8</b>

The motion was **CARRIED**.

<b>AGREED:</b>	<b>It was agreed on the proposal of Councillor Macauley, seconded by Councillor Taylor that Council offered its warmest congratulations to the Duke and Duchess of Sussex on their marriage and wished them a long life of fulfilment, blessed to enjoy many happy years together. We also welcome the recognition of our District in the conferring of their titles Baron and Baroness Kilkeel upon the occasion of their marriage and the new Royal couple would be warmly received during a visit to our wonderful District.</b>
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The following Notice of Motion came forward for consideration in the name of Councillor Brown:

**“This Council welcomes the overwhelming 'yes' vote in the Republic of Ireland to Repeal the 8th Amendment, and calls for future legislative change of the abortion law in Northern Ireland which would allow women here access to free, safe and legal abortion up to 12 weeks into a pregnancy. This council will write to Prime Minister Theresa May asking her to take urgent action to legislate for abortion in NI, bringing our laws into line with the rest of the United Kingdom.”**

In formally proposing the motion, Councillor Brown stated this was a very emotive issue and urged Members to support the call to write to Prime Minister May asking her to take urgent action to legislate for abortion in Northern Ireland, thereby bringing the laws here into line with the rest of the United Kingdom. This was seconded by Councillor McMurray.

Councillor Kimmins stated the issue was very sensitive for many people and asked that when contributing to the debate, that speakers were mindful of those people who had to make difficult decisions. She proposed an amendment to the motion as follows:

**“This Council acknowledges the 'yes' vote in the South of Ireland to Repeal the 8th Amendment; believes that full information and non-directive pregnancy counselling embodying all choices should be freely available to women, and calls for a compassionate human rights compliant approach to healthcare, acknowledging women should have access to safe and appropriate healthcare and thus endorses legislative reform and decriminalisation of abortion.”**

The amendment was seconded by Councillor Ó Muirí.

The Chairperson asked whether Councillor Brown would accept the amendment proposed by Councillor Kimmins. Councillor Brown accepted the amendment.

Members discussed the issue, raising the following points:

- SDLP was a pro-life party and would not support abortion on demand.
- Women in crisis pregnancies should be given the best medical information and care they can be given.
- This issue needed mature and measured thinking and needed to be dealt with legislatively outside of the chamber.
- Real healthcare did not end a life and women and children were worth more.
- Many areas of Northern Ireland do not have a voice and if MLAs truly cared it was time they got back to carrying out the agreed review and bring a referendum, if required, to the people of Northern Ireland.
- The abolishment of the 8<sup>th</sup> Amendment in Republic of Ireland was proposing to legislate to permit abortion up to 12 weeks without justification, this was not something the DUP can support.

- UUP cannot support the motion, as it seemed to be a reactive motion and an attempt to jump on a band wagon.
- Abortion on demand should continue to be against the law in Northern Ireland.
- The motive of the proposer of this motion was questionable.

Councillor Devlin asked for a 10 minute recess in light of the content of the amendment.

The Chairperson called a recess at this stage – 9.40pm.

The meeting did then resume – 9.50pm

In summing up, Councillor Brown addressed some of the comments made towards him during the debate, stating he had always been pro-choice and was trying to build on the momentum for abortion rights created by the referendum result in the South of Ireland. He called for a recorded vote on the matter.

The Chairperson put the amended motion to a recorded vote, the results of which were as follows:

<b>FOR:</b>	<b>10</b>
<b>AGAINST:</b>	<b>19</b>
<b>ABSTENTIONS:</b>	<b>0</b>

**The amended motion was LOST.**

There being no further business, the meeting concluded at 8.59pm.

**Signed:**

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**Chairperson**

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**Chief Executive**

**NEWRY, MOURNE & DOWN DISTRICT COUNCIL**  
**RECORDED VOTE**

DATE: 5<sup>th</sup> June 2018 VENUE: Downshire Civic Centre MEETING: Council Meeting

**SUBJECT OF VOTE:** Notice of Motion: *This Council acknowledges the 'yes' vote in the South of Ireland to Repeal the 8th Amendment; believes that full information and non-directive pregnancy counselling embodying all choices should be freely available to women, and calls for a compassionate human rights compliant approach to healthcare, acknowledging women should have access to safe and appropriate healthcare and thus endorses legislative reform and decriminalisation of abortion.*

COUNCILLOR	FOR	AGAINST	ABSTAIN	ABSENT
T Andrews		X		
N Bailie				X
P Brown	X			
R Burgess		X		
P Byrne				X
M Carr		X		
C Casey				X
W Clarke	X			
G Craig		X		
D Curran		X		
L Devlin		X		
S Doran				X
C Enright				X
G Fitzpatrick		X		
G Hanna		X		
V Harte				X
H Harvey		X		
T Hearty				X
R Howell	X			
D Hyland				X
L Kimmins	X			
M Larkin	X			
K Loughran		X		
J Macauley		X		
D McAteer		X		
O McMahon	X			
A McMurray	X			
R Mulgrew				X
M Murnin		X		
B Ó Muirí	X			
B Quinn		X		
H Reilly		X		
J Rice	X			
M Ruane	X			
M Savage		X		
G Sharvin		X		
G Stokes		X		
D Taylor		X		
JJ Tinnelly				X
J Trainor				X
B Walker				X
<b>TOTALS</b>	<b>10</b>	<b>19</b>	<b>0</b>	<b>12</b>