

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

**NMD/C/**

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### **Minutes of Council Meeting held on Monday 7 January 2019 at 6.00pm 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 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 R Howell
Councillor L Kimmins	Councillor M Larkin
Councillor K Loughran	Councillor J Macauley
Councillor D McAteer	Councillor O McMahon
Councillor A McMurray	Councillor R Mulgrew
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 J Trainor	Councillor B Walker

**(Officials)**

Mr L Hannaway, Chief Executive  
Mrs D Carville, Director of Corporate Services  
Ms M Ward, Director of Enterprise, Regeneration & Tourism  
Mr R Moore, Director of Neighbourhood Services  
Mrs J Hillen, Assistant Director of Community Engagement  
Mrs C Miskelly, Assistant Director of Corporate Services –  
HR and Safeguarding  
Ms L O'Hare, Democratic Services Officer  
Miss S Taggart, Democratic Services Officer

**C/001/2019**

### **APOLOGIES AND CHAIRPERSON'S REMARKS**

Apologies were received from Councillors Bailie, Burgess, Byrne, Harte and Hyland.

- The Chairperson offered his congratulations to Colin Moffett, Head of Corporate Policy who received the title of BEM for services to local government and Roberta Brownlee, Chair of the Southern Health and Social Care Trust who received an MBE for her services to Health and Social Care in Northern Ireland and charitable fundraising in the Queen's New Year Honours List.
- The Chairperson advised that Council had rolled out the sustainable Christmas trees programme across the District which was well received and something that

- children could be part of year on year.
- The Chairperson stated he and Roland Moore had attended a conference in Italy in December.
  - There had been two Chinese delegations visiting the District recently.
  - The Chairperson advised he and the Vice-Chair had attended a very successful indoor bowling tournament in Ballyholland which involved competitors from across the UK and Ireland.
  - Councillor Tinnelly stated that thankfully there had been no road fatalities in the district over the Christmas period. However there had been a number of suicides over this period, with the numbers being in double figures. He suggested that Council should request that anyone in need of help should receive the help and that families, friends and colleagues should look out for each other. Councillor Sharvin stated that PIPS Downpatrick were hosting a session on Thursday evening in Ballymote Centre to assist those who had been affected by suicides in the area, particularly that of a young local person.

**C/002/2019                    DECLARATIONS OF INTEREST**

There were no declarations of interest.

**C/003/2019                    ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 3 DECEMBER 2018**

Read:                            Action Sheet from Council Meeting held on 3 December 2018 (copy circulated).

**C/197/2018 – Notice of Motion – Housing Conference**

The Chief Executive advised that, following confirmation from Chief Executive of the Housing Executive and representatives from Department for Communities, the Council organised Housing Conference would be held on Monday 25<sup>th</sup> February in the morning. He proposed to bring together an agenda for the sessions to the Party Representatives Forum Meeting.

Councillor Savage asked that members of Housing Executive staff be involved in the structure of the conference as they were on the ground and know the issues to be addressed.

The Chief Executive advised there would be workshops following on from the formal Conference and these would be on various themes, which he hoped would be facilitated by Housing Executive staff.

**C/192/2018 – Minutes of AHC Committee Meeting held on 19 November 2018 – AHC/241/2018 – New Down Leisure Centre Handball and Squash Provision**

Councillor Sharvin asked for an update on the issue of the handball and squash provision at Down Leisure Centre.

The Chief Executive advised an update would be provided at the January AHC Committee Meeting.

**Agreed:**                                **The Action Sheet from Council Meeting held on 3 December 2018 was agreed.**

**COUNCIL MINUTES FOR ADOPTION AND SIGNING**

**C/004/2019                                MINUTES OF COUNCIL MEETING HELD ON 3 DECEMBER 2018**

**Read:**                                        Minutes of Council Meeting held on 3 December 2018 (copy circulated).

**Agreed:**                                        **The Minutes of the Council meeting held on 3 December 2018 were agreed as an accurate record and adopted on the proposal of Councillor Craig, seconded by Councillor McMahon.**

**C/005/2019                                MINUTES OF SPECIAL COUNCIL MEETING HELD ON 26 NOVEMBER 2018**

**Read:**                                        Minutes of Special Council Meeting held on 26 November 2018 (copy circulated).

**Agreed:**                                        **The Minutes of the Special Council meeting held on 26 November 2018 were agreed as an accurate record and adopted on the proposal of Councillor Hanna, seconded by Councillor Sharvin.**

**COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION**

**C/006/2019                                MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 10 DECEMBER 2018**

**Read:**                                        Minutes of Enterprise, Regeneration and Tourism Meeting held on 10 December 2018 (copy circulated).

**ERT/208/2018 – Tourism Events Programme 2019/20**

Councillor Harvey stated he did not agree with the £60,000 underspend being allocated to the Rainbow Project for hosting UK and Ireland Pride, stating this was unfair and should be split evenly across the District.

Councillor Mulgrew, Stokes and McAteer spoke in support of the money being allocated to the Pride event, stating it would be a fantastic opportunity to showcase the District and was a celebration event for everyone.

**Agreed:**                                        **The Minutes of the Enterprise, Regeneration and**

**Tourism Meeting held on 10 December 2018 were agreed as an accurate record and adopted on the proposal of Councillor Harvey, seconded by Councillor McAteer.**

**C/007/2019**

**MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 13 DECEMBER 2018**

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 13 December 2018 (copy circulated).

On a point of accuracy, Councillor McMurray advised he was in attendance at the meeting but had not been recorded. Mrs Carville advised the minutes would be amended accordingly.

**SPR/175/2018 – Proposed Replacement Bridge at Ghost Lane, Strangford**

Councillor Carr, on a point of accuracy, advised there was an error in the minute and it should read Moygannon River. Mrs Carville advised this would be amended.

**SPR/168/2018 – Report on Establishment of a Minority Communities Financial Assistance Scheme**

Councillor Mulgrew queried whether the Council had been discriminating against certain groups of people, as she was sure that officers did a first class job ensuring all people were treated equally across the District. However with the establishment of a scheme such as that proposed, this sent a message that Council was not treating all citizens equally.

Mrs Carville assured the Councillor there was no active discrimination involving any individuals or groups. She provided background to the origins of the scheme, stating a motion had been passed by Council in June 2018 to ensure that all minority communities felt their culture, tradition and identity were celebrated and awarded a fair share of funding. This matter was referred to the Equality and Good Relations Reference Group and recommendations brought forward to the Strategy, Policy and Resources Committee to designate £10,000 for projects from the PUL community, projects and initiatives, and £2500 for the BME community projects.

Members discussed the issue at length with the following comments being made:

- The Irish Language bursary scheme had to go through the establishment of a cross-party Irish Language Working Group, why should the same process not apply in this case.
- This was affirmative discrimination as other section 75 groupings would not be able to apply, and it would be exclusive to two communities.
- Did officials speak to the BME community to find out what they needed or wanted?
- There was a duty under equality and the promotion of good relations to support the recommendations put forward.
- Perhaps Council should set aside funds to support the communities of Creggan and Crossmaglen which were the two wards of social deprivation within Northern Ireland.
- How did officials arrive at the figures put forward?

Mrs Carville responded to the queries as follows:

- There had been no formal engagement with the BME community prior to the options paper coming forward.
- The report went to SPR Committee and was equality screened and results presented to SPR Committee.
- Work had been on-going through the AHC Directorate to encourage engagement with particular DEAs and this would be referred to AHC to ensure the two wards referred to got additional support around the application process for funding.
- As requested, an options paper was brought by officers for a funding programme for minority groupings. The specific sums were discussed and agreed by the Equality and Good Relations Reference Group in November 2018 and subsequently brought to SPR Committee in December 2018, with the themes of cultural expression and positively engaging with minority communities.

Councillor Ruane proposed that the decision be deferred to allow for a specific group to be established to enable further discussion into the sums agreed and to give space for engaging with BME communities to investigate their needs and requirements. This was seconded by Councillor Hearty.

The Chairman put the proposal to a vote, the results of which were as follows:

**FOR: 12**  
**AGAINST: 22**  
**ABSTENTIONS: 1**  
**The proposal was LOST**

Councillor Enright proposed that the word 'Protestant' be removed from Protestant, Unionist, Loyalist (PUL) grouping reference being used and people should not assume that religion was the same as nationality. This was seconded by Councillor McMurray.

The Chairman put the proposal to a vote, the results of which were as follows:

**FOR: 2**  
**AGAINST: 18**  
**ABSTENTIONS: 15**  
**The proposal was LOST**

Councillor Reilly proposed to accept the recommendations as set out in the minutes, this was seconded by Councillor Hanna.

The Chairman put the proposal to a vote, the results of which were as follows:

**FOR: 22**  
**AGAINST: 13**  
**ABSTENTIONS: 0**  
**The proposal was CARRIED**

**Agreed: The Minutes of Strategy, Policy and Resources**

Committee Meeting held on 13 December 2018 were agreed as an accurate record, subject to the above amendments, on the proposal of Councillor Savage, seconded by Councillor Ó Muíri

## EXEMPT INFORMATION

**Agreed:** On the proposal of Councillor Doran seconded by Councillor Savage it was agreed to exclude the public and press from the meeting during discussion on the following matters which related to exempt information by virtue of Paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – information relating to the financial or business affairs of any particular person (including the Council holding that information) – for discussion on minute reference SPR/167/2018 - Redundancy.

**Agreed:** On the proposal of Councillor Doran, seconded by Councillor Savage it was agreed the Committee come out of closed session.

When the Committee came out of closed session the Chairperson reported the following had been agreed on the proposal of Councillor Doran, seconded by Councillor Savage that:

1. Council agrees to ratify the agreement of the December 2018 Strategy, Policy and Resources Committee: subject to the wording relating to the terms of release being finalised between the parties to ensure the best interests of Council are served.
2. A further update will be provided to this month's Strategy, Policy and Resources Committee as to whether agreement has been reached and if the redundancy has been confirmed.

**Agreed:** The Minutes were adopted on the proposal of Councillor Sharvin, seconded by Councillor Savage.

## **C/008/2019                    MINUTES OF ACTIVE AND HEALTHY COMMUNITIES MEETING HELD ON 17 DECEMBER 2018**

**Read:** Minutes of Active and Healthy Communities Committee Meeting held on 17 December 2018 (copy circulated).

### **AHC/244/2018 – Action Sheet of the Active & Healthy Communities Committee Meeting held on 19 November 2018 – AHC/229/2018 – Newry Tennis Bubble**

Councillor Ruane stated there had been a lot of media interest in the above item and asked for a response from senior officials on whether Councillors had been misled as

to a letter of offer from the Department for Communities.

Mrs Carville advised a report was brought to the AHC Committee on 19 November 2018 stating funding had been offered to the value of £90,000. This offer was made verbally and no formal letter of offer had yet been issued. She advised that the Head of Outdoor Leisure spoke to the Education Authority and Department for Communities who were still advising verbally that funding would be offered to Council and Council were this morning still awaiting and actively pursuing a letter of offer from SportNI. She stated officers were working under the verbal assurance due to the short time frame to ensure works were completed and a further update would be given to the AHC Committee when a formal letter of offer was received.

Councillor Ruane stated lessons needed to be learned to ensure that information provided to Councillors was correct in future.

Councillor McAteer raised an issue about planning problems that would have existed at the site for Our Lady's and asked for an update.

The Chief Executive advised he would report back to Councillor McAteer.

**Agreed:** **The Minutes of Active and Healthy Communities Committee Meeting held on 17 December 2018 were agreed as an accurate record and adopted on the proposal of Councillor Loughran, seconded by Councillor Sharvin.**

**C/009/2019** **MINUTES OF REGULATORY & TECHNICAL SERVICES COMMITTEE MEETING HELD ON 18 DECEMBER 2018**

Read: Minutes of Regulatory & Technical Services Committee Meeting held on 18 December 2018 (copy circulated).

**RTS/192/2018 – Cost of Fly Tipping**

Members discussed the issue of fly-tipping at length raising the following queries:

- Could cameras be installed at known fly-tipping areas in order to apprehend the culprits.
- The installation of cameras could cause some problems, particularly if installed on farmers' lands.

Mr Moore advised he had held a meeting with NI Environment Agency and revised fly-tipping protocol was due which would give Council additional powers. He said camera installation would be possible, however this would involve a cost and there would be GDPR regulation implications. He advised this matter would be discussed further at Committee.

Councillor Casey asked that as Chair of the Committee he be appraised in future in a timely manner if events were being rescheduled to other venues.

Councillor Hanna raised an issue regarding bin collections over the Christmas period

and the confusion that occurred with householders across the District.

Mr Moore advised he was aware of the communication issues over Christmas and officers were working hard to address this. He stated a paper on this issue would be brought to the RTS Committee Meeting on 23 January 2019.

**Agreed:** **The Minutes of Regulatory & Technical Services Committee Meeting held on 18 December 2018 were agreed as an accurate record and adopted on the proposal of Councillor Curran, seconded by Councillor Andrews.**

**C/010/2019** **NORTHERN IRELAND HOUSING CONFERENCE 2019**

**Agreed:** **It was agreed that no one would attend the conference in light of Council organising their own conference in February 2019.**

**C/011/2019** **REPLIES RECEIVED IN RELATION TO COUNCIL'S MOTION ON CURRICULUM SPORTS PROGRAMME**

**Read:** Correspondence dated 7 December 2018 received from Fermanagh and Omagh District Council regarding Council's Motion on Curriculum Sports Programme. (copies circulated).

**Noted:** **The correspondence received was noted.**

**C/012/2019** **CORRESPONDENCE REGARDING MOTION ON FUNDING CRISIS IN COMMUNITY PHARMACY RECEIVED FROM DERRY AND STRABANE COUNCIL**

**Read:** Correspondence dated 4 December 2018 received from Derry City and Strabane District Council and correspondence dated 15 October 2018 from Fermanagh and Omagh District Council regarding Funding Crisis in Community Pharmacies (copy circulated).

**Agreed:** **It was agreed on the proposal of Councillor Andrews, seconded by Councillor Trainor to write to Derry & Strabane Council outlining the Council's support for the Community Pharmacy scheme.**

**C/013/2019** **NATIONAL ASSOCIATION OF COUNCILLORS CONFERENCE, LEEDS**

**Read:** Correspondence dated 6 December 2018, letter detailing NAC Conference in Leeds from 11 to 13 January 2019 and booking



form (copy circulated).

**Agreed:** It was agreed on the proposal of Councillor Curran, seconded by Councillor Casey that Councillor Andrews attend the National Association of Councillors Conference in Leeds.

## **NOTICES OF MOTION**

### **C/014/2019                      NOTICE OF MOTION – STRANGFORD FERRY**

The following Notice of Motion came forward for consideration in the name of Councillor Enright.

**“That this Council agrees to write to Katrina Godfrey, Permanent Secretary of the Department for Infrastructure (DFI) requesting a meeting to discuss the current timetable and operational concerns of the Strangford Ferry Service with the view to addressing the increasing and noticeable needs and requirements of those who availed of this service. In particular:-**

- **The need for an early morning sailing from Portaferry for commuters**
- **The need for the Ferry service on the Strangford side to use its waiting area as part of its standard operations as it does in Portaferry to avoid regular blockading of Strangford village, its cross-roads, bus services business and residents.”**

In proposing the motion Councillor Enright said that a meeting was needed with the Permanent Secretary in order for a number of issues to be resolved. He advised he had received a number of complaints about the Strangford Ferry Service and the knock-on effect it had, causing regular road blockages especially at junctions on the Strangford side. Roads Service had stated this was not an issue for them to resolve as it was a direct result of the ferry operations.

Councillor Sharvin seconded the motion and asked that it be amended to include that Council also support North Down and Ards Council in their request for a meeting.

The Chief Executive confirmed that he had already been liaising with the Chief Executive of Ards and North Down Borough Council and a joint Council meeting had been scheduled for 29 January 2019 with Mr Simon Richardson of DfI Roads Service to discuss the issue.

Members spoke in support of the motion with Councillor Clarke requesting that any future delegation should include relevant MPs and Councillor Trainor requesting that relevant MLA's also be included.

Councillor Enright, as proposer of the Motion, indicated his agreement to the inclusion of all amendments.

**Agreed:** It was agreed on the proposal of Councillor Enright, seconded by Councillor Sharvin, “that this Council agrees to write to Katrina Godfrey, Permanent Secretary of the Department for Infrastructure (DFI) requesting a joint Council meeting with North Down and Ards Council to discuss the current timetable and operational concerns of the Strangford Ferry Service with the view to addressing the increasing and noticeable needs and requirements of those who availed of this service. In particular:

- The need for an early morning sailing from Portaferry for commuters
- The need for the Ferry service on the Strangford side to use its waiting area as part of its standard operations as it does in Portaferry to avoid regular blockading of Strangford village, its cross-roads, bus services business and residents. It was further agreed to request that all relevant MP’s and MLA’s be invited to participate in the meeting.”

**It was agreed the motion would be actioned following the outcome of the meeting referred to by the Chief Executive, taking place on 29 January 2019**

**C/015/2019**

**NOTICE OF MOTION – PAEDIATRIC PATHOLOGIST**

The following Motion came forward for consideration in the name of Councillors Clarke and Mulgrew:

**“Council notes that the Belfast Trust are struggling to recruit a Paediatric Pathologist. This Council urges the Permanent Secretary of Health to approach this issue on an All-Ireland basis. This would reduce the already enormous burden from parents suffering from bereavement. The process of carrying out a Post Mortem should be done sensitively and swiftly so a family can get the answers they need from professionals. By using services in England this would prolong this. This Council calls on the Permanent Secretary of Health to engage urgently with the Department of Health in the South to find an All-Ireland solution to this sensitive issue.”**

In proposing the motion, Councillor Clarke asked if Council would support an initial discussion between representatives from the North and South of Ireland in order to have a whole island approach to finding an immediate solution to the Belfast Trust’s attempts to recruit a Paediatric Pathologist.

All Councillors spoke in support of the motion.

Councillors Craig and Taylor said whilst supporting the motion, they considered the reinstatement of a paediatric pathologist in Belfast to be of the utmost importance.

In summing up, Councillor Clarke thanked members for supporting the motion and said it was about improving services for the public and addressing issues of

