

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

**Minutes of Council Meeting held on Monday 8 January 2018 at 6pm in the
Mourne Room, Downshire Civic Centre, Downpatrick**

In the Chair: Councillor R Mulgrew

In attendance:

(Councillors)

Councillor T Andrews	Councillor R Burgess
Councillor S Burns	Councillor P Byrne
Councillor M Carr	Councillor C Casey
Councillor W Clarke	Councillor D Curran
Councillor L Devlin	Councillor S Doran
Councillor C Enright	Councillor G Fitzpatrick
Councillor G Hanna	Councillor V Harte
Councillor H Harvey	Councillor T Hearty
Councillor L Kimmins	Councillor M Larkin
Councillor K Loughran	Councillor J Macauley
Councillor D McAteer	Councillor O McMahan
Councillor A McMurray	Councillor M Murnin
Councillor B O'Múiri	Councillor H Reilly
Councillor M Ruane	Councillor M Savage
Councillor G Sharvin	Councillor G Stokes
Councillor D Taylor	Councillor J J Tinnelly
Councillor J Trainor	Councillor W Walker

(Officials)

Mr L Hannaway, Chief Executive
Mrs D Carville, Director of Corporate Services
Mrs M Ward, Director of Enterprise, Regeneration and
Tourism
Mr M Lipsett, Director of Active and Healthy Communities
Mr C Jackson, Assistant Director, Building Control &
Regulation
Ms C Miskelly, Assistant Director of Corporate Services
Mr A Patterson, Assistant Director of Tourism, Culture &
Events
Mr L Dinsmore, Head of Waste Processing, Enforcement
and Business Support
Mrs E McParland, Democratic Services Manager
Mrs C Taylor, Democratic Services Officer
Miss S Taggart, Democratic Services Officer

C/001/2018

APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Bailie, Brown, Craig and Quinn.

The Chairperson wished all Members a happy new year and hoped that it would be prosperous and healthy for all.

The Chairperson agreed to send condolences to the families of Maurice Hayes who was a former ombudsman and Town Clerk of Down District Council, and former Councillor Frank McDowell who had represented the Newcastle area on the legacy Down District Council.

The Chairperson stated she had received requests to accept motions for the meeting however they were not submitted in time to be heard at the January Council Meeting. She advised she would however be sending a letter of concern on behalf of the Council to Theresa May and the Secretary of State regarding Bombardier, and a full discussion could take place at the February Council Meeting.

C/002/2018

DECLARATIONS OF INTEREST

Councillor McMurray declared an interest in C/00/2018 – correspondence received from Education Authority regarding Ardnabannon Outdoor Resource Centre.

C/003/2018

ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 4 DECEMBER 2017

Read: Action Sheet from Council Meeting held on 4 December 2017 (copy circulated).

C/175/2017 – Chairperson's Remarks

Councillor Byrne asked whether a meeting had yet been held with Rainbow Community regarding their concerns over their premises, and if not, when would this meeting be held.

Mr Hannaway advised this was being organised through the DEA Officer and he would advise Councillor Byrne on the matter as soon as possible.

C/184/2017 – Minutes of RTS Committee 22 November 2017 – RTS/138/2017 – Saintfield Play park Toilets

Councillor Burgess asked for an update on a timescale for the reopening of the disabled toilets at Saintfield play park.

Mr Hannaway advised he would ask Mr Wilkinson, interim Director of Regulatory and Technical Services, to revert to Councillor Burgess on the matter as soon as possible.

AGREED: The Action Sheet from Council Meeting held on 4 December 2017 was agreed.

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/004/2018 MINUTES OF COUNCIL MEETING HELD ON 4 DECEMBER 2017

Read: Minutes of Council Meeting held on 4 December 2017 (copy circulated).

C/175/2017 - Chairperson's Remarks

Councillor Byrne stated the minute should be amended to read "...they had issued a letter to most Councillors..." not Councils as stated.

C/182/2017 – Minutes of SPR Committee Meeting held on 16 November 2017 – SPR/205/2017 – Car Parking at the closed Newry Sports Centre

Mr Hannaway advised that further to Councillor Savage's query, work was being undertaken on the curtilage of the site and discussions were on-going between the Southern Health Trust, Southern Regional College and Council as to who would be responsible for opening and closing gates, as well as salting the car park.

Councillor Savage stated pedestrians from the Barcroft area, Newry, were looking to access the site on foot.

Mr Hannaway advised there were issues over security which would be addressed and a final paper would be brought back on the use of the car park.

AGREED: The Minutes of the Council meeting held on 4 December 2017 were agreed as an accurate record, subject to agreed amendment above, and adopted on the proposal of Councillor Stokes, seconded by Councillor Burgess.

C/005/2018 MINUTES OF SPECIAL COUNCIL MEETING HELD ON 27 NOVEMBER 2017

Read: Minutes of Council Meeting held on 27 November 2017 (copy circulated).

Councillor Reilly proposed that a meeting be sought with Mr Peter May, Permanent Secretary, Department for Infrastructure, to discuss with him, face to face, issues regarding the condition of the District's roads. This was seconded by Councillor Burgess.

It was agreed that a cross-party delegation would seek a meeting with Mr May as soon as possible.

Councillor McAteer asked whether a response to the queries raised that were not answered on the night of the meeting, would be forthcoming from Northern Ireland Water.

Mr Hannaway stated he would send the minutes of the meeting to the representatives from Northern Ireland Water asking for any responses that had not been answered on the night of the meeting.

AGREED: It was agreed on the proposal of Councillor Reilly, seconded by Councillor Burgess that a cross-party delegation seek a meeting with Mr May, Permanent Secretary to discuss the issues regarding the District's roads with him.

It was also agreed that the minutes of the Special Council Meeting held on 27 November 2017 would be sent to representatives from Northern Ireland Water asking that any outstanding matters not addressed on the night, would be responded to.

AGREED: The Minutes of the Special Council meeting held on 23 October 2017 were agreed as an accurate record and adopted on the proposal of Councillor Burgess, seconded by Councillor Hearty.

C/006/2018 **MINUTES OF SPECIAL COUNCIL MEETING HELD ON 13 DECEMBER 2017**

Read: Minutes of Special Council Meeting held on 13 December 2017 (copy circulated).

AGREED: The Minutes of the Special Council meeting held on 30 October 2017 were agreed as an accurate record and adopted on the proposal of Councillor Stokes, seconded by Councillor Ó Muirí.

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/007/2018 **MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 13 FEBRUARY 2017**

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 11 December 2017 (copy circulated).

On a point of accuracy, Councillor Curran advised he had been present at the meeting, although his name was not shown as in attendance.

ERT/221/2017 Events Open Call Proposal

Councillor Clarke proposed Scenario 3 be adopted as it would safeguard the major festivals and increase revenue for the voluntary sector to enable them to grow their festivals and also provide an extra £30k for additional voluntary sector festivals.

Councillor Clarke added that Scenario 2 could see a number of festivals being jeopardised.

Councillor Hanna seconded Councillor Clarke's proposal.

Councillor Byrne confirmed he was in favour of Scenario 2 and advised that whilst, "Mrs Ward had confirmed Scenario 2 was a cut to the budget", the Director should have said, "this would result in a cut to the proposed budget".

Councillor Carr concurred with Councillor Byrne, saying council should support community led events that contributed so much.

Mrs Ward advised Members that if Scenario 2 was agreed, the format of the festivals would not change from last year, although they would be slightly enhanced. She also pointed out that the economic impact of community events was based on the amount of money contributed by Council and was not a true reflection.

The Chairperson put Councillor Clarke's proposal, seconded by Councillor Hanna for adoption of Scenario 3 to a vote and voting was as follows:

FOR: 15
AGAINST: 18

The proposal was declared lost.

The Chairperson put the original recommendation from Committee, proposed by Councillor Carr, seconded by Councillor Burgess to approve Scenario 2, to a vote, and voting was as follows:

FOR: 18
AGAINST: 15
ABSTENTIONS: 0

The proposal was declared carried.

Agreed: On the proposal of Councillor Carr, seconded by Councillor Burgess, it was agreed to approve Scenario 2: remove circa 12% from Giant Adventures Events – to include the following:

- **Festival of Flight: £140k proposed budget cut to £122k.**
- **Footsteps in the Forest: £85k proposed budget cut to £74k.**

- **Wake the Giant: £100k proposed budget cut to £87k.**
- **City of Merchants: £100k budget cut to £87k.**
- **In addition to the above budget adjustments, the overall budget proposed for the Guardians of the Mournes Festival would be cut from £128k to £112k.**

ERT/226/2017 – Downpatrick PSNI Station

In response to Councillor Enright's query, the Chairperson advised that this item had been taken in closed session and could be raised at the end of the meeting in closed session.

ERT/212/2017 – Presentation – Future Economic Growth in NMD

In response to Councillor Byrne's query, Mrs Ward undertook to email the presentation to all Councillors.

AGREED: **The Minutes were agreed as an accurate record and adopted on the proposal of Councillor McAteer, seconded by Councillor Burgess, subject to the inclusion of Councillor Curran's name in the attendance list.**

C/008/2018 MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 14 DECEMBER 2017

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 14 December 2017 (copy circulated).

On a point of accuracy, Councillor Sharvin advised he had been present at the meeting, although his name was not shown as in attendance.

SPR/211/2017 – Local Development Plan Preparatory Studies – Paper 15: Strategic Settlement Evaluation

Councillor Byrne expressed concerns over the preparatory study's evidence, saying it was not reliable or comprehensive. He said that population alone could not be used to determine the hierarchy of settlements and requested to know the feedback on why Crossmaglen was reclassified. Furthermore, he asked Mr Hay to respond to the queries he had raised at the Strategy, Policy & Resources meeting.

Mr Hannaway advised he would ask Mr Hay to contact Councillor Byrne to discuss the issues.

AGREED: **The Minutes were agreed as an accurate record and adopted on the proposal of Councillor Savage, seconded by Councillor Burgess, subject to the inclusion of Councillor Sharvin's name in the attendance list.**

C/009/2018

**MINUTES OF ACTIVE AND HEALTHY COMMUNITIES
COMMITTEE MEETING HELD ON 18 DECEMBER 2017**

Read: Minutes of Active and Healthy Communities Committee Meeting held on 18 December 2017 (copy circulated)

AHC/195/2017 Financial Assistance

In response to a query from Councillor McAteer, Mr Lipsett undertook to email all Councillors the date of when Call 1 would open.

AHC/193/2017 Presentation by Contact NI

Councillor O'Muire proposed a letter of support would be sent to Mr Cumiskey of Contact NI. Councillor Walker seconded the proposal.

AGREED: On the proposal of Councillor O'Muire, seconded by Councillor Walker, it was agreed that a letter of support would be sent to Mr Cumiskey of Contact NI.

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

C/010/2018

**MINUTES OF REGULATORY & TECHNICAL SERVICES
COMMITTEE MEETING HELD ON 19 DECEMBER 2017**

Read: Minutes of Regulatory and Technical Services Committee Meeting held on 19 December 2017 (copy circulated)

RTS/153/2017 – Bus Shelter at Cloughreagh Park, Bessbrook

Councillor Stokes raised a point of accuracy on the recommendation regarding the bus shelter at Cloughreagh Park, saying the action agreed was that a meeting be held in the Community Centre at Cloughreagh and that no action or decision would take place until this meeting had been held.

The Chief Executive clarified that the decision was that a meeting was to be held with the Slieve Gullion DEA Councillors and Members of the RTS Committee who wish to attend plus representatives of the statutory bodies and a report brought back to the January RTS Committee, to which all DEA Councillors would be invited.

RTS/159/2017 – Access to Civic Amenity Sites for the Disposal of Commercial Waste

In response to Councillor Murnin's query regarding businesses being aware of Council's recycling services, Mr Hannaway advised he would liaise with the Directors of RTS and Corporate Services regarding sending out a communication.

In response to Councillor Byrne's concerns regarding the Committee recommendation of bulky waste being directed to Camlough or Newry, Mr Dinsmore advised that a full review was being undertaken on this matter and he hoped to have a full response within a few months.

Councillor Byrne suggested while the review was taking place, domestic waste could be taken to the refuse centres.

Councillor Sharvin referred to the new civic amenity site in Downpatrick and requested a copy of the report circulated at the RTS Committee meeting, to be sent to him.

Councillor Clarke suggested a communication be sent out to the public regarding where the recycling bags for the brown bins could be collected from.

RTS/151/2017 – December 2017 – Planning Committee Performance Report

In response to Councillor McAteer's query, Mr Hannaway advised that some of the 60 legacy applications were complex and details of these would be tabled at the Planning Committee.

RTS/162/2017 – Future Service Delivery – Off Street Parking

In response to Councillor Murnin's query, the Chairperson advised as this item had been taken in closed session at the RTS Committee meeting, this matter would be discussed at the end of the meeting when Council was in closed session.

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

CORRESPONDENCE AND CONFERENCES

C/011/2018 CORRESPONDENCE RECEIVED FROM PERMANENT SECRETARY O'REILLY RE: UNIVERSAL CREDIT

Read: Correspondence received from Permanent Secretary O'Reilly, dated 7 December 2017, regarding Universal Credit (copy circulated).

Councillor Devlin stated she welcomed the additional support for claimants, however she was wary that there seemed to be no criteria for who made decisions on who this support would be allocated to. She said people had been told they would have to use a specific type of recording device if they wished to record their hearings and this would result in many having to pay for audio recording. She stated there were still deep concerns as to how Universal Credit would affect people across the District when it arrives.

NOTED The correspondence from Permanent Secretary O'Reilly regarding Universal Credit was noted.

Councillor McMurray left the meeting at this stage having previously declared an interest – 7.15pm

C/012/2018 **CORRESPONDENCE RECEIVED FROM EDUCATION
AUTHORITY RE: PROPOSED CLOSURE OF
ARDNABANNON OUTDOOR EDUCATION CENTRE**

Read: Correspondence received from Dr Clare Mangan, Director of Children and Young People's Services, dated 20 December 2017, regarding Proposed Closure of Ardnabannon Outdoor Education Centre (copy circulated).

Members spoke of their disappointment at the lack of consideration given to the Council's request to reverse the decision stating that Education Authority seemed to be the only ones who were confident there would be no reduction in service delivery.

NOTED: **The correspondence received from the Education Authority regarding proposed closure of Ardnabannon Outdoor Education Centre was noted.**

Councillor McMurray re-entered the meeting at this stage – 7.20pm

C/013/2018 **CORRESPONDENCE RECEIVED FROM ULSTER BANK RE:
CLOSURE OF KILLYLEAGH BRANCH**

Read: Correspondence received from Mr Sean Murphy, MD, Ulster Bank, dated 18 December 2017, regarding closure of the Killyleagh Branch (copy circulated).

Members spoke of their disappointment for the lack of regard shown by Ulster Bank to the loyal customers of the Killyleagh Branch and Councillor Walker expressed his deep concern that their intention was also to remove the ATM.

NOTED: **The correspondence received from Ulster Bank regarding closure of Killyleagh Branch was noted.**

C/014/2018 **CORRESPONDENCE RECEIVED FROM NORTHERN
IRELAND PUBLIC SERVICES OMBUDSMAN'S OFFICE
REGARDING NEW NIPSO POWERS**

Read: Correspondence received from Northern Ireland Public Services Ombudsman's Office, dated 21 December 2017, regarding new NIPSO Powers (copy circulated).

NOTED: **The correspondence received Northern Ireland Public Services Ombudsman's Office regarding new NIPSO Powers was noted.**

C/015/2018 **CONFERENCE ON EDUCATION POLICY IN NORTHERN
IRELAND – AREA PLANS, COLLABORATION AND**

**LEADERSHIP – KEYNOTE: EDUCATION AUTHORITY AND
GTCNI – POLICY FORM FOR NORTHERN IRELAND**

Read: Correspondence received from Policy Forum for Northern Ireland, regarding Education Policy in Northern Ireland Conference being held on Tuesday 23rd January 2018 (copy circulated).

Councillor Byrne queried if it would be possible to acquire the slides presented at the conference.

AGREED: It was agreed to acquire the slides presented at the Education Policy in Northern Ireland Conference.

**C/016/2018 NATIONAL ASSOCIATION OF COUNCILLORS
ENVIRONMENT CONFERENCE**

Read: Correspondence received from National Association of Councillors, dated 5th December 2017, regarding Environment Conference (copy circulated).

Councillor Walker proposed the Council's National Association of Councillors representatives should be afforded the opportunity to attend the conference in Leeds on 19th-21st January 2018. This was seconded by Councillor Macauley.

Councillor Andrews and Burgess expressed their wish to attend the conference as National Association of Councillor representatives.

AGREED: It was agreed on the proposal of Councillor Walker, seconded by Councillor Macauley that the Council's National Association of Councillors' representatives be afforded the opportunity to attend the conference in Leeds on 19th-21st January 2018.

**ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE
LOCAL GOVERNMENT ACT (NI) 2014**

C/017/2018 OFF-STREET CAR PARKING

Agreed: On the proposal of Councillor Ruane, seconded by Councillor Burgess, it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of Part 3 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – Information relating to the financial or business affairs of a particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

Agreed: On the proposal of Councillor Ruane, seconded by Councillor Burns, it was agreed the Committee come out of closed session.

Agreed: When the Council came out of closed session, the Chairperson advised that it had been agreed on the proposal of Councillor Murnin, seconded by Councillor Carr, to defer the decision on Off-Street Car Parking until a Special Council Meeting the following week in order to consider the matter and bring it to a resolution.

Agreed: It was agreed that Democratic Services would circulate confidential items distributed at committee meetings via the locked facility on MinutePad to all Councillors.

C/018/2018

REVIEW OF SENIOR STRUCTURE OF COUNCIL

Agreed: On the proposal of Councillor Ruane, seconded by Councillor Burgess, it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of Part 3 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – Information relating to the financial or business affairs of a particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

Agreed: On the proposal of Councillor Ruane, seconded by Councillor Burns, it was agreed the Committee come out of closed session.

Agreed: When the Council came out of closed session, the Chairperson advised that it had been agreed on the proposal of Councillor Clarke, seconded by Councillor Ruane to approve the following, subject to a review of the new structures being carried out 12 months after the appointment of the new Director of Neighbourhood Services:

- 1. the structure set out in Section 4 of Report, dated 3 January 2018, prepared by Stellar Leadership on the senior structure of Council;**
- 2. to change the name of the RTS Directorate to the Neighbourhood Services Directorate;**
- 3. to proceed to recruit the Director of Neighbourhood Services post and extend the appointment of the interim Director up to end of June 2018;**
- 4. to appoint those Councillors who participated in the previous recruitment exercise for the post of Director of**

RTS, to the panel for the recruitment of the Director of Neighbourhood Services.

There being no further business, the meeting concluded at 8.37pm.

Signed:

Chairperson

Chief Executive