

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

Minutes of Council Meeting held on Monday 1 February 2016 at 6pm in the Mourne Room, Downshire Civic Centre, Downpatrick

In the Chair: Councillor M Ruane

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 S Ennis	Councillor G Fitzpatrick
Councillor G Hanna	Councillor V Harte
Councillor H Harvey	Councillor T Hearty
Councillor D Hyland	Councillor L Kimmins
Councillor M Larkin	Councillor K Loughran
Councillor D McAteer	Councillor C McGrath
Councillor H McKee	Councillor R Mulgrew
Councillor M Murnin	Councillor P O’Gribin
Councillor B O’Múiri	Councillor B Quinn
Councillor H Reilly	Councillor G Sharvin
Councillor G Stokes	Councillor D Taylor
Councillor JJ Tinnelly	Councillor B Walker

(Officials)

Mr L Hannaway, Chief Executive
Mr E Curtis, Director of Strategic Planning and Performance
Mr M Lipsett, Director of Active and Healthy Communities
Mr C O’Rourke, Director of Regulatory and Technical Services
Mrs M Ward, Director of Enterprise, Regeneration and Tourism
Mrs C Miskelly, Assistant Director Human Resources
Ms H McKee, Assistant Director Community Planning
Mr P Green, Legal Advisor
Mrs E McParland, Democratic Services Manager
Miss S Taggart, Democratic Services Officer
Mrs C Taylor, Democratic Services Officer

C/22/2016

APOLOGIES AND CHAIRPERSON’S REMARKS

Apologies were received from Councillors P Clarke, Craig, Enright and K McAteer.

- The Chairperson expressed his condolences and that of the Council to the families of 6 year old Ella Trainor who died tragically in a car accident; 18 year old Ellen Finnegan who tragically passed away in a fire; 10 year old Shane Nichol from Warrenpoint who died suddenly; and 27 year old Niall Quinn from Silverbridge who drowned in Australia.
- The Chairperson advised that groups from Silverbridge, Mayobridge and Cullyhanna were all successful in the recent All-Ireland Scor competition and a civic reception would be organised for them with Councillors from the relevant DEAs being invited.
- The Chairperson welcomed Councillor Peter Byrne to Council and wished him well for the future. He invited Councillor McGrath to speak. Councillor McGrath expressed his best wishes to Councillor Donnelly on her retirement and expressed his gratitude to her for her support, friendliness and care taken for her constituents throughout her time as a Councillor in the Slieve Gullion area. He extended a welcome to Councillor Byrne stating he would be an asset to the SDLP and the Slieve Gullion area.

C/23/2016 DECLARATIONS OF INTEREST

There were no declarations of interest.

C/24/2016 ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 4 JANUARY 2016

Read: Action Sheet from Council Meeting held on 4 January 2016 (copy circulated)

NOTED: The Action Sheet from Council Meeting held on 4 January 2016 was NOTED.

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/25/2016 MINUTES OF COUNCIL MEETING HELD ON 4 JANUARY 2016

Read: Minutes of Council Meeting held on 4 January 2016 (copy circulated)

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

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/26/2016 MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 11 JANUARY 2016

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 11 January 2016 (copy circulated)

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

C/27/2016 MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 14 JANUARY 2016

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 14 January 2016 (Copy circulated).

AGREED: **The minutes were agreed as an accurate record and adopted on the proposal of Councillor O'Múirí, seconded by Councillor Burgess.**

C/28/2016 MINUTES OF ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 18 JANUARY 2016

Read: Minutes of Active and Healthy Communities Committee Meeting held on 18 January 2016 (Copy circulated).

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

C/29/2016 MINUTES OF REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON 20 JANUARY 2016

Read: Minutes of Regulatory and Technical Services Committee Meeting held on 20 January 2016 (Copy circulated).

RTS/4/2016 – Planning Department Performance Indicators

Councillor Reilly stated he had requested an urgent meeting with the Planning Officer regarding a local fish farm, however this was not recorded within the minutes and he wished for a meeting to be set up as a matter of urgency.

The Chief Executive stated he would ensure a meeting was arranged as soon as possible with the Planning Manager and Councillor Reilly.

RTS/7/2016 – Contact from Public Representatives (1 October 2015 – 31 December 2015)

Councillor Ennis proposed that Council overturn the recommendation from Committee to remove the planning reference numbers on the Contact from Public Representatives document. This was seconded by Councillor Mulgrew.

Following discussions, it was agreed that legal advice would be sought on the matter, particularly in relation to data protection issues, and brought back to the Committee for approval.

RTS/9/2016 – Licensing of Pavement Cafés Act (NI) 2014

Councillor D McAteer requested that officers re-investigate Council's bye-laws to enable the public to drink alcohol on café pavements.

AGREED: **The minutes were agreed as an accurate record and adopted on the proposal of Councillor Andrews, seconded by Councillor Hanna, subject to the following:**

A meeting to be arranged with Councillor Reilly and the Planning Manager as soon as possible to deal with his request.

It was agreed to seek legal advice on the matter of the removal of planning reference numbers and bring same back to Committee.

Officers to re-examine the Council's bye-laws in relation to the consumption of alcohol on café pavements as part of the new legislation on cafés.

C/30/2016 MINUTES OF AUDIT COMMITTEE MEETING HELD ON 29 OCTOBER 2015

Read: Minutes of Audit Committee Meeting held on 29 October 2015 (Copy circulated).

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

CORRESPONDENCE AND CONFERENCES

C/31/2016

COMMEMORATION OF THE CENTENARY OF THE BATTLE OF THE SOMME

Read: Invitation received from the Somme Association regarding Commemoration of the Centenary of the Battle of the Somme (Copy circulated).

AGREED: It was agreed on the proposal of Councillor Taylor, seconded by Councillor Harvey that the Council's two representatives for 2015/16 on the Somme Association, Councillors Burgess and Reilly, attend the Commemoration of the Centenary of the Battle of the Somme in 2016, and a similar arrangement be made in respect of the following years' representatives, allowing for incoming representatives to attend the Centenary in their respective years.

C/32/2016

UPDATE FROM POST OFFICE RE: DRUMANTEE POST OFFICE

Read: Correspondence received from Post Office re: Drumantee Post Office – proposed move to new premises and branch modernisation (Copy circulated).

NOTED: The correspondence received from the Post Office regarding Drumantee Post Office was noted.

C/33/2016

ALL ISLAND LOCAL AUTHORITY FORUM SEMINAR, DUBLIN CASTLE, 25TH FEBRUARY 2016

Read: Invitation received from All Island Local Authority Forum to seminar in Dublin Castle on Thursday 25th February 2016 (Copy circulated).

AGREED: It was agreed that Councillors Burgess and D McAteer attend the All Island Local Authority Forum. It was also agreed that any other Councillor who wished to attend would inform officers as soon as possible. It was noted there was no seminar fee payable.

CONSULTATION DOCUMENTS

C/34/2016 HEALTH AND SOCIAL CARE: REFORM AND TRANSFORMATION – GETTING THE STRUCTURES RIGHT

Read: Report dated 1 February 2016 from Ms H McKee, Assistant Director Community Planning and Ms N Doran, Health Inequalities Officer regarding Consultation Response – Health and Social Care Reform and Transformation: Getting the Structures Right (Copy circulated).

AGREED: **The response to the consultation on Health and Social Care: Reform and Transformation – Getting the Structures Right was agreed on the proposal of Councillor Hyland, seconded by Councillor Taylor.**

C/35/2016 CONSULTATION ON INTERIM STRUCTURE FOR EA EDUCATION LIBRARY SERVICE

Read: Consultation Document received from Education Authority regarding Interim Structure for Education Library Service (Copy circulated).

NOTED: **Agreed to note the Consultation on Interim Structure for EA Education Library Service.**

FOR NOTING

It was agreed to take agenda items 14 and 17 together.

C/36/2016 BRIDGE AT NARROW WATER, WARRENPOINT

Read: Correspondence dated 11 January 2016 received from Charles Flanagan TD regarding proposal for bridge at Narrow Water, Newry (copy circulated)

Read: Correspondence dated 22 January 2016 received from Minister McIlveen regarding Narrow Water Bridge. (copy circulated)

Mr Curtis advised a meeting had been set up with officers on Wednesday 10th February and a report would be brought back to Committee following the meeting.

NOTED: **The correspondence received with regard to Narrow Water Bridge was NOTED.**

C/38/2016 **RESPONSE FROM MINISTER DURKAN REGARDING RATES SUPPORT GRANT**

Read: Correspondence dated 20 January 2016 received from Minister Durkan regarding Rates Support Grant (copy circulated)

NOTED: **The correspondence received regarding the Rates Support Grant was NOTED.**

C/39/2016 **RESPONSE FROM ROADS SERVICE RE: BULL'S HILL, NEWRY AND ROAD/STREET LIGHTING ISSUES**

Read: Correspondence dated 15 January 2016 received from TransportNI regarding Bull's Hill Road, Newry (copy circulated)

Councillor Kimmins expressed her disappointment that once again the Roads Service had not responded to the queries raised.

The Chairperson advised this matter should be raised by Councillor Kimmins at DEA level for resolution.

Councillor Reilly advised huge parts of the District are without street lights and Council should be meeting month on month with Roads Service as would have previously taken place within the legacy Newry and Mourne Council.

Councillor Reilly proposed that Jack Robinson, Street Lighting Division be invited to attend a meeting urgently. This was seconded by Councillor Hyland.

AGREED: **It was agreed on the proposal of Councillor Reilly, seconded by Councillor Hyland that Transport NI officials, including representatives from Street Lighting section, should be invited to attend a meeting with the Council urgently to discuss street lighting and other pertinent issues.**

C/40/2016 **RESPONSE FROM HM TREASURY RE: TAX CREDITS**

Read: Correspondence dated 23 December 2015 received from HM Treasury regarding Tax Credits (copy circulated)

NOTED: **The correspondence received from HM Treasury regarding Tax Credits was noted.**

C/41/2016

**RESPONSE FROM MINISTER O'NEILL REGARDING
HOMEOWNER FLOOD PROTECTION GRANT SCHEME**

Read: Correspondence dated 28 January 2016 received from Minister O'Neill regarding Homeowner Flood Protection Grant Scheme (copy circulated)

NOTED: The correspondence received from HM Treasury regarding Tax Credits was noted.

SEALING DOCUMENTS

C/42/2016

SEALING DOCUMENTS

AGREED: It was agreed to sign and seal the following documents on the proposal of Councillor Hearty, seconded by Councillor Doran:

1. Retrospective Sealing - Extension to Lease at Household Recycling Centre, Cloonagh Road, Downpatrick
2. Assisted Car Purchase - Environmental Health Officer
3. SLA re: Heritage Railway, Market Street, Downpatrick
4. Mayobridge Community Association Ltd -Release of Charge
5. Bunscoil An Iuir - Lease Agreement
6. Renewal of Existing Licence Agreement in respect of advertising hoarding at Dublin Bridge/Newry Canal Bridge, Newry
7. Standard Indemnity and Resolution Form in respect of new BACS service user number
8. Licence to Undertake Additional Works at Bunker's Hill Trails and Play Space and Consent to Amend Licence Agreement of 19 January 2015 with DARD in respect of Bunker's Hill, Castlewellan

NOTICES OF MOTION

C/43/2016

NOTICE OF MOTION - COUNCIL DIARIES

The following Notice of Motion came forward for consideration in the names of Councillors Hyland and K McAteer:

“That Newry, Mourne and Down District Council reverse the decision not to furnish Councillors and Staff with local Council diaries. Monies should be set aside in the forthcoming Rates Budget to provide such diaries from 2017 onwards.”

In proposing his motion, Councillor Hyland stated that not all people are internet and computer literate and a good way to brand the new Council District would be to provide diaries to Councillors, staff and the public.

Councillor K McAteer was absent from the meeting and as there was no seconder, the motion fell.

C/44/2016

NOTICE OF MOTION - REPUBLICAN PRISONER, GAVIN COYLE

The following Notice of Motion came forward for consideration in the names of Councillors Hyland and K McAteer:

“That Newry, Mourne and Down District Council calls on the Northern Ireland Prison Service to take immediate action and ensure that Republican Prisoner Gavin Coyle who has been held in isolation for the last 4 years, is transferred to the separation area in Roe House.”

In proposing the motion, Councillor Hyland stated this was a humanitarian issue as this prisoner had been held in isolation for almost 5 years. He asked that all Members in the Chamber support the motion on a humanitarian basis.

Councillor K McAteer was absent from the meeting and Councillor Hearty formally seconded the motion stating the human rights of all prisoners should be respected.

Councillor Stokes proposed an amendment that the Council raise the issue with the Minister for Justice. This was seconded by Councillor McGrath.

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

For: 13
Against: 14

The amendment was declared LOST.

The motion as proposed by Councillor Hyland, seconded by Councillor Hearty, was put to a vote, the results of which were as follows:

For: 15
Against: 3
Abstentions: 12

The motion was CARRIED.

AGREED: It was agreed on the proposal of Councillor Hyland, seconded by Councillor Hearty that Newry, Mourne and Down District Council call on the Northern Ireland Prison

Service to take immediate action and ensure that Republican Prisoner Gavin Coyle who has been held in isolation for the last 4 years, is transferred to the separation area in Roe House.”

There being no further business, the meeting concluded at 6.50pm

Signed:

Chairperson

Chief Executive