

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

Minutes of Council Meeting held on Monday 2 December 2019 at 6.00pm in the Mourne Room, Downshire Civic Centre, Downpatrick

In the Chair: Councillor C Casey

In attendance:

Councillor T Andrews	Councillor P Brown
Councillor R Burgess	Councillor P Byrne
Councillor W Clarke	Councillor S Doran
Councillor C Enright	Councillor H Gallagher
Councillor M Gibbons	Councillor O Hanlon
Councillor G Hanna	Councillor V Harte
Councillor T Hearty	Councillor R Howell
Councillor M Larkin	Councillor A Lewis
Councillor O Magennis	Councillor G Malone
Councillor C Mason	Councillor D McAteer
Councillor L McEvoy	Councillor H McKee
Councillor K McKevitt	Councillor A McMurray
Councillor K Owen	Councillor G O'Hare
Councillor B Ó Muirí	Councillor H Reilly
Councillor M Ruane	Councillor G Sharvin
Councillor G Stokes	Councillor D Taylor
Councillor J Tinnelly	Councillor B Walker

(Officials)

Mrs M Ward, Chief Executive
Mrs D Carville, Director of Corporate Services
Mr M Lipsett, Director of Active & Healthy Communities
Mr C Mallon, Director of Enterprise, Regeneration & Tourism
Mr R Moore, Director of Neighbourhood Services
Miss S Taggart, Democratic Services Manager (Acting)
Mrs D Starkey, Democratic Services Officer

C/188/2019

APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Curran, Devlin, Kimmins, Mulgrew, Savage and Trainor.

The Chairperson extended condolences of Council to Councillor Mulgrew on the recent passing of her mother, Mrs Philomena Evans and to the family of Abbie Nummy who tragically died following an accident near home.

The Chairperson congratulated Kilcoo GAC on winning the Ulster Senior Football Final.

C/189/2019

DECLARATIONS OF INTEREST

Councillors Andrews, Burgess and Casey declared an interest in item 11 – National Association of Councillors.

Councillor Enright declared an interest in item 22 – Notice of Motion – Fire and Rescue Service.

C/190/2019

ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 4 NOVEMBER 2019

Read: Action sheet arising from Council Meeting held on 4 November 2019 (copy circulated).

Agreed: **The Action Sheet from Council Meeting held on 4 November 2019 was agreed on the proposal of Councillor Hearty, seconded by Councillor McEvoy.**

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/191/2019

MINUTES OF COUNCIL MEETING HELD ON 4 NOVEMBER 2019

Read: Minutes of Council Meeting held on 4 November 2019 (copy circulated).

C/172/2019 Minutes of Strategy, Policy and Resources Committee Meeting held on 17 October 2019

In response to a query from Councillor Stokes Mr Lipsett, Director of Active & Healthy Communities confirmed a meeting of the Albert Basin Task and Finish Working Group had taken place. Consultants were to be appointed to carry out consultation on what people wanted to see in the park and that work was due to commence January/February 2020.

Agreed: **The Minutes of the Council Meeting held on 4 November 2019 were agreed as an accurate record and adopted on the proposal of Councillor Stokes, seconded by Councillor Hanna.**

C/192/2019

MINUTES OF SPECIAL COUNCIL MEETING HELD ON 25 NOVEMBER 2019

Read: Minutes of Special Council Meeting held on 25 November 2019 (copy circulated).

Agreed: **The Minutes of the Special Council Meeting held on 25 November 2019 were agreed as an accurate record and adopted on the proposal of Councillor Burgess, seconded by Councillor McAteer.**

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/193/2019 MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 11 NOVEMBER 2019

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 11 November 2019 (copy circulated).

Agreed: **The Minutes of the Enterprise, Regeneration and Tourism Committee Meeting held on 11 November 2019 were agreed as an accurate record, on the proposal of Councillor Burgess, seconded by Councillor Reilly.**

ERT/179/2019 Visitor Servicing Review

In response to Councillors Enright, Reilly and Walker the Chief Executive highlighted the matter was discussed in closed session and related to exempt information by virtue of Paragraph 3 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).

The Chief Executive reiterated there was no proposal to close the Visitor Centre in Downpatrick and the Visitor Servicing Review would be discussed further at the Enterprise, Regeneration and Tourism Committee Meeting in December.

Agreed: **The Minutes of the Enterprise, Regeneration and Tourism Committee Meeting held on 11 November 2019 were adopted, on the proposal of Councillor McAteer, seconded by Councillor Hanna.**

C/194/2019 MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 14 NOVEMBER 2019

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 14 November 2019 (copy circulated).

Agreed: **The Minutes of the Strategy Policy and Resources Committee Meeting held on 14 November 2019 were agreed as an accurate record and adopted, on the proposal of Councillor Byrne, seconded by Councillor Doran.**

C/195/2019 MINUTES OF ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 18 NOVEMBER 2019

Read: Minutes of Active and Healthy Communities Committee Meeting held on 18 November 2019 (copy circulated).

Agreed: **The Minutes of the Active and Healthy Communities Committee Meeting held on 18 November 2019 were agreed as an accurate record and adopted, on the proposal of Councillor Doran, seconded by Councillor McEvoy.**

C/196/2019

MINUTES OF NEIGHBOURHOOD SERVICES COMMITTEE
MEETING HELD ON 20 NOVEMBER 2019

Read: Minutes of Neighbourhood Services Committee Meeting held on 20 November 2019 (copy circulated).

Agreed: **The Minutes of the Neighbourhood Services Committee Meeting held on 20 November 2019 were agreed as an accurate record, on the proposal of Councillor Magennis, seconded by Councillor Stokes.**

NS/069/2019 Action Sheet of the Neighbourhood Services Committee Meeting held on 19 September 2019

A lengthy discussion ensued during which Councillors Doran, McKee & Andrews expressed their disappointment at the Christmas tree in Kilkeel.

Councillor Lewis also highlighted the disappointment of residents of Spa not receiving a Christmas tree as had been promised from an Elected Representative outside of the District, and proposed that Council supply a tree to Spa residents for this coming Christmas and he would work with residents to ensure they follow the process for erection of a tree next year. This was seconded by Councillor Taylor.

Mr Moore, Director of Neighbourhood Services reminded Members that Council had a policy for the allocation of Christmas trees and that the Christmas Illuminations and Celebrations Working Group had been established to deal with such matters. Members were advised that Council chose to approve Councillor Lewis's proposal it would be outside of the existing policy and the Financial Assistance Scheme.

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

FOR:	11
AGAINST:	22
ABSTAIN:	2

The proposal was LOST.

In response to queries from Members Mr Moore, Director of Neighbourhood Services advised of the following:

- Noted request for CCTV signage regarding dumping on the Carrick Road, Burren
- Noted request for labelling bins for dog fouling in Warrenpoint centre and would examine levels of enforcement in Warrenpoint.
- Examine security lighting at the amenity site on Chapel Road, Newry for road safety reasons.
- There was a Council Enforcement Action Plan already in place – discuss with the Committee Chairperson points raised in relation to target setting for enforcement.
- Kilkeel to receive a 9m Christmas tree within a week.
- A plan in place to introduce a permit system for householders with commercial vehicles so not to exclude them from household recycling centres.
- Notice of Motion – Glyphosate – A report to be brought to Committee before the next spraying season.
- The next meeting of the Christmas Illuminations and Celebrations Working Group was scheduled for February 2020 and it would examine this year's work, any lessons learned and ways to improve going forward.
- A copy of Council's legislative requirements regarding fly tipping, including that of

tyres to be forwarded to Councillor Owen.

Agreed: **The Minutes of the Neighbourhood Services Committee Meeting held on 20 November 2019 were adopted, on the proposal of Councillor Owen, seconded by Councillor Hearty.**

C/197/2019 EXTRACT OF PLANNING COMMITTEE MEETING HELD ON 13 NOVEMBER 2019

Read: Extract of Planning Committee Meeting held on 13 November 2019 (copy circulated).

Noted: **There were no issues referred from the Planning Committee Meeting held on 13 November 2019.**

CORRESPONDENCE AND CONFERENCES

Councillor Burgess left the chamber for the duration of the following item – 7.00pm

C/198/2019 NATIONAL ASSOCIATION OF COUNCILLORS UK MEETINGS 2020

Read: Correspondence dated 29 November 2019 from National Association of Councillors UK Meetings 2020. (Copy circulated)

The Chief Executive advised Members Councillor Burgess had been appointed to the National Association of Councillors' UK Executive Committee and Councillor Casey had been appointed as Vice Chair of the Executive Committee.

Members were asked to note the dates for the National Association of Councillors Meetings in 2020 and advised Officers would work with Councillors Burgess and Casey in relation to any potential arrangements for attendance at the National Association of Councillors events.

Noted: **The correspondence dated 29 November 2019 from the National Association of Councillors regarding dates for UK Meetings 2020 was noted on the proposal of Councillor Byrne, seconded by Councillor Doran.**

C/199/2019 ATM CHARGES

Read: Correspondence dated 31 October 2019 from HM Revenue re Motion C/163/2019 – ATM Charges. (copy circulated).

Agreed: **The correspondence dated 31 October 2019 regarding Motion on ATM Charges was noted.**

C/200/2019 EQUAL PROTECTION FOR CHILDREN

Read: Correspondence dated 11 November 2019 from NIO re Motion C/153/2019 – Equal Protection for Children. (copy circulated)

Agreed: **The correspondence dated 11 November 2019 regarding the Motion on Equal Protection for Children was noted.**

C/201/2019 EARLY DIAGNOSIS OF BOWEL AND BREAST CANCER

Read: Correspondence dated 21 November 2019 from Causeway Coast & Glens Borough Council re. Motion C/160/2019 - Early Diagnosis of Bowel and Breast Cancer. (copy circulated)

Agreed: **The correspondence dated 21 November 2019 regarding Early Diagnosis of Bowel and Breast Cancer was noted.**

C/202/2019 ATTACKS ON PLACES OF WORSHIP

Read: Correspondence dated 18 November 2019 from Department of Justice re Motion C/183/2019 - Attacks on Places of Worship. (copy circulated)

Agreed: **The correspondence dated 18 November 2019 regarding Attacks on Places of Worship was noted.**

C/203/2019 HOUSING COUNCIL BULLETIN – NOVEMBER 2019

Read: Housing Council Bulletin for November 2019. (copy circulated)

Agreed: **The Housing Council Bulletin for November 2019 was noted.**

C/204/2019 APPOINTMENT OF COUNCILLORS TO THE BOARD OF WARRENPOINT HARBOUR AUTHORITY

Read: Correspondence dated 31 October 2019 from Department of Infrastructure re: Appointment of Councillors to the Board of Warrenpoint Authority (WHA). (copy circulated)

The Chief Executive sought six nominations to be considered by the Permanent Secretary for the Department for Infrastructure (DFI), for the appointment to the Board of Warrenpoint Harbour Authority.

Councillor Taylor nominated Councillor McKee
Councillor Walker nominated Councillor Hanna
Councillor Byrne nominated Councillors McKevitt and McAteer
Councillor Tinnelly nominated Councillor Gibbons
Councillor Brown nominated Councillor Tinnelly
Councillor Gibbons nominated Councillor Tinnelly
Councillor Clarke nominated Councillors Kimmins and Doran

The Chief Executive pointed out eight nominations had been forward and only six could be accepted. She advised the appointments were not positions of responsibility which would require D'hondt and that last term the nominations that were put forward were 2 Sinn Féin, 2

SDLP and 2 from the Unionist community.

Councillor Walker proposed nominations to the Board of Warrenpoint Harbour Authority be 2 Sinn Fein, 2 SDLP, 1 DUP and 1 UUP. This was seconded by Councillor Hanna.

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

FOR: 29
AGAINST: 3

The proposal was CARRIED.

Councillors Brown, Gibbons and Tinnelly expressed their disappointment at not being given the opportunity to represent their local community on the Warrenpoint Harbour Authority.

Agreed: It was agreed on the proposal of Councillor Walker, seconded by Councillor Hanna for nominations to the Warrenpoint Harbour Authority 2 Sinn Fein, 2 SDLP and 1 DUP and 1 UUP.

Nominations were as follows:

2 Sinn Fein: Councillors Kimmins and Doran
2 SDLP: Councillors McKeivitt and McAteer
1 DUP: Councillor Hanna
1 UUP: Councillor McKee

Agreed: The correspondence dated 31 October 2019 regarding the appointment of Councillors to the Board of Warrenpoint Harbour Authority was noted.

C/205/2019 EXTENSION TO THE TERM OF APPOINTMENT FOR MEMBERS OF THE DRAINAGE COUNCIL FOR NORTHERN IRELAND

Read: Correspondence dated 12 November 2019 from the Department for Infrastructure regarding the extension to the term of appointment for members of the Drainage Council for Northern Ireland.

Agreed: The correspondence dated 12 November 2019 regarding the extension to the term of appointment for Councillor Enright's to the Drainage Council for Northern Ireland was noted on the proposal of Councillor Sharvin, seconded by Councillor Burgess.

C/206/2019 THE USE OF COURTHOUSES FOR WELFARE TRIBUNAL HEARINGS

Read: Correspondence dated 29 November 2019 from the Department for Communities regarding the use of courthouses for welfare tribunal hearings and regarding delays in hearing appeals.

Agreed: The correspondence dated 29 November 2019 regarding the use of courthouses for welfare tribunal hearings and regarding delays in hearing appeals was noted.

NOTICES OF MOTION

C/207/2019

NOTICE OF MOTION – TRANSPORT TO HOSPITALS

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

“This Council notes the extra challenges people in rural areas have in accessing hospital services vital to their health and well-being.

This Council will:

- **Convene a meeting of Councillors, local Community transport providers and the Health trust to develop an action plan for rural areas in NM&D.**
- **promote present support for people in rural areas and the new action plan in our own communications.”**

Councillor Walker seconded the Motion.

The Chairperson advised that in accordance with Standing Order 16.1.6 the motion would be referred to the Health Committee.

Agreed: **The Motion was referred to the Health Committee in February 2020 in accordance with Standing Order 16.1.6.**

C/208/2019:

SUPPORT FOR HEALTH AND SOCIAL CARE WORKERS

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

"This Council supports the overwhelming response from Royal College of Nurses' (RCN) ballot in favour of industrial action; and the decision of other Health and Social Care (HSC) Trade Unions-including UNISON and NIPSA-decision to ballot members for industrial action.

Health and Social Care workers are the systems greatest assets and they are entitled to fair pay and conditions.

Over 7,000 non-medical vacancies - including 3,000 nursing post vacancies - that currently exist within the HSC system are having a detrimental impact upon patient care and adding enormous pressure to the existing HSC workforce, who are doing everything they can to care for patients. Health and social care workers are taking action as they are no longer willing to see patients being denied the care to which they are entitled.

We call on the Permanent Secretary for Health to engage respectfully and meaningfully with Trade Union representatives on a pay deal.

Furthermore, we call on this council to convene an all-party meeting with the Trade Unions representing Health and Social Care Staff to hear directly the challenges they are facing and take such action to support staff and patient care at this time".

The Chairperson advised that in accordance with Standing Order 16.1.6 the motion would be referred to the Health Committee.

Councillor Sharvin left the meeting at this point – 7.18pm

Agreed: It was agreed on the proposal of Councillor Clarke, seconded by Councillor Ruane that this Council contact Mr Pengelly, Permanent Secretary, and ask all other Councils in the North to do likewise, to address the significant shortfall on the proposed budget for the fire and rescue service. The continuing cutting of budgets has left lifesaving services at a critical level. We also call on Mr Pengelly to look again at expanding and sharing emergency services and cover especially in rural areas.

C/210/2019: REDUCTION IN CAR PARKING FEES

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

"As the Council members are aware, the retail sector are currently facing very difficult times due to falling sales, internet competition, Brexit and many other difficulties. Many high street household names both nationally or locally have gone or are going into liquidation. Even at this late stage I believe the Council should consider reducing car parking fees in our District Council area, in an effort to increase the footfall in our city and towns in the run up to Christmas. I firmly believe this gesture would be welcomed by our retailers and provide a much welcomed boost during very difficult times".

Councillor Gibbons seconded the Motion.

The Chairperson advised that in accordance with Standing Order 16.1.6 the motion would be referred to the Enterprise, Regeneration and Tourism Committee.

Agreed: The Motion was referred to the Enterprise, Regeneration and Tourism Committee in accordance with Standing Order 16.1.6.

C/211/2019: ELECTIONS

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

"That this Council supports the proposition to change in law the current practice and tradition of holding all elections whether Council, Assembly, Parliamentary or European on Thursdays, and further proposes to hold elections on Saturdays".

Councillor Andrews seconded the Motion.

In proposing the Motion, Councillor McAteer advised he had brought it forward on behalf of two groups: Cross border workers and families with children at primary school.

Councillor McAteer highlighted the following points:

- It was estimated there were between 30,000 - 35,000 cross border workers, many of whom left for work before polls opened and returned late at night.
- Families with working mothers were having to take time off work or find childcare.

- Many polling stations were primary schools, and this had an impact on families and schools.
- School closures should be avoided as there were costs to education and the economy.
- 35 other European countries held elections on Sundays.
- 5 other European countries held elections on Saturdays.
- Only UK held elections on Thursday, with 2 other countries holding elections mid-week.
- The forthcoming election was to be held on 12 December with 15 hours of polling, a third of which would be held in the dark.
- Recognise there may opposition to Sunday voting, therefore the motion proposed voting to be held on Saturday.

Councillor McAteer advised that should the motion be passed that Council write to the Secretary of that State.

A discussion ensued during which members raised the following points:

- Wider reform required with lowering the voting age, online voting, flexibility and voting education in schools.
- Online research from Chief Executive of Association of Electoral Administrators Mr John Turner stated that moving elections from a week day to a non-week day may encourage a few voters but only a few.
- Previous Governments had looked at similar proposal and had rejected it on the basis of cost and premises availability.
- There was an issue with election posters, a waste of time, money and space.

Councillor Taylor stated his party would abstain at this stage as the motion needed more exploration of consequences and what would be required.

Councillor Hanlon proposed that the motion be deferred for further debate in the future.

Councillor McAteer did not accept the amendment and asked that the motion be put.

The Chairman put the Councillor McAteer's motion to a vote, the results of which were as follows:

FOR:	9
AGAINST:	4
ABSTENTION:	19

The proposal was CARRIED.

There being no further business, the meeting concluded at 7.55pm.

Signed:

Chairman

Chief Executive