

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

Minutes of Council Meeting held on Monday 2 July 2018 at 6pm in the Mourne Room, Downshire Civic Centre, Downpatrick

In the Chair: Councillor M Murnin

In attendance:

(Councillors)

Councillor P Brown	Councillor R Burgess
Councillor P Byrne	Councillor M Carr
Councillor C Casey	Councillor G Craig
Councillor D Curran	Councillor L Devlin
Councillor S Doran	Councillor C Enright
Councillor G Fitzpatrick	Councillor H Harvey
Councillor T Hearty	Councillor R Howell
Councillor D Hyland	Councillor L Kimmins
Councillor M Larkin	Councillor K Loughran
Councillor J Macauley	Councillor D McAteer
Councillor A McMurray	Councillor R Mulgrew
Councillor B Ó Muirí	Councillor B Quinn
Councillor H Reilly	Councillor M Ruane
Councillor G Sharvin	Councillor G Stokes
Councillor D Taylor	Councillor JJ Tinnelly

(Officials)

Mr L Hannaway, Chief Executive
Mrs D Carville, Director of Corporate Services
Mr M Lipsett, Director of Active & Healthy Communities
Ms M Ward, Director of Enterprise, Regeneration & Tourism
Mr R Moore, Acting Director of Neighbourhood Services
Mr K Scullion, Assistant Director Facilities Management and Maintenance
Mrs E McParland, Democratic Services Manager
Miss S Taggart, Democratic Services Officer

C/107/2018

APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Andrews, Bailie, Clarke, Hanna, Harte, McMahon, Savage, Trainor and Walker.

The Chairperson stated the NHS celebrated its 70th Birthday this month and he would be issuing a short video to mark the occasion, which he hoped Members would share through social media.

The Chairperson congratulated two local men's rowing teams who recently took part in the Crosshaven to Cork Sea Race with the team from Dundrum placed first and the team from Killyleagh finishing second. He also congratulated the team from Strangford, which had included Councillor Enright, who won the mixed competition.

The Chairperson extended his condolences to Councillor Savage and the members of SANDSA following the recent passing of Mr Jim Savage.

C/108/2018 DECLARATIONS OF INTEREST

There were no declarations of interest.

C/109/2018 ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 5 JUNE 2018

Read: Action Sheet from Council Meeting held on 5 June 2018 (copy circulated).

C/094/2018 – Minutes of RTS Committee 24 May 2018 – RTS/077/2018 – Car Park Tariff Pre-Review Report

Councillor Sharvin asked whether there was a timeframe for the implementation of the review as agreed at the last Council Meeting.

Mr Hannaway advised a report would be presented at the August 2018 RTS Committee Meeting on how to carry out the consultation required.

AGREED: The Action Sheet from Council Meeting held on 5 June 2018 was agreed.

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/110/2018 MINUTES OF COUNCIL MEETING HELD ON 5 JUNE 2018

Read: Minutes of Council Meeting held on 5 June 2018 (copy circulated).

AGREED: The Minutes of the Council meeting held on 5 June 2018 were agreed as an accurate record and adopted on the proposal of Councillor Curran, seconded by Councillor Burgess.

C/111/2018 MINUTES OF ANNUAL MEETING HELD ON 4 JUNE 2018

Read: Minutes of Annual Meeting held on 4 June 2018 (copy circulated).

AGREED: The Minutes of the Annual meeting held on 4 June 2018 were agreed as an accurate record and adopted on the proposal of Councillor Ó Muirí, seconded by Councillor Stokes.

C/112/2018 **MINUTES OF SPECIAL COUNCIL MEETING HELD ON 29 MAY 2018**

Read: Minutes of Special Council Meeting held on 29 May 2018 (copy circulated).

AGREED: **The Minutes of the Special Council meeting held on 29 May 2018 were agreed as an accurate record and adopted on the proposal of Councillor Harvey, seconded by Councillor Hearty.**

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/113/2018 **MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 11 JUNE 2018**

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 11 June 2018 (copy circulated).

ERT/114/2018 – Tourism Events Funding:

Councillor Byrne asked for clarification on why in Call 2, 8 successful applicants were not paid out the full budget allocated by Council for community festivals. He asked what criteria was used to assess the applications and said he found it very disappointing that a specific budget had been set aside, and yet successful applicants were not paid out the full amount requested in their applications. He asked what would happen with the unallocated monies.

Mrs Ward advised the process was managed through Financial Assistance and, in some instances, if Council were to provide the full funding it would leave organisations in a profit scenario. She stated she would investigate what criteria was used and how the scoring matrix was implemented, and would circulate this information to Members.

AGREED: **The Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 11 June 2018 were agreed as an accurate record and adopted on the proposal of Councillor Stokes, seconded by Councillor Burgess, with the exception of minute ERT/103/2018 which was dealt with as a separate item.**

C/114/2018 **REPORT FROM CHIEF EXECUTIVE ON BELFAST REGION CITY DEAL – UPDATE ON EMERGING PROPOSITION: UPDATE TO RECOMMENDATION CONTAINED IN ERT COMMITTEE MINUTE ERT/103/2018**

Read: Report dated 11 June 2018 from Mr L Hannaway, Chief Executive on Belfast Region City Deal – update on emerging proposition: update to recommendation contained in Committee Minute ERT/103/2018

Mrs Ward advised the paper on City Deal had been presented to the Committee in June and the Committee had agreed to a financial contribution of £50,000. She stated there were additional costs identified to deliver the requirements of developing the City Deal

Proposition and she was seeking approval for an increased financial contribution allocation of £90,000, which was available within 2018/19 revenue budget.

AGREED: It was agreed on the proposal of Councillor McAteer, seconded by Councillor Byrne to accept the recommendations regarding Belfast Region City Deal as outlined at para. 3.1 in the officer's report including approval of a revised financial contribution allocation of £90,000 in order to develop economic impact, cost analysis and business case proposals against prioritised proposition proposals. This sum being available from the 2018/19 revenue budget.

C/115/2018 **MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 14 JUNE 2018**

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 14 June 2018 (copy circulated).

SPR/083/2018 – Civic Centre Regeneration Projects, Theatre, Conference & Arts Report

Councillor Enright raised concerns regarding the Civic Centre Regeneration Projects. He stated Downpatrick Councillors had been told at a recent meeting, that to go ahead with the Downpatrick Masterplan project which would have included redevelopment of lands in the town centre and a new link road, would cost as much as £3.4m and this was too high a figure. He said the people of Downpatrick had been waiting on this regeneration and to spend £20,000,000 in Newry, while not allowing the regeneration of Downpatrick was not acceptable.

The Chairperson advised £20m had already been allocated in the rates process for the Civic Centre Regeneration Projects.

Councillor Sharvin said he wished to correct the details provided by Councillor Enright. He said TransportNI had stated a new link road from Irish Street to St Patrick's Avenue was not value for money; would not improve the traffic flow; and therefore TNI would not fund the project.

Agreed: The Minutes of Strategy, Policy and Resources Committee Meeting held on 14 June 2018 were agreed as an accurate record and adopted on the proposal of Councillor Ruane, seconded by Councillor Doran.

C/116/2018 **MINUTES OF ACTIVE AND HEALTHY COMMUNITIES MEETING HELD ON 18 JUNE 2018**

Read: Minutes of Active and Healthy Communities Committee Meeting held on 18 June 2018 (copy circulated).

On a point of accuracy, Councillor Loughran stated the minute should state Councillor

Taylor, not Trainor at the bottom of page 2, minute ref: AHC/118/2018.

Councillor Fitzpatrick congratulated all those who were involved in the recent Feile Peile which she said was fantastic and involved people from all around the world.

AHC/123/2018 – Financial Assistance

Councillor McAteer asked for clarification as to why a Memorandum of Understanding was required between Newry, Mourne and Down District Council and Armagh, Banbridge and Craigavon Borough Council.

Mr Lipsett advised the project in question was funded by Social Investment Fund and Armagh, Banbridge and Craigavon Borough Council were the lead partner, therefore a Memorandum of Understanding was required.

AGREED: The Minutes of Active and Healthy Communities Committee Meeting held on 18 June 2018 were agreed as an accurate record subject to the correction to minute AHC/118/2018, to read Councillor Taylor, and adopted on the proposal of Councillor Kimmins, seconded by Councillor Howell.

C/117/2018 MINUTES OF REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON 20 JUNE 2018

Read: Minutes of Regulatory and Technical Services Committee Meeting held on 20 June 2018 (copy circulated).

RTS/098/2018 – Bus Shelter at Cloughreagh Park, Bessbrook

Councillor Mulgrew provided background in relation to issues relating to the bus shelter at Cloughreagh Park, Bessbrook. She said the community were very angry about what had taken place to date, including the young people in the area who felt they had been accused of engaging in anti-social behaviour as this was one of the reasons given for re-siting the bus shelter.

Councillor Mulgrew proposed that the people of Cloughreagh get their requests met with the following recommendations:

1. NMDDC consult with residents at JFKennedy, Oak Close and Cloughreagh Bungalow Parks on their opinion on erecting a bus shelter on the originally approved site.
2. NMDDC consult with residents outlined above on the options of erecting 2 bus shelters located at Cloughreagh Community Centre and Oak Close.
3. Translink to be asked by NMDDC why some residents and elected members were being told that the site outlined in option 1 was feasible, but advising other residents and elected members that it wasn't and allegedly Translink were on record as stating this.
4. Local residents speak directly to Translink to discuss this matter further seeking clarity as outlined in point 3.

Councillor Larkin seconded the proposal and stated the bus shelter provided an essential service to the community; it had been through due process and should now go to consultation with the community.

Councillor Stokes stated Council took a decision, correctly, in February not to site the bus shelter where it had originally been mooted and to look for an alternative location. He stated Council could not have a direct negative to a decision taken within four months under its Standing Orders.

Councillor Byrne stated there were four reasons put forward against the bus stop at the original location, none of which were anti-social behaviour. Translink did not recommend, however this was before the bus stop was removed. He said the bus now goes up the other side of the road and back down.

Councillor Byrne proposed an amendment to Councillor Mulgrew's proposal to include the removal of recommendation 1 above, and to consult within the guidelines of the Council - within 50 metres of the site; and that the word 'feasible' in recommendation 3, be changed to 'recommended'.

This was seconded by Councillor Stokes.

Council did then recess – 6.52pm

Council did then resume – 6.58pm

The Chairperson clarified referred to Standing Order 16.1 and said it had been five months since the previous decision was taken by Council on this matter. However the proposal now before Council was not rescinding that decision, as it related to consultation. He stated it was better to try to seek a resolution at the meeting, rather than wait for another month.

The Chief Executive advised the consultation would need to be carried out in line with Council policy.

Councillor Mulgrew asked Mr Scullion whether Translink had stated they did not want the bus shelter at the original location.

Mr Scullion advised any communications between the officers and Translink did not say they did not want the bus shelter at the original location. However Council were not necessarily asking Translink whether they were happy with the location, it was only whether there was a need for the bus shelter as defined within the policy. The information received was that it was a well-used site, which would meet requirements.

The Chairperson stated the amendment would be put to a vote.

Councillor Stokes called for a recorded vote, copy of which is attached. The results of the vote were as follows:

FOR	13
AGAINST:	9
ABSTENTIONS:	7

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

FOR: 13
AGAINST: 9
ABSTENTIONS: 7

The motion was **CARRIED**.

AGREED: It was agreed on the proposal of Councillor Byrne, seconded by Councillor Stokes that:

- **NMDC consult within the guidelines of the Council - with residents within 50metres of the site, on the options of erecting two bus shelters located at Cloughreagh Community Centre and Oak Close;**
- **Translink to be asked by NMDDC why some residents and elected members were being told that the originally approved site was recommended, but advising other residents and elected members that it wasn't and allegedly Translink were on record as stating this**
- **local residents speak directly to Translink to discuss this matter further, seeking clarity on this matter.**

Councillor Sharvin asked that the current bus shelter priority list be circulated to Members.

RTS/095/2018 – May 2018 – Planning Committee Performance Report

Councillor Craig asked whether there was a timetable for the new scheme of delegation agreed as yet.

Mrs Ward advised there was a working group meeting on Thursday to look at the proposals for the scheme of delegation and she hoped, following that meeting, to bring a paper through SPR Committee in August.

AGREED: **The Minutes of Regulatory and Technical Services Committee Meeting held on 20 June 2018 were agreed as an accurate record and adopted on the proposal of Councillor Ruane, seconded by Councillor Hyland.**

CORRESPONDENCE AND CONFERENCES

C/118/2018 **CORRESPONDENCE RECEIVED FROM DEPARTMENT FOR COMMUNITIES REGARDING CHILDREN'S FUNERAL FUND MOTION**

Read: Correspondence dated 1 June 2018 from Department for Communities stating the Department would ensure that the question of a Children's Funeral Fund was brought to the attention of incoming Ministers when they were available. (copy circulated).

NOTED: **The correspondence received regarding Children's Funeral Fund motion was noted.**

C/119/2018 **CORRESPONDENCE RECEIVED FROM DEPARTMENT FOR JUSTICE RE CHILDREN'S FUNERAL FUND**

Read: Correspondence dated 20 June 2018 from Department for Justice stating the establishment of a Children's Funeral Fund in N Ireland was a devolved matter and the letter would be copied to the Secretary of State for NI and the Permanent Secretary, Department for Communities. (copy circulated)

NOTED: **The correspondence received regarding Children's Funeral Fund motion was noted.**

C/120/2018 **CORRESPONDENCE RECEIVED FROM DEPARTMENT FOR INTERNATIONAL DEVELOPMENT RE MOTION REGARDING SYRIA**

Read: Correspondence dated 4 June 2018 from Department for International Development responding to the motion passed by Council regarding chemical attacks in Syria. (copy circulated).

NOTED: **The correspondence received regarding Syria motion was noted.**

C/121/2018 **CORRESPONDENCE RECEIVED FROM AGE SECTOR PLATFORM RE NEWRY, MOURNE AND DOWN PENSIONERS PARLIAMENT**

Read: Correspondence dated 23 May 2018 from Age Sector Platform thanking Council for its support to the Newry, Mourne and Down Pensioners Parliament event on 18 May 2018. (copy circulated).

NOTED: **The correspondence received regarding Newry, Mourne and Down Pensioners Parliament was noted.**

C/122/2018 **CORRESPONDENCE RECEIVED FROM DEPARTMENT OF HEALTH RE: MOTION RELATING TO PERINATAL HOSPICE CARE**

Read: Correspondence dated 19 June 2018 from Department of Health re: motion relating to Perinatal Hospice Care passed by Council and giving details of support services available and Departmental strategies. (copy circulated)

NOTED: **The correspondence received regarding Perinatal Hospice Care motion was noted.**

C123/2018 **DIARYING OF MEETINGS AND EVENTS**

Councillor Quinn raised an issue regarding the master diary and clashes with meetings and events.

The Chief Executive advised that officers would look at the issue and table a report to the SPR Committee Meeting.

AGREED: **It was agreed that the matter of master diary be tabled at SPR Committee Meeting.**

NOTICES OF MOTION

C/124/2018 NOTICE OF MOTION RECEIVED FROM COUNCILLOR MULGREW

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

“That Newry, Mourne & Down District Council supports paragraph 49 of the agreed Joint Report of December 2017, which is an approach that will ensure there is no hardening of the border in Ireland and wants to see the ‘backstop’ option as defined in paragraph 49 included in the legally binding Withdrawal Agreement. In addition, this Council wants the full EU rights of citizens protected as proposed in the current draft Withdrawal Agreement”

In proposing the motion, Councillor Mulgrew stated it was unfortunate that a cloud of uncertainty still existed in terms of Brexit and stated continued pressure needed to be put on the British Government that a hard border would not be accepted and it should not be allowed to damage communities and economic growth. The motion was seconded by Councillor Casey.

Councillor McAteer suggested an amendment to the motion that it include the words “without an expiry date”

Councillors Mulgrew and Casey were content with the amendment.

Councillor Reilly, Craig and Burgess spoke against the motion stating Brexit was a reality and anything which would separate NI economically or constitutionally from the UK could not be accepted.

Councillors Byrne, McMurray and Tinnelly spoke in support of the motion stating the ‘backstop’ option was the least that would be accepted and that people in Northern Ireland should be protected and should remain in the single market.

The matter was put to a recorded vote, copy of which is attached, the results of which were as follows:

FOR:	22
AGAINST:	5
ABSTENTIONS:	0

The motion was carried.

AGREED: It was agreed on the proposal of Councillor Mulgrew, seconded by Councillor Casey that Newry, Mourne & Down District Council supports paragraph 49 of the agreed Joint Report of December 2017, which is an approach that will ensure there is no hardening of the border in Ireland and wants to see the ‘backstop’ option as defined in paragraph 49 included in the legally binding Withdrawal Agreement, without an expiry date. In addition, this Council wants the full EU rights of citizens protected as proposed in the current draft Withdrawal Agreement.

C/125/2018 **NOTICE OF MOTION RECEIVED FROM COUNCILLOR LARKIN**

The following Motion was proposed by Councillor Larkin:

“Sinn Fein as an All Ireland party have observed the increased and relentless fly tipping in the Newry, Mourne & Down and Louth Areas. We call on our Council to increase co-operation between both Councils to tackle the scourge. Firmer action needs to be taken on Enforcement of Illegal Dumping. Fines and penalties must reflect the crippling costs to Council and Government. A full and comprehensive review needs to be carried out and we must spread a message of zero tolerance. We request that our Council write to the relevant Department to raise our concerns and request prompt action.”

The motion was seconded by Councillor Ó Muirí and referred, in accordance with Standing Order 16.1.6 to the next meeting of the Regulatory and Technical Services Committee.

It was agreed, in the interim, to write to Louth County Council to advise of the content of this motion.

There being no further business, the meeting concluded at 7.48pm

Signed: _____
Chairperson

Chief Executive

NEWRY, MOURNE & DOWN DISTRICT COUNCIL
RECORDED VOTE

DATE: 2nd July 2018 VENUE: Downshire Civic Centre MEETING: Council Meeting

SUBJECT OF VOTE: Councillor Byrne's amendment to RTS/098/2018

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 McMahan				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
TOTALS	13	9	7	13

NEWRY, MOURNE & DOWN DISTRICT COUNCIL
RECORDED VOTE

DATE: 2nd July 2018 VENUE: Downshire Civic Centre MEETING: Council Meeting

SUBJECT OF VOTE: Notice of Motion from Councillor Mulgrew “That Newry, Mourne & Down District Council supports paragraph 49 of the agreed Joint Report of December 2017, which is an approach that will ensure there is no hardening of the border in Ireland and wants to see the ‘backstop’ option as defined in paragraph 49 included in the legally binding Withdrawal Agreement. In addition, this Council wants the full EU rights of citizens protected as proposed in the current draft Withdrawal Agreement”

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 McMahan				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
TOTALS	22	5	0	14

