

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

Minutes of Council Meeting held on Tuesday 3 May 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 M Carr
Councillor C Casey	Councillor P Clarke
Councillor W Clarke	Councillor G Craig
Councillor D Curran	Councillor S Doran
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 D McAteer	Councillor R Mulgrew
Councillor M Murnin	Councillor P O’Gribin
Councillor B O’Múiri	Councillor G Sharvin
Councillor G Stokes	Councillor D Taylor
Councillor B Walker	

(Officials)

Mr L Hannaway, Chief Executive
Mrs D Carville, Director of Corporate Services
Mr C O’Rourke, Director of Regulatory and Technical Services
Mrs M Ward, Director of Enterprise, Regeneration and Tourism
Mr A McKay, Area Planning Manager
Mrs C Miskelly, Assistant Director, Corporate Services
Mrs E McParland, Democratic Services Manager
Miss S Taggart, Democratic Services Officer

C/90/2016

APOLOGIES AND CHAIRPERSON’S REMARKS

Apologies were received from Councillors Bailie, Byrne, Devlin, Ennis, McGrath, McKee, Quinn and Tinnelly.

- The Chairperson expressed his condolences to the family of William Stockdale, who had recently tragically died at his home in Newcastle.

C/91/2016 DECLARATIONS OF INTEREST

There were no declarations of interest.

C/92/2016 ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 4 APRIL 2016

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

C/74/2016 - Minutes of Special Council Meeting held on 29 February 2016

Mrs McParland advised TransportNI will be in attendance at the May Special Council Meeting. She stated a data capture sheet would be circulated to all Members for questions to be submitted prior to their attendance at the meeting.

C/75/2016 – ERT/37/2016 – Appointment of Members to Newry, Mourne and Down Economic Forum

Mrs McParland advised SDLP nominations for the above forum were Councillor Curran and Murnin.

C/76/2016 – SPR/59/2016 – Report on Presentations to Council and Committee Meetings

Mrs McParland stated the Public Protection Agency NI (PPANI) were unable to attend the April meeting and would attend the Special Council Meeting in June 2016.

AGREED: The Action Sheet from Council Meeting held on 4 April 2016 was agreed.

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/93/2016 MINUTES OF COUNCIL MEETING HELD ON 4 APRIL 2016

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

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

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/94/2016 MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 11 APRIL 2016

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

ERT/59/2016 – Mooring Facilities - Albert Basin Quayside

Councillor Murnin stated if the power points at the moorings were overloaded they trip the electricity, therefore there should be more than one power point put in place.

Mrs Ward advised people were constantly overloading the power points therefore officers surveyed the boat owners and it was agreed that one electrical power point would be provided and would be paid for separately upon request on a daily basis.

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

C/95/2016 MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 14 APRIL 2016

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

SPR/84/2016 – Presentation – Proposals for Appointment of Members to the Community Planning Partnership Board and the Thematic Delivery Groups

Mr Hannaway advised that the order of picks under d'Hondt needed to be reworked in accordance with the SPR Committee's request that the last 3 places would be allocated to Councillors P Clarke, K McAteer and H Reilly based on their respective voting strengths at Stage 1 of the Local Government Election.

Mr Hannaway stated that, based on the above strengths, pick 38 would be allocated to Councillor H Reilly, pick 39 to Councillor P Clarke and pick 40 to Councillor K McAteer.

AGREED: **It was agreed on the proposal of Councillor Doran, seconded by Councillor Burns that the above amendment be approved.**

SPR/99/2016 – Request to purchase 0.24 acres of land to the rear of Shandon Park, Newry

Mr Hannaway requested that this issue be deferred to a future Strategy, Policy and Resources Committee Meeting to allow for further consideration.

AGREED: It was agreed that the issue of purchasing 0.24 acres of land to the rear of Shandon Park, Newry be deferred to a future Strategy, Policy and Resources Committee Meeting to allow for further consideration.

AGREED: The minutes were agreed as an accurate record, subject to the above amendments and adopted on the proposal of Councillor Burgess, seconded by Councillor Craig.

C/96/2016 **REPORT RELATING TO SPR/84/2016 – NOMINATIONS TO COMMUNITY PLANNING PARTNERSHIP THEMATIC WORKING GROUPS**

Read: Report from Mrs E McParland, Democratic Services Manager, dated 20 April 2016 regarding Nominations to Newry, Mourne and Down Community Planning Partnership Board and Thematic Working Groups – SPR Minute Ref: SPR/84/2016 (Copy circulated).

NOTED: The report was noted as the mater had been discussed under item C/95/2016.

C/97/2016 **MINUTES OF ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 18 APRIL 2016**

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

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

C/98/2016 **SPORTS FACILITY STRATEGY**

Read: Report from Mr M Lipsett, Director of Active and Healthy Communities dated 29 April 2016 regarding Sports Facilities Strategy (Copy circulated).

Mr Hannaway advised there would be a workshop for Members to discuss the new Sports Facility Strategy.

Councillor Burns stated there were some key issues not listed within the circulated document and asked whether Members would have an opportunity to raise these issues before the workshop would take place.

Mr Hannaway advised the details of the strategy had not yet been sent out and a detailed evidence paper would be presented at the workshop. He stated if Members had any issues to raise, they should contact Mr Lipsett in order that these could be investigated.

AGREED: It was agreed that Members with any issues regarding the Sports Facility Strategy should raise these with the Director at their earliest convenience.

C/99/2016 MINUTES OF REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON 20 APRIL 2016

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

RTS/55/2016 – Dust/Residue nuisance at Carnbane Industrial Estate and surrounding residential areas

Councillor Casey stated cars had been destroyed due to the residue and asked whether Council could intervene in any way.

Mr O'Rourke advised he had written to the NIEA and had contacted the Council's Environmental Health department to investigate the issue and would bring back any information to a future Committee Meeting.

RTS/59/2016 – Update of Installation of Bus Shelters

Councillor Andrews asked that the agreed action be amended to reflect the provision of side panels at the bus shelter in Crossgar also.

AGREED: It was agreed that the minute be amended to reflect the provision of side panels at the bus shelter in Crossgar.

AGREED: The minutes were agreed as an accurate record, subject to the above amendment, and adopted on the proposal of Councillor Casey, seconded by Councillor Sharvin.

C/100/2016 MINUTES OF ELECTED MEMBER DEVELOPMENT WORKING GROUP MEETING HELD ON 14 APRIL 2016

Read: Minutes of Elected Member Development Working Group Meeting held on 14 April 2016 (copy circulated)

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

FOR CONSIDERATION AND/OR DECISION

C/101/2016 STANDING ORDERS

Read: Report from Mrs E McParland, Democratic Services Manager regarding review of Council's Standing Orders (Copy circulated).

Mr Hannaway advised a draft revised copy of Standing Orders, with all changes tracked for ease of reference, would be presented to the Party Representatives Meeting on 23 May 2016, with amended Standing Orders then being presented to a subsequent meeting of Council for consideration.

AGREED: It was agreed on the proposal of Councillor Curran, seconded by Councillor Andrews to amend the Council's Standing Orders, with a draft being presented to the Party Representatives Forum on 23 May 2016. The amended Standing Orders would then be presented to a subsequent meeting of Council for consideration.

C/102/2016 CORRESPONDENCE RECEIVED FROM DEPARTMENT OF THE ENVIRONMENT REGARDING IMPLEMENTING A FRESH START – CLAUSE 65, ENGAGEMENT AND CONSULTATION

Read: Correspondence received from Department of Environment regarding Implementing A Fresh Start-Clause 65, Engagement and Consultation (Copy circulated).

Mr Hannaway advised that Clause 65 of "A Fresh Start" contained an agreement to reduce policy consultations from 12 weeks to a maximum of 8 weeks, and that this change would take effect immediately following the Assembly election.

Mr Hannaway stated this reduction may impact upon response times for Council to respond to important consultations.

Members discussed the issue and it was agreed that officers would write to the Department stating Council's dissatisfaction at the reduction in the consultation period.

AGREED: It was agreed that a letter be sent to the Department of Environment stating Council's dissatisfaction at the reduction in the consultation period which was considered to be too short to facilitate consideration and reply.

COUNCILLOR O'GRIBIN ENTERED THE MEETING AT THIS STAGE – 6.20PM

C/103/2016 **CORRESPONDENCE RECEIVED FROM DOE – CALL FOR EVIDENCE**

Read: Report from Mr A McKay, Area Planning Manager, dated 3 May 2016 regarding correspondence received from Department of Environment regarding Call for Evidence for Strategic Planning Policy and Permitted Development Rights for Mineral Exploration. (Copy circulated).

Mr McKay stated the DoE had published the Strategic Planning Policy Statement – Planning for Sustainable Development in September 2015 and a range of subject policies were covered within this document. He advised the DoE had now committed to review the area of regional policy and the call for evidence was the first step in the review.

Mr McKay stated any comments from Members would form the basis of the Council's submission to the DoE and would inform the scope of future review to be undertaken by DoE. He advised the review would be subject to a full public consultation and would come to Council in due course.

Members discussed the issue with the following comments being made:

- Clustering with farm buildings needed to be investigated, farmyards are very dangerous places therefore families should be allowed to move a few fields away in order to have a better quality of life.
- Still serious issues within Planning Department.
- Where had this document been, the closing date for consultation being 6 May 2016 which did not give Members sufficient time for discussion?
- Where did these consultations fit into the Council's own planning policies?
- Would Council be bound by these regional policies?
- An additional point to make would be how suitable design was to the area where buildings were to be located.
- Would the strategic overview encompass planning for rural dwellings for those people who were not farmers?

Mr McKay responded to some of the comments as follows:

- Issues such as farm safety, clustering etc were matters for local policy. Council would be producing its own development plan and detailed policies would deal with development in the countryside. The policies being dealt with in the correspondence were at regional level, strategic guidance regarding the nature of development in the countryside, how much would be appropriate etc.
- Planning has been with Council for just over a year and the issues and problems were well documented. The process would not be closed if a submission was not made by 6 May 2016. The exercise was to gather evidence and get comments from Members to facilitate a response.
- The policy for development in the countryside did not specifically target non-farm rural dwellers, however there was no shortage of categories within development that could be availed of.

AGREED: It was agreed that a response to Department of Environment would be formulated by the Area Planning Manager and any Member wishing to input to the Call for Evidence could submit their views to Mr McKay as soon as possible.

SEALING DOCUMENTS

C/104/2016

SEALING DOCUMENTS

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

1. Licence Agreement Newry Mourne and Down District Council and Tidal View Rod and Gun Club - 5 year licence from 1 July 2015 (issued under Scheme of Delegation.)
2. Licence Agreement - Newry Mourne and Down District Council and Order of Malta - Licence Agreement with the Order of Malta from 1 November 2015 until 31 August 2017 in respect of two Car Parking Spaces at Newry Sports Centre.
3. Licence Agreement - Newry Agricultural Show - Lands at Derryleckagh – permission for Newry Agricultural Show to use lands at Derryleckagh for their annual show.
4. Licence Agreement - Fiddlers Green Festival - Use of 16 The Square, Rostrevor - Friday 22 July 2016 until close of Festival on Sunday 31 July 2016.
5. Conveyance of Lands adjacent to 45 St Patrick's Avenue, Downpatrick – duplicate conveyance.

6. Licence Agreement - Warrenpoint GAA Club - Storage Container at Milltown Playing Fields, Warrenpoint – for sports equipment

FOR NOTING

C/105/2016

CORRESPONDENCE RECEIVED FROM NORTHERN IRELAND OFFICE REGARDING REFORM OF ELECTORAL OFFICE FOR NORTHERN IRELAND

Read:

Correspondence received from Northern Ireland Office regarding Reform of Electoral Office for Northern Ireland (Copy circulated)

Mr Hannaway advised the correspondence contained proposals for future elections with the main proposal being that Council take the lead on all elections, including the introduction of on-line registration.

Members welcomed the reform of the Electoral Office stating it would make it easier for constituents if registration was undertaken by Councils.

NOTED:

The correspondence received from Northern Ireland Office regarding Reform of Electoral Office for Northern Ireland was noted.

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

Signed:

Chairperson

Chief Executive