

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

Minutes of Council Meeting held on Monday 3 September 2018 at 6pm in the Mourne Room, Downshire Civic Centre, Downpatrick

In the Chair: Councillor M Murnin

In attendance:

(Councillors)

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|-----------------------|--------------------------|
| Councillor T Andrews | Councillor R Burgess |
| Councillor P Byrne | Councillor M Carr |
| Councillor C Casey | Councillor G Craig |
| Councillor D Curran | Councillor L Devlin |
| Councillor C Enright | Councillor G Fitzpatrick |
| Councillor G Hanna | 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 O McMahon | Councillor A McMurray |
| Councillor R Mulgrew | Councillor B Ó Muirí |
| Councillor B Quinn | Councillor H Reilly |
| Councillor J Rice | Councillor M Ruane |
| Councillor M Savage | Councillor G Sharvin |
| Councillor D Taylor | Councillor JJ Tinnelly |
| Councillor J Trainor | Councillor B Walker |

(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 Gordon, Head of Indoor Leisure
Mr C Haughey, Head of Outdoor Leisure
Mrs E McParland, Democratic Services Manager
Miss S Taggart, Democratic Services Officer

C/138/2018

APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Bailie, Clarke, Doran, Harte and Stokes.

- The Chairperson expressed his condolences to the family of Darren Hogg from Ballykinler who lost his life in a motorcycle accident over the weekend.
- The Chairperson stated August had been a very busy time with events including Footsteps in the Forest; Festival of Flight, which although had to be cancelled due to the inclement weather had a very successful STEM village which could be expanded upon next year; Men's Shed and SPACE in Newry represented the District at the Pride of Place Awards in Cork; Wake the Giant in its new format; 2 golf tournaments – Summer of Golf and Newry, Mourne and Down Junior Trophy; a

trip to Kinsale to the unveiling of the Lusitania Davit where it was great to see the appreciation the local community had for the Council for returning the Davit; official opening of Warrenpoint Park and the launch of Saintfield Community Centre.

- Councillor Casey raised an issue regarding health matters and asked that a meeting be organised as soon as possible with the Health Forum. The Chief Executive advised a meeting was scheduled for 22nd October as per the new format and health forum meetings would be held prior to this meeting. He suggested that Members with any issues should forward these through to Democratic Services to be passed onto the relevant officers. The following items were raised to be passed on:
 - break down in function of CT scanner at Daisy Hill Hospital (raised by Councillor Casey)
 - unacceptable delays in ambulance transfers, including emergency transfers (incident involving transfer from Daisy Hill hospital to RVH - raised by Councillor Casey)
 - major delays in elective surgery and difficulties this creates for people who then have no idea when their procedures may be scheduled (raised by Councillor Reilly)
 - unacceptable standard of ambulance cover (raised by Councillor Quinn)

C/139/2018 DECLARATIONS OF INTEREST

There were no declarations of interest.

C/140/2018 ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 6 AUGUST 2018

Read: Action Sheet from Council Meeting held on 6 August 2018 (copy circulated).

AGREED: The Action Sheet from Council Meeting held on 6 August 2018 was agreed.

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/141/2018 MINUTES OF COUNCIL MEETING HELD ON 6 AUGUST 2018

Read: Minutes of Council Meeting held on 6 August 2018 (copy circulated).

AGREED: The Minutes of the Council meeting held on 6 August 2018 were agreed as an accurate record and adopted on the proposal of Councillor Hyland, seconded by Councillor Burgess.

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/142/2018

MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 13 AUGUST 2018

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 13 August 2018 (copy circulated).

ERT/129/2018 – Golf Tourism:

Councillor Byrne welcomed the golf familiarisation trip as an excellent opportunity for the District however asked that a brochure be produced to acknowledge the golf courses contained within the rural area, akin to that produced by Causeway Coast and Glens Council who had a 10 point publication brochure which was distributed to businesses to identify golf courses.

Mrs Ward advised a similar brochure had been compiled prior to the Irish Open and she would have officers investigate the production of a similar brochure.

The Chairperson stated many Golf Societies in Northern Ireland would have their outings in the Republic of Ireland and that local courses should be promoted to Golf Societies in the Republic of Ireland to encourage spend and increase bed nights.

ERT/119/2018 – PLATO Report:

Councillor Craig asked that the information on the PLATO Programme be circulated to all Councillors for their information.

Mrs Ward stated she would forward the information to all Members.

ERT/124/2018 – DfI Letters of Offer for further Greenway Project Development Work:

Councillor McMurray asked for an update on the establishment of the steering committee.

Mrs Ward advised the actions arising from the meeting would progress following approval of the minutes at the Council Meeting.

ERT/123/2018 – Belfast Region City Deal Update:

The Chief Executive provided an update on the City Deal stating Council was still working towards the deadline of 21 September 2018 to reach a final agreed prioritised list of investment proposals.

Councillor Harvey asked for an update on which projects were being considered.

The Chief Executive advised the main projects were Southern Relief Road, Newry City Regeneration, Newcastle Gateway Project, Digital 5G testbed, expansion of broadband and targeting screen.

AGREED: The Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 13 August 2018 were agreed as

an accurate record and adopted on the proposal of Councillor Burgess, seconded by Councillor McMahon.

C/143/2018 MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 16 AUGUST 2018

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 16 August 2018 (copy circulated).

Agreed: **The Minutes of Strategy, Policy and Resources Committee Meeting held on 16 August 2018 were agreed as an accurate record and adopted on the proposal of Councillor Hyland, seconded by Councillor Burgess.**

C/144/2018 MINUTES OF ACTIVE AND HEALTHY COMMUNITIES MEETING HELD ON 20 AUGUST 2018

Read: Minutes of Active and Healthy Communities Committee Meeting held on 20 August 2018 (copy circulated).

Councillor Fitzpatrick congratulated the Director and his team on the delivery of a fantastic play park in Warrenpoint which has been very well used since the gates opened.

Councillor Craig proposed that a review of the Community Planning process be undertaken in order to discover how well it was working, what obstacles were in place and how better outcomes can be achieved. This was seconded by Councillor Trainor.

The Chief Executive this issue had been raised and the functions of working groups was being looked at prior to the new Council following elections.

AGREED: **It was agreed on the proposal of Councillor Craig, seconded by Councillor Trainor that a review of the Community Planning Process be undertaken.**

AHC/164/2018 – Proposal for the Introduction of Breastfeeding Welcome Here Scheme to NMD Public Buildings (Phase 1)

Councillor Devlin welcomed the scheme and advised support was vitally important for those mothers who make the choice to breastfeed. She stated she had met with South Eastern Trust to discuss the lack of support in the area and a Breastfeeding Peer Support programme was being launched in Ballynahinch Market House on 26th September 2018 from 10am-1pm. She asked if she sent the information through to Democratic Services if this could be shared on the Council's social media outlets.

Councillor Quinn asked that Southern Health Trust be contacted to ensure this level of support would be available across the whole District.

AHC/156/2018 – Play Strategy Upgrades/Transformation Schemes

Councillor McAteer queried whether the Ballyholland consultation had been completed and whether further visits following the consultation would be taking place.

Mr Haughey advised the playground at Ballyholland would be coming to the September Committee Meeting and Playboard had completed the community consultation with the design coming to committee in September and they would then go back to the community with the proposals.

AGREED: **The Minutes of Active and Healthy Communities Committee Meeting held on 20 August 2018 were agreed as an accurate record and adopted on the proposal of Councillor Kimmins, seconded by Councillor Quinn.**

C/145/2018 MINUTES OF REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON 22 AUGUST 2018

Read: Minutes of Regulatory and Technical Services Committee Meeting held on 22 August 2018 (copy circulated).

RTS/108/2018 – Action Sheet of the RTS Committee held on 20 June 2018:

Councillor Taylor advised he had asked for an update regarding a meeting with Regen Waste and had not received an update as yet.

Mr Moore advised he would follow up with the officers involved and revert to the Councillor as soon as possible.

RTS/109/2018 – Notice of Motion – Fly Tipping:

Councillor Larkin asked for an update on the issue of fly tipping and whether there were any attempts to bring those that fly tip to justice.

Mr Moore advised the actions arising from the meeting would progress following approval of the minutes at the Council Meeting.

Councillor Byrne stated he would like the Council to exhaust all avenues in its power to stop domestic dumping. He stated the household recycling centre rules need relaxed to ensure people can dump domestic rubbish that was too large for cars. Sites need to become more tolerant and relax the red tape.

Councillor Taylor proposed that Council also write to the neighbouring Antrim, Banbridge and Craigavon Council as part of the motion. This was seconded by Councillor Larkin.

Mr Moore advised the access arrangements for household recycling centres were being reviewed this financial year and he would include letters to Antrim, Banbridge and Craigavon Council also.

Councillor Reilly stated Council should introduce some incentivising schemes for local clubs and groups to adopt an area to maintain and keep clean. He also asked that litter pickers, plastic bags and gloves be left in Kilkeel Leisure Centre in order that local

people can organise litter picks.

Mr Moore advised neighbourhood services project would look at promoting positive relationships in the community and there were already initiatives such as Down Your Street that were very successful.

Councillor McAteer queried whether enforcement staff were curtailed in their ability to address dog fouling. He also asked that a letter be sent to Road Service asking why the weed spraying had not taken place on time.

RTS/113/2018 – Car Park Tariff Review – Update:

Councillor Sharvin asked why officers had not implemented the review immediately as agreed in June.

The Chief Executive advised that officers had begun work to carry out consultancy and do the review and this had been expedited as it would not have been originally due to begin until October 2018. He stated the process could not be carried out in weeks and officers had implemented the Council's decision immediately following ratification of the minutes.

Councillor Trainor stated the development of car parks needed to be addressed as people need to see upgrades if they were expected to pay for parking.

RTS/111/2018 – Pedestrianising a Section of Kings Lane, Warrenpoint:

Councillor Carr stated consultation needed to be carried out with the public and businesses in the area before any pedestrianising the area.

Mr Moore advised the officers involved would write to the chamber of commerce and would consult with local people, he stated he would revert to Councillor Carr on the issue.

RTS/110/2018 – Notice of Motion – Clanrye River, Newry:

Councillor Savage asked why there were no Council litter bins placed within the Council car parks as this would enable people to dispose of their rubbish rather than littering.

Mr Moore advised some of the car parks were recently transferred but officers had been tasked with undertaking surveys to identify the most suitable locations for bins.

AGREED: The Minutes of Regulatory and Technical Services Committee Meeting held on 22 August 2018 were agreed as an accurate record and adopted on the proposal of Councillor Andrews, seconded by Councillor Curran.

CORRESPONDENCE AND CONFERENCES

C/146/2018

CORRESPONDENCE RECEIVED FROM THE EXECUTIVE OFFICE REGARDING HISTORICAL CLERICAL CHILD ABUSE

Read: Correspondence dated 11 July 2018 from The Executive Office stating that the PSNI was currently carrying out investigations into clerical abuse at St Colman's College and the investigation was also looking at safeguarding policies and procedures. It also provided an update on the work of the Inter-Departmental Working Group's work on mother and baby homes/Magdalene asylums and clerical child abuse, stating the work was continuing as directed. (copy circulated).

NOTED: The correspondence received regarding historical clerical child abuse was noted.

C/147/2018 **CORRESPONDENCE RECEIVED FROM DEPARTMENT FOR INFRASTRUCTURE REGARDING SHIMNA RIVER FLOOD ALLEVIATION SCHEME**

Read: Correspondence dated 22 August 2018 from Mr I Coulter, DfI Rivers, Lusitania Museum inviting representations from Members regarding the publication of an Environmental Statement for the Shimna River Flood Alleviation Scheme, with a closing date of 14th September 2018 (copy circulated)

NOTED: The correspondence received regarding Shimna River Flood Alleviation Scheme was noted.

C/148/2018 **CORRESPONDENCE RECEIVED FROM NATIONAL ASSOCIATION OF COUNCILLORS REGARDING NAC CONFERENCE – TACKLING AUSTERITY THROUGH INNOVATION**

Read: Correspondence dated 15 August 2018 received from National Association of Councillors regarding NAC Conference – Tackling Austerity Through Innovation being held on 28th-30th September 2018 in The Crowne Plaza, Harrogate (copy circulated).

NOTED: The correspondence was noted.

C/149/2018 **CORRESPONDENCE RECEIVED FROM NATIONAL ASSOCIATION OF COUNCILLORS REGARDING NAC UK CONFERENCE/AGM**

Read: Correspondence received from National Association of Councillors regarding Advance Notice of their 2018 UK Conference and AGM being held from 23-25 November 2018 in Crowne Plaza, Chester. (copy circulated).

AGREED: It was agreed to discuss the issue of NAC UK Conference/AGM attendance at the Party Reps Meeting on

Wednesday 5th September 2018.

C/150/2018

CORRESPONDENCE RECEIVED FROM RURAL COMMUNITY NETWORK REGARDING NOMINATIONS FOR THE BOARD OF DIRECTORS

Read: Correspondence dated 20 August 2018 received from Rural Community Network seeking nominations for the Board of Directors of Rural Community Network 2018-2020. (copy circulated).

AGREED: It was agreed on the proposal of Councillor McAteer, seconded by Councillor Curran that Councillor Byrne be nominated for the Board of Directors of Rural Community Network 2018-2020.

NOTICES OF MOTION

C/151/2018

NOTICE OF MOTION RECEIVED FROM COUNCILLOR DEVLIN

The following Notice of Motion was proposed by Councillor Devlin:

"This Council acknowledges that NIEA have determined, along with other coastal erosion experts, that due to the construction of the promenade, sand is naturally depleted from Newcastle beach and there will never be enough sand to form a usable beach, and efforts to place sand on the beach would be counterproductive. As such, Council will commit to investigate the creation of an artificial beach such as the one developed in Paris, in order to maximise the tourism potential of the area and provide a recreational space for local people as well."

In proposing the motion, Councillor Devlin stated Newcastle was missing a sandy beach over the summer months and asked that officers examine the seafront and area on the promenade and report back to Council with costings and options in order to improve outdoor amenity in the Newcastle area.

Councillor Hanna seconded the motion stating Newcastle was a tourist coastal village and should have a sandy beach perhaps closed in with protection from the elements.

Members spoke in support of the motion with Councillor Ruane proposing an amendment to add that the provision of sand at Warrenpoint should also be investigated along with an invitation being extended to NIEA to attend a meeting to have a discussion around putting sand on the beach.

AGREED: It was agreed on the proposal of Councillor Devlin, seconded by Councillor Hanna to allow officers to investigate the possibility of erecting a temporary beach structure at the promenade or seafront in Newcastle and the provision of

sand at Warrenpoint with costings and options being brought back. It was also agreed that NIEA be invited to ERT Committee to look at the possibilities of sand provision at both Newcastle and Warrenpoint.

C/152/2018
ENRIGHT

NOTICE OF MOTION RECEIVED FROM COUNCILLOR

The following Motion was proposed by Councillor Enright:

"Council recognises that a small number of community festivals running for 20 years or more - especially in the Old Down Council Area - are also important markers on the tourism trail. Council recognises that current annualised funding arrangements make funding for these festivals precarious and uncertain from year to year and inhibit festival organisers booking in advance to get best prices or tie up time that might be used to get matching funding elsewhere. Council resolves to create a multi-annual funding mechanism similar to that for Service Level Agreements used for community centres to allow recognised festival committees to enhance and expand their work secure in the knowledge that they have core funding"

The motion was seconded by Councillor Hyland and referred, in accordance with Standing Order 16.1.6 to the next meeting of the Enterprise, Regeneration & Tourism Committee.

Councillor Ruane queried why the previous motion had been allowed to be discussed when it should have been sent to a committee. The Chairperson advised the last motion straddled three different committees therefore he decreed, as Chair, to allow the motion to be heard.

Members discussed the issue at length and it was agreed to refer the motion to the ERT Committee Meeting.

C/153/2018

NOTICE OF MOTION RECEIVED FROM COUNCILLOR
MULGREW

The following Motion was proposed by Councillor Mulgrew:

"That this Council acknowledges the commitments made in the Brexit negotiations (both the Joint Report and the Draft Agreement) where Irish/EU citizens in the north of Ireland 'will continue to enjoy, exercise and have access to rights, opportunities and benefits as EU citizens; recognises that this body of rights includes democratic rights i.e. the right to vote and stand as candidates in EU elections; calls on the Irish Government to facilitate this right given that Ireland has been allocated two additional MEP seats; calls on the Irish Government to amend the legislation, allocate those seats to the north of Ireland and allow citizens in the north to vote for candidates for these seats in order that they may be represented in the EU Parliament; calls on the Chief Executive

to write to the Minister for Housing, Planning and Local Government requesting this.”

In proposing the motion, Councillor Mulgrew stated there should be no diminution of the rights of the people of the North of Ireland and one of those rights identified that they had the right to stand and elect members of the European Parliament. She stated that the reallocation of the British seats within the EU means that Ireland will receive two new seats and these should be allocated to the North of Ireland.

Councillor Casey seconded the motion.

Councillor McAteer stated it was SDLP policy and the current position of the party to support the motion however he asked for an amendment to the motion stating it should also contain that Council write to the EU Parliament, UK Parliament and NI Assembly as it would only be possible to have the seats if at the agreement of Ireland, NI, EU and the UK governments.

Councillor Mulgrew did not accept the amendment as she stated her understanding was that the additional seats were being given to the Irish Government therefore the first port of call should be to write to them and depending of their response then contact the other institutions.

Councillor Byrne seconded the amendment stating the two additional seats were being given to one of the underrepresented counties and if the Irish Government support the sentiment of the motion but do not have the structures in place to back up the decision then this would not be possible.

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

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| FOR: | 11 |
| AGAINST: | 9 |
| ABSTENTIONS: | 9 |

The motion as amended was carried.

Councillor Craig stated the DUP would not support the motion as amended as it was an attempt to re-write the Belfast Agreement and this did not confer voting rights to someone living in Northern Ireland holding an Irish passport.

Councillor Byrne stated he was in support of the amended motion stating the Irish Government need to be less restrictive in terms of voting for those diaspora who live outside the country.

Councillor Taylor stated the UUP would not support the motion as it was an attempt to change the constitutional status of Northern Ireland.

Councillor Walker questioned whether legally Council could write to the Irish Government.

The Chief Executive stated there was no reason why Council could not write to the Irish Government on any issue as had been done in the past.

The Chairperson put the motion, as amended to a vote, the results of which were as follows:

FOR: 20
AGAINST: 6
ABSTENTIONS: 1

The motion was carried.

AGREED: It was agreed on the proposal of Councillor McAteer, seconded by Councillor Byrne that this Council acknowledged the commitments made in the Brexit negotiations (both the Joint Report and the Draft Agreement) where Irish/EU citizens in the north of Ireland ‘will continue to enjoy, exercise and have access to rights, opportunities and benefits as EU citizens; recognises that this body of rights includes democratic rights i.e. the right to vote and stand as candidates in EU elections; called on the Irish Government to facilitate this right given that Ireland has been allocated two additional MEP seats; called on the Irish Government to amend the legislation, and this Council also writes to EU Parliament, UK Government and NI Government seeking their support in facilitating their requests contained in this motion and allocate those seats to the north of Ireland and allow citizens in the north to vote for candidates for these seats in order that they may be represented in the EU Parliament; called on the Chief Executive to write to the Minister for Housing, Planning and Local Government requesting this.

There being no further business, the meeting concluded at 8.15pm

Signed:

Chairperson

Chief Executive