

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

Minutes of Council Meeting held on Monday 4 September 2017 at 6pm in the Mourne Room, Downshire Civic Centre, Downpatrick

In the Chair: Councillor R Mulgrew

In attendance: (Councillors)

Councillor P Brown	Councillor S Burns
Councillor P Byrne	Councillor C Casey
Councillor W Clarke	Councillor G Craig
Councillor D Curran	Councillor L Devlin
Councillor S Doran	Councillor C Enright
Councillor G Fitzpatrick	Councillor G Hanna
Councillor H Harvey	Councillor T Hearty
Councillor L Kimmins	Councillor M Larkin
Councillor K Loughran	Councillor J Macauley
Councillor D McAteer	Councillor O McMahan
Councillor A McMurray	Councillor M Murnin
Councillor P Ó Gribin	Councillor B O'Múiri
Councillor B Quinn	Councillor H Reilly
Councillor M Ruane	Councillor M Savage
Councillor G Sharvin	Councillor D Taylor
Councillor J J Tinnelly	Councillor J Trainor
Councillor W Walker	

(Officials)

Mr L Hannaway, Chief Executive
Mrs D Carville, Director of Corporate Services
Mr M Lipsett, Director of Active and Healthy Communities
Mrs M Ward, Director of Enterprise, Regeneration and Tourism
Mrs C Miskelly, Assistant Director, Corporate Services (Human Resources)
Mrs E McParland, Democratic Services Manager
Mrs C Taylor, Democratic Services Officer
Miss S Taggart, Democratic Services Officer

C/131/2017

APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Andrews, Bailie, Burgess, Carr, Harte and Stokes.

The Chairperson welcomed Councillor Michael Savage to the Council.

The Chairperson welcomed the number of successful events held in the District during the past month, saying the numbers in attendance had been brilliant and had showcased the District to its full potential.

The Chairperson advised Mr David Telford and his daughters were holding a charity evening on 16th September in Downpatrick Cricket Club for Cancer Focus and invited Members to make a donation if they so wished.

C/132/2017 DECLARATIONS OF INTEREST

There were no declarations of interest.

C/133/2017 ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 7 AUGUST 2017

Read: Action Sheet from Council Meeting held on 7 August 2017 (copy circulated).

C/128/2017 – NILGA Annual Conference 12 October 2017

Mr Hannaway advised the matter of places at the NILGA Annual Conference had been discussed at the Party Representatives Meeting and it was recommended that an additional place be added to the nominations.

C/129/2017 – Correspondence received from the Dept for the Economy – Mineral Development Act (NI) 1969

Mr Hannaway advised the consultation period for responses to the Mineral Development Act had been extended to 15th September 2017.

Councillor Ó Muíri stated there was huge concern among the local residents about the impact of the Act on their surroundings and the fact that there had not been sufficient public consultation carried out to date. He proposed that Council write to the Department for the Economy highlighting their formal reservations and asking that subsequent consultation was opened in order to let the public have their say. This was seconded by Councillor Hearty.

AGREED: **It was agreed on the proposal of Councillor Ó Muíri, seconded by Councillor Hearty that Council write to the Department for the Economy highlighting the reservations of the implementation of the Mineral Development Act, stating that local residents were concerned and had not been consulted with, and asking that subsequent consultation was opened to the public to ensure their voices were heard.**

AGREED: **The Action Sheet from Council Meeting held on 7 August 2017 was agreed.**

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/134/2017 MINUTES OF COUNCIL MEETING HELD ON 7 AUGUST 2017

Read: Minutes of Council Meeting held on 7 August 2017 (copy circulated).

Councillor Quinn advised he had been in attendance at the meeting and this had not been documented.

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

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/135/2017 MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 14 AUGUST 2017

Read: Minutes of the Enterprise, Regeneration and Tourism Committee Meeting held on 14 August 2017 (copy circulated).

ERT/135/2017 - Notice of Motion – Farmers/Artisan Market, Downpatrick

Councillor Hanna referred to the proposed pilot project of a Farmers/Artisan Market in Newcastle, saying after consultation with local farmers, Newcastle was not the right location. He said there was no tradition of a farmers market in Newcastle and it could not be compared to the likes of Comber as Newcastle was a differently performing area which farmers did not think local produce would sell well in.

Councillor Hanna said there was already an artisan market held in Newcastle, which he would not wish to undermine prior to much needed consultation and he queried why Council would wish to take away revenue from the businesses in Newcastle that were paying rates to Council, saying stall holders would not be local and would be from outside the area.

Councillor Hanna asked for assurance that there would be consultation, engagement and workshops held in Newcastle prior to the organisation of the market so that all business concerns could be taken into consideration.

Councillor Brown spoke in support of the pilot to set up a Farmers/Artisan Market in Newcastle, saying it would attract local producers and there was already a list drawn up of interested producers. He said the launch had been pushed back to the spring of 2018 so that as much consultation as possible could be undertaken and economic analysis of farmers markets he had undertaken had shown that it increased footfall into towns, brought more local people into the shops and had an overall positive impact on the socio-economic vibe of the town.

Councillor Reilly said that there had been cases of farmers/artisan markets in the Republic of Ireland and GB which councils had become involved with and had failed.

Councillor Clarke spoke in support of the pilot scheme, saying it was important to engage with the traders and the Council should encourage small producers start-up businesses, showcase and sell their produce. He said there would be criteria regarding which businesses could sell at the market which would include a mileage catchment area and he concurred with Councillor Brown's remarks regarding bringing an increased number of people into the town.

Mrs Ward advised Councillors that the pilot was not planned to begin until 2018/19, which would provide the opportunity to undertake a wide consultation. She said Council would liaise with the Newcastle Chamber of Commerce who had a good working relationship with Council and an Expression of Interest would be put out as a public procurement exercise for a third party to run the market. Mrs Ward further advised she would keep the ERT Committee informed as the pilot progressed and added the market would be considered as part of the 2018/19 rates estimates process.

ERT/128/2017 – Apologies/Chairman's Remarks

Councillor Devlin referred to the overflow car park at Donard Park, Newcastle, thanking officers for their good work in providing access to the overflow car park at the Festival of Flight, especially as it helped the people living in the neighbouring folds. She requested a site meeting with other Newcastle Councillors and council officers to discuss additional extras and to tidy up the area. Mr Hannaway undertook to pass this request on to the Director of Regulatory & Technical Services (Interim) to organise the site meeting.

AGREED: **The Minutes were agreed as an accurate record and adopted on the proposal of Councillor Byrne, seconded by Councillor Ruane.**

AGREED: **It was further agreed that a site meeting would be organised between Newcastle Councillors and council officers to discuss additional extras and a tidy up of the area at Donard Park, Newcastle.**

C/136/2017 MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 17 AUGUST 2017

Read: **Minutes of the Strategy, Policy and Resources Committee Meeting held on 17 August 2017 (copy circulated).**

SPR/147/2017 Consultation Arrangements with Health and Social Care Trusts

Councillor Byrne said he had not queried, but challenged the process of the establishment of the consultation arrangements with the Health and Social Care Trusts, saying what had been presented at committee was a paper solely on the development of a working group. He referred to the Party Representatives Forum, saying it was not

a decision making body, but was going over and above its power in this instance and the consultation arrangements should be debated at committee.

Councillor Byrne stated all Councillors needed to be together on the subject of health and whatever proposals were put forward, everyone needed to be on board. He said there had only been one party response to the consultation.

Councillor Byrne proposed all of the information on the consultation arrangements with health and social care trusts that had been discussed at the Party Representatives Forum and Strategy, Policy and Resources Committee, should be brought to the next Strategy, Policy and Resources Committee for discussion so that a forum on what the public were asking for, could be delivered.

Councillor Reilly proposed the recommendation from committee, saying he was not in favour of a formal committee type structure as it excluded people and congested the system.

Councillor Enright spoke in support of Councillor Byrne's proposal, saying what was needed was a fully funded resourced committee and he seconded Councillor Byrne's proposal.

Councillor Walker in seconding Councillor Reilly's proposal, said he was in favour of a working group and that all Councillors should be together in support of health.

Councillor Trainor said he wanted to see options presented to committee in order that there could be an open debate on the matter.

The Chair clarified the purpose of the Party Representatives Forum was to discuss matters and bring these back to party members. She said this matter had been discussed at Party Representatives Forum from June to August and it had also been widely discussed in her own Party and therefore she would put the matter to a vote.

Councillor Sharvin requested a recorded vote on the matter.

The amendment from Councillor Byrne, seconded by Councillor Enright to bring all of the information on the consultation arrangements with health and social care trusts which had been discussed at the Party Representatives Forum and Strategy, Policy and Resources Committee, would be brought to the next Strategy, Policy and Resources Committee for discussion was put to a recorded vote, the results of which are appended to the minutes:

FOR: 14
AGAINST 19

The motion was declared LOST

A vote was taken on the proposal by Councillor Ruane, seconded by Councillor Hearty, to accept the recommendations on the report the Strategy, Policy & Resources Committee regarding the consultation arrangements with the Health and Social Care Trusts, the results of which were as follows:

FOR: 19
AGAINST: 14

The Motion was declared **CARRIED**.

AGREED: It was agreed on the proposal of Councillor Ruane, seconded by Councillor Hearty to accept the recommendations of the Strategy, Policy & Resources Committee as follows:

To approve the proposed arrangements for consultation with Southern and South Eastern Health and Social Care Trusts as set out below:

- Following consideration by the Party Representatives Forum the following is proposed in respect of the consultation arrangements with Southern and South Eastern Health and Social Care Trusts. Northern Ireland Ambulance Service will also be invited to attend.
- The Council hold a Council meeting with the Southern and South Eastern Trusts to discuss issues relating to Health Service provision in the Newry, Mourne and Down District twice yearly.
- Should a relevant issue arise which requires addressing on an urgent basis, additional meetings may be arranged on an ad hoc basis. The Trust may use these Fora as a means of consultation.
- Six weeks prior to the quarterly meeting the Southern and South Eastern Health Working Groups will meet to identify issues and concerns. These will be Chaired by the Chairperson of Council.

The Chairperson requested the above agreed actions would be implemented as soon as possible.

SPR/139/2017 – LDP Steering Group

Councillor McAteer said the LDP Steering Group would hold responsibility for the future of planning going forward and therefore the membership of the group was extremely important. He said the group would work on new planning policies and the members of the Planning Committee with their expertise and experience would be best placed to sit on the group.

Councillor McAteer proposed there would be one additional member from each of the four main Political Parties from the Planning Committee onto the LDP Steering Group.

Councillor Byrne seconded Councillor McAteer's proposal.

The amendment by Councillor McAteer, seconded by Councillor Byrne to include one additional member from each Party from the Planning Committee onto the LDP Steering Group was then put to a vote, the results of which were as follows:

FOR: 17
AGAINST: 13
ABSTENTIONS: 2

The proposal was **CARRIED**.

AGREED: It was agreed on the proposal of Councillor McAteer, seconded by Councillor Byrne, that membership of the LDP Steering Group be approved as follows:

- 3 SF – 2 from Planning Committee and 1 from SPR Committee.
- 3 SDLP – 2 from Planning Committee, and 1 from SPR Committee.

- 2 DUP – 1 from Planning Committee, 1 from SPR Committee.
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- 2 UUP – 1 from Planning Committee, 1 from SPR Committee
- 1 Independent/Alliance – 1 from SPR Committee

SPR/145/2017 – Report on Extension of Pilot Shopmobility Scheme in Newcastle

Councillor Reilly referred to the shopmobility scheme in Newcastle, saying he had also asked for this scheme to be piloted in Kilkeel.

Mrs Carville advised the shopmobility scheme would go out to public tender and the intention was that it would extend across the District.

SPR/130/2017 – Regulating Lease of Foreshore for Newry and Mourne

In response to Councillor Reilly's query regarding the regulating lease of the foreshore for Newry and Mourne, Mrs Carville advised this item had been taken in committee, and she could speak to Councillor Reilly on any further questions.

AGREED: The Minutes were agreed as an accurate record and adopted on the proposal of Councillor Murnin, seconded by Councillor Sharvin.

C/137/2017 MINUTES OF ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 21 AUGUST 2017

Read: Minutes of the Active and Healthy Communities Committee Meeting held on 21 August 2017 (copy circulated).

Mr Lipsett, Director of Active and Healthy Communities advised there was an amendment to the minutes as follows:

AHC/129/2017 – Surestart South Armagh

Mr Lipsett advised officers would consult with Craobh Rua to ensure that they were content prior to developing a lease, in line with Council policy.

Agreed: It was agreed that officers consult with Craobh Rua prior to proceeding to developing a lease, in line with Council policy.

AHC/130/2017 – Co Down Games Centre

Councillor Murnin expressed concerns over the existing soccer pitch at Ballykinlar and asked for assurances that the proposed centre of excellence would have no impact upon the existing soccer pitch. He also referred to duplication of services and asked that the community could avail of the facilities.

Mr Lipsett advised that at a recent meeting with the Down County Board, it had been agreed that if the space where the soccer pitch was required for a football pitch, then the onus was on the Down County Board to replace the soccer pitch. Mr Lipsett referred to the duplication of facilities, saying Down County Board had suggested the community could use the facilities and he anticipated that they would obtain full access and he added that officers would work to ensure there was no duplication of facilities.

In response to comments from Councillor Reilly regarding sporting bodies continuing to use Ballykinlar camp, Mr Lipsett said he would bring back a detailed report to Committee which would address this issue.

AHC/119/2017 – Financial Assistance – Call 2 Update and Call 3 Request for Approval

Councillor Murnin requested an update on the progress on the provision of a Christmas tree for Castlewellan.

Mr Lipsett explained the Director of Regulatory & Technical Services (Interim) had looked into Council's policy on Christmas tree provision and he would contact the Slieve Croob DEA Councillors to update them in this regard.

AHC/132/2017 - Licence Agreement Between Down Community & Nmddc for use of Meeting Room in Dan Rice Hall

In response to a query from Councillor Murnin, Mr Lipsett undertook to liaise with Council's legal team to investigate ways that a similar situation could not occur in future.

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

C/138/2017 MINUTES OF REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON 23 AUGUST 2017

Read: Minutes of the Regulatory and Technical Services Committee Meeting held on 23 August 2017 (copy circulated).

RTS/78/2016 – Council Public Amenity Space near the Council public toilets at Castlewellan

Councillor Casey advised the piece of ground he had spoken about was at Mourneview Park and was not related to the public toilets at Castlewellan. He asked for an assurance that the meeting with TransportNI regarding the area of ground at Mourneview Park would be progressed as quickly as possible following ratification of the minutes.

The Chief Executive assured Councillor Casey the matter would be progressed following ratification of the minutes.

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

FOR CONSIDERATION AND/OR DECISION

C/139/2017 TO CONSIDER DRAFT CONSULTATION RESPONSE FROM COUNCIL ON STROKE SERVICES

Read: Council's response to draft consultation on Stroke Services (copy circulated).

The Chief Executive advised that following a meeting of interested groups from the Southern Trust and South Eastern Trust along with Councillors a corporate response had been prepared for approval.

Councillor Byrne wished to add the following points to the response:

- the success rate of Daisy Hill Hospital in terms of the numbers of patients receiving thrombolysis within an hour of attending hospital should be highlighted;
- Daisy Hill Hospital should be earmarked to have a hyper-acute unit.

AGREED: **It was agreed on the proposal of Councillor Byrne, seconded by Councillor McAteer to approve the corporate response to the stroke services consultation, to include the following additions:**

- **The success rate of Daisy Hill Hospital in terms of the numbers of patients receiving thrombolysis within an hour of attending hospital should be highlighted;**
- **Daisy Hill Hospital should be earmarked to have a hyper-acute unit.**

C/140/2017 MINUTES OF MEETING WITH HEALTH FORUMS REGARDING STROKE SERVICES

Read: Minutes of Meeting held on Thursday 10th August 2017 with Health Forums regarding Stroke Services (copy circulated).

NOTED: The minutes were noted.

C/141/2017 **TO CONSIDER ARRANGEMENTS FOR COUNCIL'S CORPORATE RESPONSE TO THE PUBLIC CONSULTATION ON HEALTH SERVICE SAVINGS IN BOTH THE SOUTHERN AND SOUTH EASTERN HEALTH & SOCIAL CARE TRUSTS**

Mr Hannaway advised that the new arrangements agreed regarding the Health Working Groups would not be in place in time to prepare a corporate response to the public consultation on Health Service savings therefore the current arrangements with two workshops being organised within the Southern and South Eastern Trust areas would be implemented.

AGREED: It was agreed that two workshops would be organised, one in the Southern Trust and one in the South Eastern Trust to enable preparation of a corporate response to the public consultation on Health Service savings.

FOR NOTING

C/142/2017 **REPORT ON DAISY HILL HOSPITAL PATHFINDER COMMUNITY FORUM**

Read: Report from Mr E Devlin, Assistant Director Health and Well-being, dated 4 September 2017, regarding Daisy Hill Hospital Pathfinder Project Community Forum (Copy circulated)

NOTED: The report on Daisy Hill Hospital Pathfinder Project Community Forum was noted.

C/143/2017 **AUDIT COMMITTEE ANNUAL REPORT 2016-17**

Read: Report from Ms D Carville, Director of Corporate Services, dated 4 September 2017, regarding Audit Committee Annual Report 2016-17 (Copy circulated)

NOTED: The report on Audit Committee Annual Report 2016-17 was noted.

C/144/2017 **CORRESPONDENCE FROM BOUNDARY COMMISSION FOR NORTHERN IRELAND**

Read: Correspondence received from Boundary Commission for Northern Ireland regarding 2018 Review of Parliamentary Constituencies Secondary Consultation (copy circulated)

NOTED: The correspondence received from the Boundary Commission for Northern Ireland regarding 2018 Review of Parliamentary Constituencies Secondary Consultation was noted.

NOTICES OF MOTION

C/145/2017 **NOTICE OF MOTION RECEIVED FROM PLANNING COMMITTEE MEMBERS: CLLRS CRAIG, LOUGHRAN, CASEY, CLARKE, DEVLIN, HANNA, HARTE, LARKIN, MACAULEY, MCATEER, MURNIN & RUANE**

The following Notice of Motion came forward for consideration in the name of Councillors Craig, Loughran, Casey, Clarke, Devlin, Hanna, Harte, Larkin, Macauley, McAteer, Murnin and Ruane.

"That Planning Committee decision (12) of Meeting held on 26 April 2017: P2009/1336/7 - Mr J C Campbell, 68 to 72 and 74 Shore Road, Rostrevor, proposed new 70 bed nursing home together with 41 no. 2 & 3 bedroom apartments with associated site works, landscaping and car parking (including at grade and under croft car parking) be rescinded and the Planning Committee reconsider this planning application".

Councillor Craig in proposing the motion stated the original Planning Committee decision required rescinding due to further information which had become available regarding the application. This was seconded by Councillor Loughran.

AGREED: It was agreed on the proposal of Councillor Craig, seconded by Councillor Loughran that the:

"Planning Committee decision (12) of Meeting held on 26 April 2017: P2009/1336/7 - Mr J C Campbell, 68 to 72 and 74 Shore Road, Rostrevor, proposed new 70 bed nursing home together with 41 no. 2 & 3 bedroom apartments with associated site works, landscaping and car parking (including at grade and under croft car parking) be rescinded and the Planning Committee reconsider this planning application".

There being no further business, the meeting concluded at 7.23pm

Signed:

Chairperson

Chief Executive

NEWRY, MOURNE & DOWN DISTRICT COUNCIL
RECORDED VOTE

DATE: 4th September 2017 VENUE: Downshire Civic Centre MEETING: Council Meeting

SUBJECT OF VOTE: C/136/2017 – Minutes of SPR Committee held on 17 August 2017 –
SPR/147/2017 – Consultation Arrangements with Health & Social Care Trusts

COUNCILLOR	FOR	AGAINST	ABSTAIN	ABSENT
T Andrews				X
N Bailie				X
P Brown	X			
R Burgess				X
S Burns		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		
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			
P O Gribin		X		
B O Muirì		X		
B Quinn	X			
H Reilly		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	14	19	0	8