

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

Minutes of Council Meeting held on Monday 5 September 2022 at 6.00pm in Downshire Chamber

In the Chair:

Councillor M Savage

In attendance in Chamber:

Councillor T Andrews	Councillor R Burgess
Councillor P Byrne	Councillor C Casey
Councillor D Curran	Councillor L Devlin
Councillor C Enright	Councillor O Hanlon
Councillor G Hanna	Councillor V Harte
Councillor D Lee-Surginor	Councillor A Lewis
Councillor D McAteer	Councillor McKee
Councillor K McKeivitt	Councillor A McMurray
Councillor R Mulgrew	Councillor B Ó Muirí
Councillor K Owen	Councillor H Reilly
Councillor G Sharvin	Councillor D Taylor

In attendance via Teams

Councillor J Brennan	Councillor W Clarke
Councillor A Finnegan	Councillor H Gallagher
Councillor M Gibbons	Councillor R Howell
Councillor M Larkin	Councillor O Magennis
Councillor G Malone	Councillor D Murphy
Councillor G O'Hare	Councillor M Rice
Councillor M Ruane	Councillor J Tinnelly

Officials in attendance in Chamber:

Mrs M Ward, Chief Executive
Mr M Lipsett, Director of Active and Healthy Communities
Mr C Mallon, Director of Enterprise, Regeneration and Tourism
Mr A Cassells, Director of Sustainability and Environment
Miss S Taggart, Democratic Services Manager (Acting)
Mrs D Starkey, Democratic Services Officer
Mrs L Cummins, Democratic Services Officer

C/138/2022

APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors McEvoy, Stokes and Trainor.

C/139/2022

DECLARATIONS OF INTEREST

There were no declarations of interest.

The Chairperson spoke of recent tragic road accidents and the passing of Rodney Powell and Oliver Hollywood and passed on thoughts and prayers to the families at this time.

The Chairperson, on behalf of Council, passed on condolences to former Councillor and Chairperson Mrs Naomi Bailie on the passing of her father Martin. Martin was an accomplished Down hurler and thoughts were with his family at this sad time.

The Chairperson spoke of a number of sporting successes for the District during the month of August including Commonwealth games medallists Bethany Firth and Ciara Mageean who also took the Irish record in recent days.

The Chairperson congratulated to Burren Minors team on winning the Down Championship with commiserations to a valiant Mayobridge team.

Congratulations were also given to Ballyholland Under 15's on securing the Down Division One title.

The Chairperson referred to two recent flagship events Wake the Giant and Eats and Beats and congratulated Council on the successful events that were well organised and well attended.

C/140/2022

ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 1 AUGUST 2022

Read: Action sheet arising from Council Meeting held on 1 August 2022 (copy circulated).

Agreed: The Action Sheet from Council Meeting held on 1 August 2022 was agreed on the proposal of Councillor Curran, seconded by Councillor Gallagher.

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/141/2022 MINUTES OF COUNCIL MEETING HELD ON 1 AUGUST 2022

Read: Minutes of Council Meeting held on 1 August 2022 (copy circulated).

Agreed: The Minutes of the Council Meeting held on 1 August 2022 were agreed as an accurate record and adopted, on the proposal of Councillor McAteer, seconded by Councillor Sharvin.

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/142/2022 MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 8 AUGUST 2022

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 8 August 2022 (copy circulated).

Councillor Mulgrew highlighted concerns about allegations placed on public platforms following the last Committee Meeting regarding the number of in-committee items and how the Chairperson had conducted the meeting. Councillor Mulgrew asked that it be noted that what was put on the public platform was dishonourable and untrue.

The Chairperson reminded Members that each of them had a responsibility to the adhere to the Councillors' Code of Conduct. He pointed out that the minutes had been proposed and seconded as a true record of the meeting and that he hoped that with that, those who were incorrect in what they had said, would acknowledge that.

ERT/125/2022: Tourism Events

In referring to the Eats and Beats event that had taken place over the weekend, Councillor Hanna expressed his disappointment as both himself and his colleagues had received quite a number of complaints regarding sectarian remarks made from the stage on the Saturday evening about Orangemen and those who identified as British with republican music also being played. Councillor Hanna asked that an investigation be commenced as soon as possible to find out what did happen; whether the Council staff look at what material was coming up; who engaged the particular act that was on stage that came out with these remarks that created a sectarian atmosphere. He stated that unionists and people with British identity that were present went to see music and did not want to go to see a republican show. He asked therefore that an investigation take place into the incident as soon as possible and queried why the Council staff did not stop this as soon as it had started.

The Chief Executive advised it was the first she had been made aware of complaints and that the matter would be picked up with a report brought to the Enterprise, Regeneration and Tourism Committee.

The Chairperson commented that if that did happen it would be very disappointing as what he witnessed during his time at the event was exceptional and that a number of people from throughout the District had congratulated him on behalf of Council for an outstanding event.

The Chairperson thanked Councillor Hanna for bringing it to attention and that the matter would be investigated.

Councillor Reilly seconded Councillor Hanna's request stating they had been inundated with complaints and that people were hurt and felt they had to leave the event because of the remarks made.

A lengthy discussion ensued during which Councillors Clarke, Sharvin, Devlin, Byrne and McMurray all commended officers on a great event. Members commented that they were not aware of any complaints and that all complaints made should be forwarded to officers to investigate along with any information provided, rather than putting unfounded allegations onto social media.

Councillor Hanna then changed his request and called for an independent investigation stating that he did not know if people who identified as British would go to the officers of Council and that people need to have confidence in those they are divulging their information.

Mrs Ward pointed out that as Chief Executive of Council, officers worked on behalf of the entire community and refuted comments made by Councillor Hanna as they were defamatory to Council officials.

Councillor Reilly interrupted the meeting shouting "this is a nationalist Council for nationalist people" and stated the comment from the Chief Executive should be put to the highest authority, as it was a disgrace.

The Chairperson asked Councillor Reilly to desist from interrupting the meeting and to give respect for the democratic process in the chamber. He stated as first citizen of the Council who represents everybody in the District, he had total confidence in his senior officers of the Council.

The Chairperson reminded Members that they needed to be careful of comments made in the chamber about individuals who are held in the highest esteem in the Council and advised an investigation would be launched and that he had full confidence the Chief Executive would carry that out.

SPR/129/2022: Review of Bathing Water Nominations

Councillor McAteer endorsed the decision taken for Warrenpoint's Sandy Bottom as a designated beach and asked that officers give careful consideration to signage.

Agreed:

The Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 8 August 2022 were agreed as an accurate record and adopted, on the proposal of Councillor Burgess, seconded by Councillor Lee-Surginor.

It was agreed that an investigation be launched into complaints regarding remarks made on stage at the Eats and Beats event.

C/143/2022 **MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 11 AUGUST 2022**

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 11 August 2022 (copy circulated).

SPR/122/2022: Notice of Motion Livestreaming

The Chairperson highlighted an amendment to Minute was required as the incorrect recommendation had been read out on the recording:

On the proposal of Councillor Magennis, seconded by Councillor Sharvin, it was agreed to accept option 2 of the officer's report with in-house facilitation to live stream Council and Statutory Committee meetings. A data protection impact assessment (DPIA) will be completed and a review to be carried out in six months.

SPR/121/2022: Members of Party Representatives Forum

Councillor McMurray proposed that the original proposal be re-examined and the Alliance Party be admitted onto the Party Representatives Forum.

In seconding the proposal, Councillor Enright commented that there had been rule changes for membership of the Party Representatives Forum.

The Chairperson reiterated that the underwriting ethos of democracy was to refer back to the people and what people had voted for.

During a lengthy discussion Councillors Ó Muirí, Sharvin, Byrne and Andrews pointed out the recommendation made at Party Leaders and that the Party Representatives Forum was based on Party strength at the last election.

In response to a point raised by Councillor McKee about losing seats, the Chief Executive confirmed she would speak to him separately to go through the structure.

The Chairperson then put Councillor McMurray's proposal for the Alliance Party to be admitted onto the Party Representatives Forum to a vote, the results of which were as follows:

FOR: 3
AGAINST: 34

The proposal was lost.

Councillor Finnegan joined the meeting during the above discussions – 6.43pm.

Due to technical issues the meeting took a recess at this point – 6.56pm to 7.12pm

SPR/120/2022: Draft Publication Scheme V2.4

Councillor Byrne pointed out an error and it was agreed to amend paragraph

one to read as follows:

~~suggested~~proposed it be reviewed in 1 years' time."

Agreed: **The Minutes of Strategy, Policy and Resources Committee Meeting held on 11 August 2022 were agreed as an accurate record and adopted, on the proposal of Councillor Hanlon, seconded by Councillor Magennis subject to the following amendment:**

SPR/122/2022: Notice of Motion Livestreaming

On the proposal of Councillor Magennis, seconded by Councillor Sharvin, it was agreed to accept option 2 of the officer's report with in-house facilitation to live stream Council and Statutory Committee meetings. A data protection impact assessment (DPIA) will be completed and a review to be carried out in six months.

SPR/120/2022: Draft Publication Scheme V2.4

It was agreed to amend paragraph one to read as follows:

~~suggested~~proposed it be reviewed in 1 years' time.

Councillor Malone left the meeting at this point – 19.14pm.

C/144/2022 MINUTES OF ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 15 AUGUST 2022

Read: Minutes of Active and Healthy Communities Committee Meeting held on 15 August 2022 (copy circulated).

AHC/129/2022: Presentation from Mae Murray Foundation – Inclusive Beaches

Councillor Clarke commented that since he had brought his motion in relation to disability access onto beaches in 2019 it had been a long period of time to get this much needed facility and urged officers to push on with the project urgently. He further questioned why the commencement of the project was a year away.

Agreed: **The Minutes of Active and Healthy Communities Committee Meeting held on 15 August 2022 were agreed as an accurate record and adopted, on the proposal of Councillor Ó Muirí, seconded by Councillor McAteer.**

C/145/2022 MINUTES OF SUSTAINABILITY AND ENVIRONMENT COMMITTEE MEETING HELD ON 17 AUGUST 2022

Read: Minutes of Sustainability and Environment Committee Meeting held on 17 August 2022 (copy circulated).

Agreed: **The Minutes of Sustainability and Environment Committee Meeting held on 17 August 2022 were agreed as an accurate record and adopted, on the proposal of Councillor McKeivitt, seconded by Councillor Andrews.**

C/146/2022 **PLANNING SECTION – LOCAL DEVELOPMENT PLAN**

There were no issues arising.

CORRESPONDANCE AND CONFERENCES

C/147/2022 **NORTHERN IRELAND HOUSING COUNCIL MINUTES - 9 JUNE 2022**

Read: Northern Ireland Housing Council Minutes – 9 June 2022.
(Copy circulated)

Agreed: **The Northern Ireland Housing Council Minutes dated 9 June 2022 were noted on the proposal of Councillor Ó Muirí, seconded by Councillor Burgess.**

C/148/2022 **NORTHERN IRELAND HOUSING COUNCIL BULLETIN – 11 AUGUST 2022**

Read: Northern Ireland Housing Council Bulletin – 11 August 2022.
(Copy circulated)

Agreed: **The Northern Ireland Housing Council Bulletin dated 11 August 2022 was noted on the proposal of Councillor Ó Muirí, seconded by Councillor Burgess.**

C/149/2022 **RESPONSE FROM DEPARTMENT FOR COMMUNITIES RE:C.136.2022 CRISIS WITHIN PRIVATE RENTED SECTOR**

Read: Letter dated 22 August 2022 from Department for Communities regarding, Crisis within Private Rented Sector. (Copy circulated)

Agreed: **The correspondence dated 22 August 2022 from Department for Communities regarding Crisis within Private Rented Sector was noted on the proposal of Councillor Ó Muirí, seconded by Councillor Burgess.**

C/150/2022 **NAC (NI REGION) CONFERENCE – TUESDAY 27 SEPTEMBER 2022**

Read: NAC (NI Region) Conference – Tuesday 27 September 2022

Agreed:

The NAC (NI Region) conference was noted on the proposal of Councillor Ó Muirí, seconded by Councillor Burgess.

NOTICES OF MOTION

C/151/2022 NOTICE OF MOTION – HYBRID MEETINGS

The following Notice of Motion was received from Councillor Lee-Surginor:

"This Council recognises that hybrid meetings enable easier participation and strengthen democratic engagement, whilst also being more environmentally sustainable and cost-effective. Therefore, council supports a continued commitment to hybrid meetings, will write to the Department for Communities requesting legislation is brought forward to facilitate this, and will take all necessary steps to enable hybrid meetings on a permanent basis."

In proposing the motion, Councillor Lee-Surginor stated the motion would encourage a broader demographic to stand for, be elected and remain as local Councillors and enable easier participation for people with young families and caring responsibilities people with disabilities etc. He added that during these uncertain times there would be added environmental benefits with less need to travel and less burden on ratepayers.

The motion was seconded by Councillor Enright.

Councillor Enright added the range of people participating on Council would be greatly enhanced with the motion as people with other jobs would find it easier to participate whilst driving down costs and expenses.

Councillor Byrne highlighted as a point of information that Councils' position had already been taken on the matter with a response already submitted to the Department for Communities consultation and proposed the following amendment:

This Council reaffirms its commitment to hybrid meetings which enable easier participation and strengthen democratic engagement, whilst also being more environmentally sustainable and cost-effective. Therefore, Council supports a continued commitment to hybrid meetings and rewrite to the Department for Communities on the basis of permanent legislation.

Councillor Andrews seconded Councillor Byrne's proposed amendment.

The Chief Executive took the opportunity to advise that Councillor Lee-Surginor had already been informed that there was a regional working group established to review the existing legislation and issues raised in the Department for Communities call for evidence for drafting the new regulations for consideration by the Minister Hargey and this was the basis of what Councillor Byrne was referring to.

Councillor Lee-Surginor accepted the amendment.

Councillor Ó Muirí then proposed a further amendment as his party did not feel it was necessary to write to the Department for Communities again when a regional working group had already been established.

Councillor Ó Muirí then put forward his proposed amendment to read as follows:

This Council reaffirms its commitment to hybrid meetings which enable easier participation and strengthen democratic engagement, whilst also being more environmentally sustainable and cost-effective. Therefore, Council supports a continued commitment to hybrid meetings.

Councillor Hanlon seconded Councillor Ó Muirí's proposed amendment.

Councillor Lee-Surginor accepted the amendment.

Councillor Reilly voiced opposition to the motion as it stood, on behalf of his party, stating in-person meetings can create a sense connection and empathy and more collaborative participation. He added in person meetings demonstrated to the electorate that their representatives were prepared to make the effort and allocate time to attend on their behalf.

Councillor Reilly proposed the following amendment:

All full Council and main Committee meetings are held in person whilst meetings that carry no executive decisions can be held hybrid.

Councillor Hanna seconded Councillor Reilly's proposed amendment.

Councillor Lee-Surginor did not accept the amendment.

Councillor Taylor commented the discussion had become complicated and suggested if Councillor Lee-Surginor would be willing to allow further discussion on the matter at another appropriate Committee.

Councillor Lee-Surginor rejected the request.

A lengthy discussion ensued following which Councillor Reilly's proposed amendment was put to a vote, the results of which were as follows:

For: 7

Against: 28

The amendment proposed by Councillor Reilly was lost.

The Chairperson then advised the amended motion, as follows was passed:

"that this Council reaffirms its commitment to hybrid meetings which enable easier participation and strengthen democratic engagement, whilst also being more environmentally sustainable and cost-effective. Therefore, Council supports a continued commitment to hybrid meetings."

AGREED:

It was agreed on the proposal of Councillor Lee-Surginor, seconded by Councillor Enright that this Council reaffirms its commitment to hybrid meetings which enable easier participation and strengthen democratic engagement, whilst also being more environmentally sustainable and cost-effective. Therefore, Council supports a continued commitment to hybrid meetings.

C/152/2022

NOTICE OF MOTION – FUNDING FOR CROSS BORDER AND ACTIVE TRAVEL

The following Notice of Motion was received from Councillor Enright:

This council recognises the opportunity presented by cross-border tourism and the importance of active travel for healthier, more sustainable lifestyles. It also recognises the key role that projects such as the Narrow Water Bridge and Albert Basin Park can play in supporting this.

Council will appoint an officer responsible for identifying funding for cross border tourism and active travel in the area within a month of this motion being passed. and Council will formally write to the Southern Government's Shared Island Unit expressing their interest in submitting a formal application for a number of projects which will support cross border tourism and active travel in the area.

This will specifically include applications for

- 1. the remainder of funding for the Albert Basin Park project,*
- 2. an Omeath Road cycle expressway, and*
- 3. connective cycle lanes and greenways between Newry city centre and Rostrevor to link to the Mourne Way as part of restoring the Ulster Way.*

The Motion was seconded by Councillor McMurray.

Agreed:

The Motion was referred to the Strategy, Policy and Resources Committee in accordance with Standing Order 16.1.6.

C/153/2022

NOTICE OF MOTION – MOTHER AND BABY INSTITUTIONS IN NORTHERN IRELAND

The following Notice of Motion was received from Councillor Lewis:

"This Council recognises the impact of Mother and Baby institutions in Northern Ireland. We further acknowledge the abuse, harrowing effects, mistreatment, cross-denominational and transgenerational trauma impacting many families across our district.

This Council will encourage anyone impacted by the mother and baby institutions, Magdalene laundries and workhouses in Northern Ireland between 1922 to 1990 to come forward confidentially and seek assistance from the dedicated Police Service of Northern Ireland investigation team.

We commit to ensuring information literature and the signposting of advice is available within our civic centres and public amenity buildings."

The Motion was seconded by Councillor Owen.

In proposing the motion, Councillor Lewis stated that the matter had come to light after speaking to a constituent whose family had suffered as a result of these institutions since 1956, which had had a lasting trauma and stigma attached to it as some of the relatives had actually been born within the institutions. The family had been further

impacted more recently as new information had been discovered since working closely with PSNI and investigative teams.

Councillor Mulgrew welcomed the motion, stating the treatment and judgement of women from all backgrounds and situations throughout the 20th century was unacceptable and highlighted that for many affected it was too late for any redress, but as a society we needed to be doing everything we could to support mothers and their children to come forward and anybody that could be found guilty of any wrongdoing brought to justice.

Councillor Mulgrew added more awareness was needed in signposting people wishing to come forward to get the answers and support they needed in a safe and supportive manner and that this was something Council could explore further. Reference was made to 'Safe Space' and work with PSNI and Women's Aid.

Councillors McMurray, Taylor, McKeivitt and McKee on behalf of their parties all voiced support for the motion.

The Chairperson welcomed the motion stressing a message of compassion and support was needed and the stigma associated be removed.

Councillor Lewis thanked Members for their support for his motion.

AGREED:

It was agreed on the proposal of Councillor Lewis, seconded by Councillor Owen that 'This Council recognises the impact of Mother and Baby institutions in Northern Ireland. We further acknowledge the abuse, harrowing effects, mistreatment, cross-denominational and transgenerational trauma impacting many families across our district.

This Council will encourage anyone impacted by the mother and baby institutions, Magdalene laundries and workhouses in Northern Ireland between 1922 to 1990 to come forward confidentially and seek assistance from the dedicated Police Service of Northern Ireland investigation team.

We commit to ensuring information literature and the signposting of advice is available within our civic centres and public amenity buildings."

There being no further business, the meeting concluded at 8.00pm.

For confirmation at the Council Meeting to be held on Monday 3 October 2022.

Signed:

Chairperson

Chief Executive