

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

**Minutes of Council Meeting held on Monday 7 March 2016 at 6pm in the
Mourne Room, Downshire Civic Centre, Downpatrick**

In the Chair: Councillor M Ruane

In attendance: (Councillors)

Councillor T Andrews	Councillor P Brown
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 L Devlin	Councillor S Doran
Councillor S Ennis	Councillor G Fitzpatrick
Councillor G Hanna	Councillor V Harte
Councillor H Harvey	Councillor L Kimmins
Councillor M Larkin	Councillor K Loughran
Councillor D McAteer	Councillor C McGrath
Councillor H McKee	Councillor R Mulgrew
Councillor M Murnin	Councillor P O’Gribin
Councillor B O’Múiri	Councillor B Quinn
Councillor H Reilly	Councillor G Stokes
Councillor D Taylor	Councillor JJ Tinnelly
Councillor B Walker	

(Officials)

Mr L Hannaway, Chief Executive
Mr E Curtis, Director of Strategic Planning and Performance
Mr M Lipsett, Director of Active and Healthy Communities
Mr C O’Rourke, Director of Regulatory and Technical Services
Mrs M Ward, Director of Enterprise, Regeneration and Tourism
Mrs C Miskelly, Assistant Director Corporate Services, Human Resources
Mrs E McParland, Democratic Services Manager
Miss S Taggart, Democratic Services Officer
Mrs C Taylor, Democratic Services Officer

C/45/2016

APOLOGIES AND CHAIRPERSON’S REMARKS

Apologies were received from Councillors Bailie, Byrne, Enright, Hearty, K McAteer and Sharvin.

C/46/2016

DECLARATIONS OF INTEREST

There were no declarations of interest.

C/47/2016

ENVIRONMENTAL YOUTH SPEAK WINNERS

The Chairperson congratulated the District's senior winner of Environmental Youth Speak - Lucia Orsi, and welcomed her to the meeting. The Chairperson said the junior winners, Michael O'Grady and Clare Reel of Carrickrovaddy Primary School, had been unable to attend the meeting.

The Chairperson wished Lucia (representing the Assumption Grammar, Ballynahinch) well at the NI Grand Final of the Environmental Youth Speak and invited her to make a 5 minute presentation to Council.

The Chairperson passed on Council's condolences to the families of Patrick Cunningham of Kilkeel and Niall Quinn of Silverbridge, who recently lost their lives due to tragic accidents.

C/48/2016

ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 1 FEBRUARY 2016

Read: Action Sheet from Council Meeting held on 1 February 2016 (copy circulated)

NOTED: The Action Sheet from Council Meeting held on 1 February 2016 was NOTED.

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/49/2016

MINUTES OF COUNCIL MEETING HELD ON 1 FEBRUARY 2016

Read: Minutes of Council Meeting held on 1 February 2016 (copy circulated)

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

C/50/2016

MINUTES OF SPECIAL COUNCIL MEETING HELD ON 10 FEBRUARY 2016

Read: Minutes of Council Meeting held on 10 February 2016 (copy circulated)

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

C/51/2016 **MINUTES OF COUNCIL MEETING HELD ON 15 FEBRUARY 2016**

Read: Minutes of Council Meeting held on 15 February 2016 (copy circulated)

Councillor D McAteer referred to the adoption of the new planning procedures and asked management to consider giving the Planning Committee additional independent functions, as currently matters relating to planning were also linked to the remit of the Strategy, Policy and Resources Committee and the Regulatory and Technical Services Committee.

AGREED: Mr Hannaway, Chief Executive explained that a strategic review would be undertaken of the terms of reference for all committees, and Councillor D McAteer's suggestion would be picked up at that point.

AGREED: In response to a query from Councillor Reilly regarding planning applications from small businesses being prioritised, Mr Hannaway said business planning application were being given priority and that applications which could be processed quickly, were being dealt with first. He asked Councillor Reilly to forward to him the details of the business/es being referred to and said this matter could then be followed up.

AGREED: In response to Councillor Carr's issue regarding the E pic planning portal not working, Mr Hannaway undertook to have this matter looked at.

AGREED: In response to Councillor Burns' query regarding pre-application guidelines, Mr Hannaway undertook to send Members further information on what information they could bring to the pre-application meetings.

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

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/52/2016 **MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 8 FEBRUARY 2016**

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 8 February 2016 (copy circulated)

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

C/53/2016 **MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 11 FEBRUARY 2016**

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 11 February 2016 (Copy circulated).

SPR/32/2016 - Land at Altnaveigh, Newry

AGREED: Mr Hannaway advised officers were starting a piece of work on a policy to cover all elements of leases for sporting clubs which would be brought to Party Representatives Forum in April, and then to Strategy, Policy and Resources in April or May 2016.

SPR/38/2016 - Invitation to Kirovsk

AGREED: In response to Councillor Taylor, Mr Curtis said the Russian Kirovsk programme had been very successful and agreed to bring a report back to Strategy, Policy and Resources Committee on how the programme was working and the benefits to Council.

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

C/54/2016 **MINUTES OF REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON 17 FEBRUARY 2016**

Read: Minutes of Regulatory and Technical Services Committee Meeting held on 17 February 2016 (Copy circulated).

RTS/24/2016 – Integration of Ballyward Bin Collection

In response to Councillor Craig's query regarding the Service Level Agreement with Armagh, Banbridge and Craigavon Borough Council for brown bin collection in the Ballyward area, Mr O'Rourke explained that the intention was to continue with this brown bin service for the time being. From April 2017, Council would be required to provide an organics collection across the District, and the Ballyward area would be standardised at this point.

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

C/55/2016 **MINUTES OF ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 22 FEBRUARY 2016**

Read: Minutes of Active and Healthy Communities Committee Meeting held on 22 February 2016 (Copy circulated).

AGREED: The minutes were agreed as an accurate record and adopted on the proposal of Councillor Kimmins , seconded by Councillor O'Múiri.

AHC/25/2016 – DCAL Response

Councillor D McAteer said the Council should look into the equality of provision of Council owned gaelic pitches, as he had seen figures for his area which showed there were only 6 gaelic pitches owned by the Council, but 32 Council owned soccer pitches.

Councillor Taylor said there was no attempt by Council to deny gaelic players the use of pitches and in his opinion, this was not an equality issue.

Councillor O'Múiri said that the Council did not need any more GAA pitches. He advised that all the GAA clubs in his area owned their own grounds.

C/56/2016 **MINUTES OF AUDIT COMMITTEE MEETING HELD ON 28 JANUARY 2016**

Read: Minutes of Audit Committee Meeting held on 28 January 2016 (Copy circulated).

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

C/57/2016 **REPORT FROM CHIEF EXECUTIVE ON RISK MANAGEMENT POLICY**

Read: Report to Council on Risk Management Policy Version 1.0 and Risk Management Policy v.1.0 (copy circulated)

In response to a query from Councillor Reilly, Mr Hannaway advised that this policy related to total risk management, that it was an evolving document and risks would be picked up as the organisation evolved.

AGREED: **It was agreed on the proposal of Councillor Murnin, seconded by Councillor Tinnelly, that the Risk Management Policy (Version 1.0) be approved.**

NOTED: **The need to more fully integrate/embed risk management into key decisions going forward.**

C/58/2016 **MINUTES OF ELECTED MEMBER DEVELOPMENT WORKING GROUP HELD ON 4 FEBRUARY 2016**

Read: Minutes of Elected Member Development Working Group held on 4 February 2016 (Copy circulated).

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

CORRESPONDENCE AND CONFERENCES

C/59/2016 **CONFERENCE ON HOUSING POLICY IN NORTHERN IRELAND**

Read: Policy Forum for Northern Ireland Keynote Seminar – Housing in Northern Ireland: meeting market demand and reforming the social housing sector (Copy circulated).

NOTED: **It was noted that any Member wishing to attend the above conference, inform Democratic Services.**

C/60/2016 **CORRESPONDENCE RECEIVED FROM POST OFFICE REGARDING TEMPORARY CLOSURE OF BRYANSFORD POST OFFICE**

Read: Correspondence received from Post Office re: temporary closure of Bryansford Post Office (Copy circulated).

NOTED: The correspondence received from the Post Office regarding Bryansford Post Office was noted.

FOR NOTING

C/61/2016 **CORRESPONDENCE FROM BOUNDARY COMMISSION FOR NI RE: 2018 REVIEW OF PARLIAMENTARY CONSTITUENCIES**

Read: Correspondence dated 24 February 2016 received from Tim Johnston, Office Manager, Boundary Commission for Northern Ireland re: 2018 Review of Parliamentary Constituencies (copy circulated)

NOTED: The correspondence received with regard to 2018 Review of Parliamentary Constituencies was **NOTED**.

C/62/2016 **CORRESPONDENCE RECEIVED RE: RATES SUPPORT GRANT**

Read: Correspondence dated 16 February 2016 received from Margaret Ritchie MP and Megan Fearon MLA dated 18th February 2016 regarding Rates Support Grant (copies circulated).

In response to Councillor Curran's query, Mr Hannaway confirmed a response had been received from the Minister advising that the Rates Support Grant had been restored however, this would be a longer term issue which would be dealt with by the new Executive after the May election.

Councillor Craig said this was an important issue which should be lobbied on from the start of the new executive. He suggested requesting a meeting regarding the Rates Support Grant when the new Minister was in place and to include rates relief for small businesses.

Mr Hannaway advised that correspondence on this matter had been sent to the MLA's for the area.

AGREED: A briefing to be organised after the May election for all parties regarding the Rates Support Grant and the rates relief for small businesses, an invitation for which would be extended to the other 5 Councils in receipt of the Rates Support Grant.

C/63/2016 **CORRESPONDENCE RECEIVED FROM CORMAC SHARVIN,
ARDGLASS GOLF CLUB**

Read: Correspondence dated 17 January 2016 received from Cormac Sharvin, Ardglass Golf Club (copy circulated)

NOTED: **The correspondence received from Cormac Sharvin was NOTED.**

C/64/2016 **CORRESPONDENCE RECEIVED FROM APOSTOLIC
NUNCIATURE IN IRELAND REGARDING INVITATION TO
POPE FRANCIS**

Read: Correspondence dated 3 February 2016 from Apostolic Nunciature in Ireland regarding invitation to Pope Francis (copy circulated)

NOTED: **The correspondence received from Apostolic Nunciature in Ireland regarding invitation to Pope Francis was NOTED.**

C/65/2016 **CORRESPONDENCE RECEIVED FROM DHSSPS RE:
HELICOPTER EMERGENCY MEDICAL SERVICE (HEMS)**

Read: Correspondence dated 10 February 2016 received from DHSSPS re: Helicopter Emergency Medical Service (HEMS) – Public Consultation (copy circulated)

NOTED: **The correspondence received was NOTED.**

**ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE
LOCAL GOVERNMENT ACT (NI) 2014**

C/66/2016 **BALLYNAHINCH EI SCHEME – PROGRESS ON
ADJUDICATION**

This item was withdrawn – awaiting further information

SEALING DOCUMENTS

C/67/2016 **SEALING DOCUMENTS**

AGREED: **It was agreed to sign and seal the following documents on the proposal of Councillor Doran, seconded by Councillor Craig:**

1. Use of Council lands at Middlebank, Albert Basin, Newry
2. Europe for Citizens Programme - Networks of Towns

3. Licence Agreement - Use of Castle Park Car Park by Ulster Bank Ltd for Mobile Banking Service.
4. Licence Agreement – Use of Council Lands at Middlebank, Albert Basin, Newry, by Fossett Brothers Circus Limited.
5. Licence Agreement – Use of Council Lands at Middlebank, Albert Basin, Newry, by Cullen’s Amusements.
6. Assisted Car Purchase – Environmental Health Officer

AGREED: **In response to a query from Councillor McGrath, Mr Hannaway undertook to check whether the Welfare of Animals Act (NI) 2011 was applicable to the request by Fossett Brothers Circus Ltd to use Council lands.**

NOTICES OF MOTION

C/68/2016

NOTICE OF MOTION – EU MEMBERSHIP

The following Notice of Motion came forward for consideration in the names of Councillor Brown:

"That this Council recognises the important economic and social benefits of the UK staying within the EU, particularly the benefits that EU membership can bring to Newry, Mourne and Down, including its businesses, public sector and civil society. We recognise the social benefits of multiculturalism and the free movement of peoples, and the benefits of an open border with the Republic of Ireland. This Council calls upon Prime Minister David Cameron, Secretary of State Teresa Villiers and First Minister Arlene Foster to campaign for an 'in' vote in the forthcoming referendum."

In proposing the motion, Councillor Brown stated the threat of Brexit could have serious economic and social impacts upon the people of Northern Ireland. He said 80% of large and small businesses would like to remain in the EU and with agriculture being one of Northern Ireland’s most important infrastructures, turning over £4.5billion a year, and with the single farm payment keeping many in business, many farmers would like to see UK remaining in the EU.

Councillor Brown stated those on the pro-Brexit side of the argument would say that the UK would have more economic opportunities outside of the EU. However, although the UK would save a lot of money by leaving the EU, this money was unlikely to be ploughed back into Northern Ireland. He went on to say that politically there were no positive reasons to leave and he found it interesting that those Parties who claimed to be pro-union would advocate leaving the EU as it would likely lead to Scotland becoming independent.

Councillor P Clarke seconded the motion stating historically the EU has been very beneficial towards Northern Ireland, bringing peace and structure funding. He stated that if the UK left the EU it would likely lead to old border controls being put in place and the requirement to pay taxes on goods and services.

Members discussed the issue at length and those in support of the motion made the following points:

- SDLP support the motion to stay in Europe however would like to see the last line of the motion removed.
- The benefits to Northern Ireland in terms of transport, business, peace, agriculture and INTERREG funding have been immense over the last number of years.
- Border areas will be wrecked if the UK leave the EU as passport control and border control will need to be set up.
- Many business people and those in agriculture were already speaking in support of staying within the EU because if money went back to Whitehall, it was unlikely to make its way back into Northern Ireland.
- Scotland were likely to seek independence therefore dissolving the United Kingdom.
- Sinn Fein support the motion.
- Peace and democracy across the EU are more stable.
- Trading within a huge group rather than as individual countries was more beneficial.
- People are free to travel and work in EU countries.
- For those who don't support the motion, were there any guarantees that funding in Northern Ireland would be continued by the British Government.

Those Members who spoke against the motion made the following points:

- Within the 1949 Ireland Act, the UK does not regard Republic of Ireland people as foreign and this would not change therefore there would not be any additional passport controls.
- The EU gave the UK zero hours contracts, and the free movement of people was designed to lower wages, workers mean nothing in the EU.
- If the UK leave the EU as agriculture is a pivotal industry, it will retain foreign support and investment.
- As the EU expands eastwards and southwards to include Bosnia & Herzegovina, Turkey etc. all farm support and funding will be challenged into these smaller countries.
- Transatlantic trade and investment partnerships would see all agricultural tariffs from the USA being removed which in turn would decimate Irish and British agriculture.
- Councils and the NHS will be open to privatisation by huge American multi-nationals.
- The EU were already setting aside money to alleviate the pressures from those who will lose their jobs.
- UK need to take their sovereignty back and take control of their own laws again.
- The people within the fishing industry are not in favour of staying in Europe as they feel the EU has destroyed the fishing industry in Ireland in particular.
- There should be more border controls and policies such as the ones they have in Australia and Canada should be adopted.
- A lot of the people who were in the country should not be, there seems to be a lot of Eastern Europeans in the courts in Newry.

- There are quite a considerable amount of farmers who are not in favour of staying in the EU as they feel the single farm payments are not fair.
- The EU can be overly bureaucratic and there were genuine concerns about public services.
- The USA was the largest investor in Northern Ireland. If a product was good, people would buy it and being competitive was the key to successful trading.
- Farmers' payments had not increased since 2003 and would reduce even further when more countries joined the EU.

Councillor W Clarke reminded Councillors they needed to be mindful of what they said in a public arena as this could have negative consequences within the community and could result in hate crime. He stated the comments regarding Eastern Europeans 'filling up the courthouses' was disgusting and damaging and he asked Councillor Hanna to withdraw these comments.

Councillor Stokes proposed an amendment to the motion and asked that the motion be accepted without the final sentence, to read: **"That this council recognises the important economic and social benefits of the UK staying within the EU, particularly the benefits that EU membership can bring to Newry, Mourne and Down, including its businesses, public sector and civil society. We recognise the social benefits of multiculturalism and the free movement of peoples, and the benefits of an open border with the Republic of Ireland."**

This was seconded by Councillor D McAteer.

Councillor Stokes also asked that Councillor Hanna withdraw his racist comments, and if he did not, that the recording of the meeting be forwarded to the PSNI for them to investigate whether the comments were an incitement to hatred.

The amendment, as proposed by Councillor Stokes, seconded by Councillor D McAteer, was put to a vote, with voting being as follows:

FOR: 10
AGAINST: 1
ABSTENTIONS: 17

The amendment was CARRIED and became the substantive motion, and was then put to a vote - voting being as follows:

FOR: 25
AGAINST: 8
ABSTENTIONS: 0

The substantive motion was CARRIED.

AGREED: It was agreed on the proposal of Councillor Stokes, seconded by Councillor D McAteer "that this Council recognises the important economic and social benefits of the UK staying within the EU, particularly the benefits that EU membership can bring to Newry,

Mourne and Down, including its businesses, public sector and civil society. We recognise the social benefits of multiculturalism and the free movement of peoples, and the benefits of an open border with the Republic of Ireland.”

Councillor Hanna clarified his remarks stating that undesirables were not welcome in this country from any part of the world and that there should be some mechanism in place that they be filtered out.

C/69/2016

NOTICE OF MOTION – DOWNE HOSPITAL EMERGENCY SERVICES

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

"That this Council requests that the Minister for Health reinstates the services that were removed from the Downe Hospital under the premise of emergency situations."

In proposing his motion, Councillor Reilly stated the 24hour A&E and designated coronary care provision at the Downe Hospital were removed to take doctors and equipment to other hospitals and called on the Minister for Health to reinstate these. He stated young doctors were leaving the country to go to Australia as the packages there were more attractive and suggested that Council could assist the Health Trust in offering attractive recruitment packages to keep young doctors here.

Councillor Walker seconded the motion stating services need to be returned to the Downe Hospital the level of trolley waits in the Ulster was unacceptable, whilst the Downe was empty.

Members spoke in support of the motion raising the following points:

- The Council and members of the public campaigned for 40 years for a new hospital and now that it was in place it should be used as intended.
- A task and finish group has already been set up by the Council to action the points raised in the motion. Members should be wary of using issues as political footballs as part of electioneering campaigns.
- Equality of access was required for people living in rural areas.

In summing up, Councillor Reilly stated the matter was not being raised as a political football. He said critical decisions were being made at present in relation to the Downe Hospital and it was an outstanding facility that should be used more extensively.

The motion was CARRIED unanimously.

AGREED: It was agreed on the proposal of Councillor Reilly, seconded by Councillor Walker that the Council requests

that the Minister for Health reinstates the services that were removed from the Downe Hospital under the premise of emergency situations.

There being no further business, the meeting concluded at 7.45pm

Signed:

Chairperson

Chief Executive