

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

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

In the Chair: Councillor G Fitzpatrick

In attendance: **(Councillors)**

Councillor T Andrews	Councillor R Burgess
Councillor S Burns	Councillor P Byrne
Councillor M Carr	Councillor C Casey
Councillor W Clarke	Councillor G Craig
Councillor S Doran	Councillor S Ennis
Councillor C Enright	Councillor G Hanna
Councillor V Harte	Councillor H Harvey
Councillor T Hearty	Councillor D Hyland
Councillor L Kimmins	Councillor M Larkin
Councillor K Loughran	Councillor J Macauley
Councillor D McAteer	Councillor R Mulgrew
Councillor M Murnin	Councillor P Ó'Gribin
Councillor B Quinn	Councillor H Reilly
Councillor M Ruane	Councillor G Sharvin
Councillor G Stokes	Councillor D Taylor
Councillor J Trainor	Councillor B Walker

(Officials)

Mr L Hannaway, Chief Executive
Mr E Curtis, Director of Strategic Planning and Policy
Mrs D Carville, Director of Corporate Services
Mr M Lipsett, Director of Active and Healthy Communities
Mr C O'Rourke, Director of Regulatory and Technical
Services
Mr E McManus, Capital Projects
Ms C Murphy, Countryside Access Officer
Mrs E McParland, Democratic Services Manager
Miss S Taggart, Democratic Services Officer
Mrs C Taylor, Democratic Services Officer

C/188/2016

APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Brown, Curran, Devlin and Tinnelly.

- The Chairperson wished Councillor Tinnelly a speedy recovery following his recent serious accident and advised she had organised a small token which she would deliver to him.
- The Chairperson congratulated Councillor Ó'Gribin on the recent birth of his third daughter.

C/189/2016

DECLARATIONS OF INTEREST

Councillor Byrne declared an interest in item 26 on the agenda – To consider items in relation to an Appeal to the High Court.

The Chief Executive declared an interest in item 24 on the agenda – Sealing Documents

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/190/2016

MINUTES OF COUNCIL MEETING HELD ON 3 OCTOBER 2016

Read: Minutes of Council Meeting held on 3 October 2016 (copy circulated)

A2 Road

Councillor Reilly questioned whether all of the Mournes DEA Councillors could be involved in the delegation to the Minister as the majority of the road in question was contained within the Mournes DEA, rather than Crotlieve.

In response to a query from Councillor Reilly, Mrs McParland advised the Minister could not meet with the delegation on 13th December and had offered 9th January as a possible alternative meeting date.

AGREED: It was agreed that the Mournes DEA Councillors should form the delegation to meet the Minister on 9th January 2017.

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

C/191/2016

ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 3 OCTOBER 2016

Read: Action Sheet from Council Meeting held on 3 October 2016 (copy circulated)

C/176/2016 – Minutes of ERT 12 September 2016

Mr Hannaway advised a paper would be submitted to the ERT Committee on the issue of ownership of the car park at the bottom of Catherine Street, Newry and that Councillor Casey be invited to attend the ERT Committee for discussion on this agenda item.

AGREED: The Action Sheet from Council Meeting held on 3 October 2016 was agreed.

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/192/2016 MINUTES OF SPECIAL COUNCIL MEETING HELD ON 26 SEPTEMBER 2016

Read: Minutes of Special Council Meeting held on 26 September 2016 (copy circulated)

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

C/193/2016 MINUTES OF SPECIAL COUNCIL MEETING HELD ON 20 OCTOBER 2016

Read: Minutes of Special Council Meeting held on 20 October 2016 (copy circulated)

Councillor Burns advised he had tendered an apology for the meeting which had not been recorded.

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

C/194/2016 MINUTES OF SPECIAL COUNCIL MEETING HELD ON 24 OCTOBER 2016

Read: Minutes of Special Council Meeting held on 24 October 2016 (copy circulated)

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

C/195/2016

**MINUTES OF SPECIAL COUNCIL MEETING HELD ON 25
OCTOBER 2016**

Read: Minutes of Special Council Meeting held on 25 October 2016
(copy circulated)

Councillor Taylor advised he had tendered an apology for the meeting which had not been recorded.

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

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/196/2016

**MINUTES OF ENTERPRISE, REGENERATION AND
TOURISM COMMITTEE MEETING HELD ON 10 OCTOBER
2016**

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 10 October 2016 (copy circulated)

ERT/149/2016 – Presentation re: National Trust

Mrs McParland advised that Councillor Bailie had requested a correction to the minute to read that Council ask the National Trust to consider a Park and Ride facility from Castleward to Strangford Village.

Councillor Mulgrew said when organisations were invited to make presentations to Committees they should have knowledge of schemes taking place throughout the whole Council area.

ERT/156/2016 – Mooring Licence – Newcastle Harbour

Councillor Hanna stated 3 years was too long for a Mooring Licence to be granted and proposed that the matter be sent back to the ERT Committee for further discussion. This was seconded by Councillor Reilly who stated licences should be granted on a yearly basis only or alternatively should have a lot of conditions attached, if granted for a longer term.

AGREED: It was agreed on the proposal of Councillor Hanna, seconded by Councillor Reilly that the matter of Mooring Licences be referred back to the ERT Committee for further discussion.

AGREED: The minutes were agreed as an accurate record and adopted on the proposal of Councillor Burgess, seconded by Councillor Sharvin, with the amendment as agreed to minute ERT/149/2016.

C/197/2016

**MINUTES OF STRATEGY, POLICY AND RESOURCES
COMMITTEE MEETING HELD ON 13 OCTOBER 2016**

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 13 October 2016 (copy circulated)

**SPR/214/2016 – Action Sheet of the Strategy, Policy and Resources Committee Meeting held on 15 September 2016 –
SPR/192/2016 – Former Kindle Primary School – Business Case**

Councillor Sharvin asked for a further update on the acquisition of the former Kindle Primary School.

Mr Lipsett advised a report would be brought to the next SPR Meeting as officials were currently finalising price and business case.

SPR/221/2016 – Management Accounts to 31 August 2016

Councillor Sharvin asked when an action plan with the additional variances would be presented to Members.

Mrs Carville advised a report would be brought to the next SPR Meeting with details of variances and overspends.

**SPR/228/2016 – Correspondence received from Land & Property Services re: Disposal of Land at Sugar Island, Newry
SPR/229/2016 – Disposal of Land at Carnbane, Newry**

The Chief Executive advised additional correspondence had been received on the above two issues and these would be brought back to the next Committee meeting.

AGREED: The minutes were agreed as an accurate record and adopted on the proposal of Councillor Burgess, seconded by Councillor Andrews, with the exception of minute SPR/228/2016 and SPR/229/2016, which would be referred back to Committee for further consideration.

C/198/2016

**MINUTES OF ACTIVE AND HEALTHY COMMUNITIES
COMMITTEE MEETING HELD ON 17 OCTOBER 2016**

Read: Minutes of Active and Healthy Communities Committee Meeting held on 17 October 2016 (copy circulated)

AHC/131/2016 – Presentation – County Down Rural Community Network – Community Centre Effectiveness Review

Councillor Casey advised he had raised an issue of the supply of consumables to Community Centres and asked had the process of giving money up front been reviewed at the first stage of the review.

Mr Lipsett advised this had been included in stage one of the review process and community groups would now be paid money upfront to purchase consumables themselves.

AHC/136/2016 – Neighbourhood Renewal Revenue Programme

Councillor Casey queried whether those capital projects which were shovel ready could avail of this funding, such as the BMX track at Derrybeg and Drumalane Community Centre.

Mr Lipsett advised officials were working towards the possibility that once funding was secured, those types of projects could avail of it.

Councillor Mulgrew advised Camlough Community Association were applying for Peace IV funding and asked whether Council officials could meet with the group to assist them in their application.

Mr Curtis advised officers had met with the group and a further meeting would be set up to assist.

Councillor Reilly asked whether a letter could be written to the organisation responsible for Working Family Tax Credits advising them of the hardships that people were facing and asking them to ensure payments were made swiftly.

AGREED: **It was agreed that a letter be written to the organisation responsible for Working Family Tax Credits advising them of the hardships faced by people and asking them to ensure payments were made swiftly.**

AHC/138/2016 – Play Strategy Update

Councillor D. McAteer asked if there was a communication problem in that the consultations on the play strategy were not advertised and not available on the Council's website.

Mr Lipsett advised he would send the Member details of how the consultations had been advertised and said the consultation deadline was 7th December 2016, so members of the public still had time to submit their views.

Councillor Hyland stated he was pleased to see some Newry areas receiving funding for Community Centres and playgrounds, however areas such as Carlingford Park, Sean O'Neill Park and Commons Way were in a bad state of repair and needed some funding. He advised over the Halloween period he had contacted the Council to have tyres and furniture removed as they were contributing to anti-social behaviour and was told removal would take a week. He stated this was unacceptable.

Councillor Stokes agreed with Councillor Hyland advising Carlingford Park and Peter McParland Park in Newry had been totally neglected by the Council for at least 18 years.

AHC/142/2016 – Caravan Site, Forkhill Road, Newry

Councillor Larkin asked whether any officials had visited the site at Forkhill Road recently as there was a mound of rubbish accumulating on the roadside near businesses and houses.

Mr Lipsett advised officials were aware of the issue and the Council sub-group dealing with the issue were in discussion about it. He advised officials would visit the site to assess any further issues in relation to fire safety and public health.

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

C/199/2016 MINUTES OF REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON 19 OCTOBER 2016

Read: Minutes of Regulatory and Technical Services Committee Meeting held on 19 October 2016 (copy circulated)

RTS/169/2016 – District Wide Food Waste Collection Service

Councillor Sharvin asked what the 5 old refuse vehicles would be used for and how long the staff employed on temporary contracts would be in post. He also queried the average age of the vehicles currently within the fleet and the age of the old vehicles.

Mr O'Rourke advised the 5 old vehicles would be retained in order to allow the fleet to be large enough to cover the increased domestic food waste collection service. He stated each of these vehicles would need a driver and helper, therefore the 10 additional staff would likely be in place for one year to allow for a full round optimisation to be completed.

Mr O'Rourke stated the average age of the vehicles would be 7 years and the 5 old vehicles would be between 9 and 11 years old.

RTS/157/2016 – Apologies and Chairperson's Remarks

Councillor Casey stated the wording of the action was not correct and proposed the action be amended to read, ***"it was agreed relevant officers investigate how much it would cost the Council to take over, in conjunction with Transport NI, the upkeep of the Transport NI owned roundabout at Carnbane Gardens, Newry, and also to investigate how much it would cost a business to sponsor a planting/improvement scheme."*** He advised this was what had been discussed at the meeting.

This was seconded by Councillor Taylor, who said this reflected discussion and agreement at the meeting.

AGREED: It was agreed on the proposal of Councillor Casey, seconded by Councillor Taylor to amend the action paragraph of RTS/157/2016 to read:
"it was agreed relevant officers investigate how much it would cost the Council to take over, in conjunction with Transport NI, the upkeep of the Transport NI owned roundabout at Carnbane Gardens, Newry, and also to investigate how much it would cost a business to sponsor a planting/improvement scheme."

In response to a query from Councillor Murnin, the Chief Executive advised that Members had, to date, brought issues onto Committee agendas, however there was a protocol which should be followed and operational issues should be dealt with by the Director.

Councillor Sharvin stated that under Item 12.2 on the Standing Orders it stated that: *"any Member who wishes to have a particular matter included on the agenda for a meeting of a Committee shall make such request in writing to the appropriate Chief Officer. If the subject matter of the request falls within the remit of the Committee and the action proposed to be taken is lawful, the Chief Officer shall, after informing the appropriate Chairperson, arrange for that matter to be included on the agenda for the next available monthly meeting of the Committee, indicating the name of the Member who will be speaking to the issue at the meeting."*

The Chief Executive stated this was not included in the Council's current Standing Orders and that the item to deal with Standing Orders would be withdrawn from the agenda to allow officers to ensure the correct proposed amended copy of new Standing Orders was being presented to Councillors.

Councillor D McAteer asked that the list of staff contacts should be circulated as a matter of urgency as Members were unsure who was responsible for what within the Council.

The Chief Executive advised a list would be circulated at the end of the week or beginning of the following week.

Councillor Quinn asked that the list of emergency contacts be circulated as wallet sized, especially for queries at weekends. The Chief Executive advised he would investigate whether this would be possible.

AGREED: It was agreed that the list of staff contacts would be circulated as soon as possible to all Members and the

possibility of a wallet sized emergency contact list be investigated.

AGREED: The minutes were agreed as an accurate record, subject to the above amendment, on the proposal of Councillor Andrews, seconded by Councillor Craig.

FOR DISCUSSION/DECISION

C/200/2016 COMMITTEE TERMS OF REFERENCE

Read: Report from Mrs E McParland, Democratic Services Manager, dated 7 November 2016 regarding Terms of Reference – Council Committees asking for approval to amend the Terms of Reference for the Active and Healthy Communities; Audit; Enterprise, Regeneration and Tourism; Regulatory and Technical Services; and Strategy, Policy and Resources Committees (Copy circulated).

AGREED: It was agreed on the proposal of Councillor Craig, seconded by Councillor Hearty to accept the officer's recommendation to amend the Terms of Reference for the Council's Standing Committees.

C/201/2016 TO SEEK APPROVAL TO AMEND COUNCIL'S STANDING ORDER

It was agreed to withdraw this item from the agenda for further consideration.

CORRESPONDENCE

C/202/2016 CORRESPONDENCE RECEIVED FROM BOUNDARY COMMISSION FOR NI

Read: Correspondence dated 18 October 2016 from Boundary Commission for Northern Ireland regarding 2018 Review of Parliamentary Constituencies: Publication of Provisional Proposals Report (copy circulated).

NOTED: The correspondence received from the Boundary Commission for NI was noted.

C/203/2016 CORRESPONDENCE RECEIVED FROM DEPARTMENT FOR COMMUNITIES RE: PROPOSED CLOSURE OF BALLYNAHINCH AND NEWCASTLE SOCIAL SECURITY OFFICES

Read: Correspondence dated 30 September 2016 from Department for Communities regarding proposed closure of Ballynahinch and Newcastle Social Security Offices (copy circulated).

Mr Hannaway advised a meeting had been arranged with Mr Tommy O'Reilly from Working Age Group for Tuesday 15th November 2016 from 12.30-2.30 in the Commedagh Room, Downshire Civic Centre and asked for nomination of Members to attend, perhaps from the affected DEAs.

Members expressed their disappointment that once again, a Minister had refused to meet with the Council over a very important issue and Councillor Clarke proposed that a letter be written inviting the Minister to visit those offices earmarked for proposed closure. This was seconded by Councillor Doran.

Following further discussion, the following names were put forward for the delegation:

SF – Councillor Burns
SDLP – Councillor Andrews
DUP – Councillor Walker
UUP – Councillor Taylor
IND – Councillor Reilly

AGREED: It was agreed on the proposal of Councillor Clarke, seconded by Councillor Doran to send a letter to the Minister inviting him to visit the offices earmarked for proposed closure.

It was further agreed that the following names be agreed for the delegation to meet with Mr O'Reilly on Tuesday 15th November 2016: Councillors Andrews, Burns, Reilly, Taylor and Walker.

C/204/2016 **CORRESPONDENCE RECEIVED FROM EXECUTIVE OFFICE IN RESPONSE TO MOTION REGARDING UNACCOMPANIED REFUGEE CHILDREN**

Read: Correspondence dated 2 November 2016 from the Executive Office in response to Council Motion regarding unaccompanied refugee children (copy circulated).

NOTED: It was agreed to note the correspondence received from the Executive Office in response to Council Motion regarding unaccompanied refugee children.

C/205/2016

CORRESPONDENCE RECEIVED FROM NDA IN RESPONSE TO MOTION REGARDING SELLAFIELD

Read: Correspondence dated 21 October 2016 from the Nuclear Decommissioning Authority (NDA) in response to Council Motion regarding Sellafield (copy circulated).

Councillor Carr proposed that Council accept the invitation for a delegation to visit the Sellafield site to monitor how the decommissioning was being progressed and that the proposer of the original motion, Councillor Trainor make up part of this delegation. Councillor Carr also suggested that as Co-Chair of the Nuclear Free Local Authorities he should also attend. This was seconded by Councillor Hyland.

Mr Hannaway advised Council could write to NDA to accept the invitation and ask how many of a delegation they could facilitate.

AGREED: It was agreed on the proposal of Councillor Carr, seconded by Councillor Hyland that Council write to NDA to accept the invitation to visit Sellafield and ask how many of a delegation could be facilitated.

C/206/2016

CORRESPONDENCE RECEIVED FROM MINISTER O'NEILL REGARDING MENTAL HEALTH AND WELLBEING STRATEGY

Read: Correspondence dated 3 November 2016 from Minister O'Neill regarding Mental Health and Wellbeing Strategy (copy circulated).

NOTED: It was agreed to note the correspondence received from the Minister O'Neill regarding Mental Health and Wellbeing Strategy.

CONFERENCES

C/207/2016

CONFERENCE ON MENTAL HEALTH PROVISION

Read: Correspondence received from Policy Forum for Northern Ireland regarding Improving mental health provision in Northern Ireland: prevention, treatment and developments in care (copy circulated).

Councillor Sharvin said it would be beneficial to obtain copies of the briefing documents which could be shared on Minute Pad.

AGREED: It was agreed on the proposal of Councillor Sharvin, seconded by Councillor Trainor, that copies of the conference's briefing documents would be obtained at a cost of £95 + VAT and shared on Minute Pad.

CONSULTATIONS

C/208/2016 **CONSULTATION ON PROPOSED CHANGES TO THE LAW APPLYING TO NORTHERN IRELAND CREDIT UNIONS**

Read: Correspondence from the Department for the Economy dated 24 October 2016 regarding the Consultation on proposed changes to the law applying to Northern Ireland Credit Unions (copy circulated).

AGREED: It was agreed that a response to the above Consultation would be provided on a Party basis.

C/209/2016 **CONSULTATION – STATE PENSION AGE INDEPENDENT REVIEW: INTERIM REPORT WITH QUESTIONS**

Read: Independent Review of the State Pension Age Interim Report – October 2016 (copy circulated).

AGREED: It was agreed that a response to the above Consultation would be provided on a Party basis.

C/210/2016 **CONSULTATION FROM EDUCATION AUTHORITY RE: STRATEGIC REVIEW OF NURSERY PROVISION IN SPECIAL SCHOOLS**

Read: Correspondence received from the Education Authority dated 26 October 2016 regarding the Strategic Review of Nursery Provision in Special Schools (copy circulated).

AGREED: It was agreed to note the Consultation regarding the Strategic Review of Nursery Provision in Special Schools.

C/211/2016 **PROGRAMME FOR GOVERNMENT – LAUNCH OF CONSULTATION**

Read: Programme for Government Consultation Document (copy circulated).

Mr Hannaway advised a report would be brought to the Strategy, Policy and Resources Committee with Council's comments as the Programme for Government was linked to the Community Plan.

AGREED: It was agreed to note the Programme for Government – Launch of Consultation.

Mr Hannaway declared an interest in C/212/2016 and temporarily left the meeting at 7:07pm.

SEALING DOCUMENTS

C/212/2016 SEALING DOCUMENTS

AGREED: It was agreed to sign and seal the following documents on the proposal of Councillor D McAteer, seconded by Councillor Burgess:

1. Release of Charge - Lislea Community Association - Lands at Lislea - CC/22.
2. Agency Agreement - Newry, Mourne and Down District Council and Department for Infrastructure - provision of Off-Street Parking Enforcement and a Penalty Charge Notice Processing Service.
3. Licence Agreement - for use of Albert Basin, Newry by Parker Green Company Limited for period 1 November 2016-21 January 2017 inclusive.
4. 21 year Lease of Council owned changing rooms at Orior Park, Bessbrook to Bessbrook United FC.
5. Service Level Agreement - Newry, Mourne and Down District Council and Kilkeel Development Association.
6. Memorandum of Sale and Deed of Transfer - NMDDC to Anthony Cunningham. 1,313 sq ft of land at 10 Old Road, Dundrum.
7. Grant of Easement - NMDDC to Killowen Contracts Limited. Storm drain at Burren Village Green (retrospective).
8. Deed of Charge - NMDDC and Newry District Lodge No. 9 Grant funding.

Mr Hannaway joined the meeting again at 7:14pm

NOTICES OF MOTION

C/213/2016 NOTICE OF MOTION RECEIVED FROM COUNCILLOR ENRIGHT

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

- A majority of voters in the North of Ireland voted to remain in the European Union in the Brexit referendum which took place on the 23rd June.
- The uncertainty caused by the Brexit referendum result is already damaging trade and investment and causing currency fluctuations which are impacting on cross-Border business.

- A new EU frontier stretching from Dundalk to Derry would create real hardship for people in this region particularly those who cross the border on a daily basis who would face potential customs checkpoints, traffic delays and the closure of local border roads.
- That the current economic uncertainty will be overshadowed by the situation that would arise should a hard border result in the imposition of tariffs and the restriction of the free movement of goods, services and people on this island.
- The end of EU economic support for peace building and border communities will hit many vital community projects who have over the past decade received over £1 billion in EU support.
- With the end of EU subsidies farmers in the North will suffer a dramatic loss of income as CAP accounts for approximately 80% of farm incomes in the north and that this will be a severe blow to the local economy in rural areas north and south of the border.
- Noting the advances that have been made in the Peace Process, opening border roads, and integrating communities separated from their natural hinterlands during the years of conflict, the imposition of new barriers and a hard border would be an enormous backward step.
- Welcomes the initiative of those from the business sector, the community sector, farmers and individuals who have come together to form Border Communities Against Brexit to demand that the Irish and British Governments respect the North's remain vote.
- Recognising that it makes absolutely no sense to have one part of Ireland operating within the EU and another outside , this council will actively support the campaign by Border Communities Against Brexit for the North's remain vote to be respected.

As Councillor Enright had departed from the meeting, Councillor Mulgrew proposed the motion and in doing so highlighted the uncertainty and doom that the leave vote had created for investment and sustainability. She said the farming community would suffer due to the loss of European funding and the effects on the people of the 6 counties in the north of Ireland would be devastating.

Councillor Hearty seconded the motion, saying Brexit was an economic disaster for the rural communities and for the north of Ireland.

Councillor Craig spoke against the motion, saying within 5 years, there was the potential for the UK to have a freer economic model and it could attract more benefits than other EU countries, but the right products had to be produced at the right price with high standards of quality. He went on to say that in 10 – 15 years, 90% of demand would be from the emerging markets of India, China and Brazil, all of which wanted to forge trade links with the UK. He concurred with Councillor

Hearty regarding the immediate issues and provision of support for the farming community, but said there had been funding for the farming community before the UK joined the EU and there would be funding again.

Councillor Craig said there were huge opportunities because of Brexit in world trade, to redress the decline in the fishing industry and to help reduce EU bureaucracy ie. the slurry spreading time limits, and it was time to move on and look for the positives and campaign for the best outcome for farmers and communities.

Councillors Reilly, Taylor, Hanna, Walker and Harvey spoke against the motion, saying trade and investment would not be damaged and the future of the farming industry was never better.

Councillors Stokes, D McAteer, Hyland, Carr, Murnin, W Clarke, Byrne and Quinn spoke in support of the motion, saying there were huge uncertainties with Brexit including EU funding, rules and regulations, border crossing points, free movement of people, lack of investment.

Councillor Andrews said the motion should be amended to include reference to the fishing industry and expanded to include the Council actively supporting and working with all groups in the months ahead up to and after Brexit.

In summing up, Councillor Mulgrew said it was important Council worked with Louth County Council, East Border Region and raised concerns at every opportunity. She agreed that the reference to the fishing industry be included as referred to by Councillor Andrews, but said the necessary groups were all covered within the motion. Councillor Hearty, as seconder, confirmed his acceptance of the reworded motion.

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

FOR: 22
AGAINST: 8

The Motion was declared CARRIED.

AGREED: It was agreed on the proposal of Councillor Mulgrew, seconded by Councillor Hearty, that:

- **A majority of voters in the North of Ireland voted to remain in the European Union in the Brexit referendum which took place on the 23rd June.**
- **The uncertainty caused by the Brexit referendum result is already damaging trade and investment and causing currency fluctuations which are impacting on cross-Border business.**

- A new EU frontier stretching from Dundalk to Derry would create real hardship for people in this region particularly those who cross the border on a daily basis who would face potential customs checkpoints, traffic delays and the closure of local border roads.
- That the current economic uncertainty will be overshadowed by the situation that would arise should a hard border result in the imposition of tariffs and the restriction of the free movement of goods, services and people on this island.
- The end of EU economic support for peace building and border communities will hit many vital community projects who have over the past decade received over £1 billion in EU support.
- With the end of EU subsidies farmers and the fishing industry in the North will suffer a dramatic loss of income as CAP accounts for approximately 80% of farm incomes in the north and that this will be a severe blow to the local economy in rural areas north and south of the border.
- Noting the advances that have been made in the Peace Process, opening border roads, and integrating communities separated from their natural hinterlands during the years of conflict, the imposition of new barriers and a hard border would be an enormous backward step.
- Welcomes the initiative of those from the business sector, the community sector, farmers and individuals who have come together to form Border Communities Against Brexit to demand that the Irish and British Governments respect the North's remain vote.
- Recognising that it makes absolutely no sense to have one part of Ireland operating within the EU and another outside, this council will actively support and work with all groups in the months ahead up to and after Brexit.

Councillor Byrne declared an interest in the next item of business and withdrew from the meeting.

EXEMPT ITEMS

C/214/2016 TO CONSIDER MATTERS IN RELATION TO AN APPEAL TO THE HIGH COURT – NEWRY MOURNE AND DOWN DISTRICT COUNCIL v FRANCIS HAMILL RE: PUBLIC RIGHT OF WAY, CONCESSION ROAD TO THE BORDER

AGREED: On the proposal of Councillor Hearty, seconded by Councillor Trainor, it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of paragraph 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information in relation to which a claim for legal professional privilege could be maintained in legal proceedings.

Agreed: On the proposal of Councillor Hearty, seconded by Councillor Mulgrew, it was agreed the Committee come out of closed session.

Agreed: When the Committee came out of closed session, the Chairperson advised that it had been agreed on the proposal of Councillor Hearty, seconded by Councillor Mulgrew, that Council had reconsidered its position and had resolved to run the Appeal itself to have the decision of the County Court upheld by the High Court in relation to Newry, Mourne and Down District Council v Francis Hamill – Public Right of Way Concession Road to the Border, County Armagh.

There being no further business, the meeting closed at 8:16pm.

Signed:

Chairperson

Chief Executive