

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

Minutes of Council Meeting held on Monday 1 July 2019 at 6.00pm in the Mourne Room, Downshire Civic Centre, Downpatrick

In the Chair: Councillor C Casey

In attendance:

Councillor G Bain	Councillor P Byrne
Councillor P Brown	Councillor R Burgess
Councillor D Curran	Councillor S Doran
Councillor M Gibbons	Councillor C Enright
Councillor G Hanna	Councillor O Hanlon
Councillor H Harvey	Councillor V Harte
Councillor R Howell	Councillor T Hearty
Councillor M Larkin	Councillor L Kimmins
Councillor O Magennis	Councillor G Malone
Councillor L McEvoy	Councillor D McAteer
Councillor G O'Hare	Councillor K McKeivitt
Councillor M Ruane	Councillor B Ó Muirí
Councillor G Stokes	Councillor M Savage
Councillor G Sharvin	Councillor J Tinnelly
Councillor D Taylor	Councillor J Trainor

(Officials)

Mr L Hannaway, Chief Executive
Mrs D Carville, Director of Corporate Services
Mr M Lipsett, Director of Active & Healthy Communities
Mr R Moore, Director of Neighbourhood Services
Ms C Miskelly, Asst. Director of Human Resources
Mr A Patterson, Asst. Director Tourism, Culture & Events
Miss S Taggart, Democratic Services Manager (Acting)
Ms D Starkey, Democratic Services Officer
Mrs P McKeever, Democratic Services Officer

C/089/2019

APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Andrews, Clarke, Devlin, Gallagher, Lewis, Mason, McKee, Mulgrew, Reilly, and Walker.

Councillor Casey paid tribute to former Councillor Geraldine Donnelly, who had tragically passed away whilst on holiday in Spain.

Councillor Casey advised Geraldine had been a long-standing Councillor who had retired in 2016 and during her time as a Councillor, she had served her constituents diligently and professionally. Councillor Casey said Geraldine had stood as Deputy Mayor to him in 2012 and he had found her to be very pleasant and, whilst not overtly political in the chamber, she was always quietly confident

of her position as an SDLP Councillor.

Councillor Casey then asked that everyone stand for a one-minute silence as a mark of respect to the former Councillor Geraldine Donnelly.

Leading the tributes for the SDLP party, Councillor Byrne thanked Councillor Casey for his kind words and to all in the chamber for observing the minute silence and said he was stunned and devastated to hear of Geraldine's sudden passing.

Councillor Byrne said Geraldine, in her role as Councillor had strived to improve the lives of those she served. She was a steadfastly principled person, always championing the peaceful route, she was a pillar of strength and a beacon of integrity and had been both a moral compass and his mentor. Councillor Byrne continued saying he had been honoured to have had Geraldine's full support when he had been asked to replace her as SDLP Councillor. He went on to say that family was pivotal to Geraldine's life and she was extremely close to, and proud of her children and grandchildren.

Councillor Stokes thanked the Chairman for his kind words saying Geraldine had been a very professional, non-judgemental and hard-working Councillor.

Councillor Taylor extended both personal and UUP party condolences to Geraldine's husband, children and grandchildren. He said he would remember Geraldine as a warm, courteous person who offered encouragement to him when he first became a Councillor.

Councillor Hanna, on behalf of the DUP said Geraldine was an inspirational lady of great integrity, who worked hard for the whole community, irrespective of political persuasion.

Councillor Savage thanked the Chairman for his kind words saying the SDLP party had been devastated to hear of Geraldine's very sad and sudden passing. Councillor Savage continued, saying Geraldine was a dear friend and colleague, but mostly she was a wife, mother and grandmother and he asked that people show her family the esteem in which she was held when her remains were brought back to South Armagh.

Councillor McKeivitt thanked the Chairman for his lovely kind words. She made an emotional tribute to Geraldine whom, she said had been a lifelong friend as well as SDLP colleague. She extended her sympathies to Geraldine's family saying how very proud Geraldine was of them. She continued, saying Geraldine's ten grand-children would live on with the good qualities, values and foundations instilled in them by both Geraldine and her husband Sean.

Councillor Ó Muirí, on behalf of Sinn Fein extended sincere sympathies to her family and colleagues.

Councillor McAteer thanked the Chairman for the opportunity to pay respects to Geraldine whom he described as a true lady. He said she was an inspirational person and an advocate for women in politics and if he could sum up her character it would be that she was gentle in nature and very strong in commitment

especially to her constituents in South Armagh whom she loved dearly.

Councillor Brown extended his sympathies to Geraldine's family and colleagues saying he found her to be a lovely lady who was always very warm and welcoming and the SDLP could be incredibly proud of her achievements whilst she was a Councillor in the South Armagh area.

Councillor Tinnelly said in the few short years he had known Geraldine, he found her to be a quiet, diligent and very effective Councillor and when she stood down in 2016, her priorities had been her grandchildren. Councillor Tinnelly extended his sympathies to her family and SDLP colleagues.

Mr Hannaway, on behalf of Council staff extended his condolences to her family and SDLP colleagues and said staff remembered her very fondly and she would be greatly missed by all.

C/090/2019 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

C/091/2019 ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 3 JUNE 2019

Read: Action sheet arising from Council Meeting held on 3 June 2019 (copy circulated)

Agreed: The Action Sheet from Council Meeting held on 3 June 2019 was agreed.

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/092/2019 MINUTES OF COUNCIL MEETING HELD ON 3 JUNE 2019

Read: Minutes of Council Meeting held on 3 June 2019 (copy circulated).

Agreed: The Minutes of the Council Meeting held on 3 June 2019 were agreed as an accurate record and adopted on the proposal of Councillor Ruane, seconded by Councillor Savage.

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/093/2019 EXTRACT FROM MINUTES OF PLANNING COMMITTEE MEETING HELD ON 29 MAY 2019

Read: Extract from Minutes of Planning Committee Meeting held on 29 May 2019 (copy circulated).

Mr Hannaway advised that some items tabled at the Planning Committee Meeting sat outside the decision functions of the Planning Committee and would therefore be included for adoption at Council Meetings going forward.

Agreed: The extract from the Minutes of the Planning Committee Meeting held on 29 May 2019 were agreed as an accurate record and adopted, on the proposal of Councillor Ruane, seconded by Councillor McAteer.

C/094/2019 **MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 10 JUNE 2019**

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 10 June 2019 (copy circulated).

Agreed: The Minutes of the Enterprise, Regeneration and Tourism Committee Meeting held on 10 June 2019 were agreed as an accurate record and adopted, on the proposal of Councillor Curran, seconded by Councillor Hanna.

C/095/2019 **MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 13 JUNE 2019**

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 13 June 2019 (copy circulated).

Agreed: The Minutes of the Strategy, Policy and Resources Committee Meeting held on 13 June 2019 were agreed as an accurate record and adopted, on the proposal of Councillor Burgess, seconded by Councillor Sharvin.

C/096/2019 **MINUTES OF ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 17 JUNE 2019**

Read: Minutes of Active and Healthy Communities Committee Meeting held on 17 June 2019 (copy circulated).

AHC/084/2019 - Financial Assistance: Service Level Agreements (SLAs)

Councillor Byrne asked for clarity regarding the process surrounding the draw-down of funding for groups.

Agreed: On the proposal of Councillor McAteer, seconded by Councillor Byrne, it was agreed to exclude the public and press from the meeting during discussion on this item which related to exempt information by virtue of para. 3 of Part 1 of Schedule 6 of the Local Government (Northern Ireland) 2014 – Information relating to the

financial or business affairs of a particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

Agreed: On the proposal of Councillor Stokes, seconded by Councillor Brown it was agreed to ‘come out of committee’.

The Chairman advised whilst ‘in committee’ the following had been agreed:

Agreed: On the proposal of Councillor Ruane, seconded by Councillor Taylor it was agreed that:

1. Council Officers’ to meet with Newry Rainbow Group within the next few days to try to resolve issues regarding financial assistance and the draw-down of funding.
2. AHC/084/2019 - Financial Assistance: Service Level Agreements (SLAs) – Minute Extract “to allow all groups, including new groups to reapply to Financial Assistance interim SLA open call (April 2021 – March 2023)” to be referred to the August Active and Healthy Communities Committee Meeting

AHC/082/2019 – Active and Healthy Communities Directorate Business Plan for 2019/20

Councillor Ó Muirí stated his constituents had requested that a second Public Consultation be held regarding the playpark in Newtownhamilton. Mr Hannaway stated the decision had already been made regarding the consultation and to proceed with this request would rescind a previous decision, Mr Hannaway continued, saying the Public Consultation regarding planning was a separate issue.

Agreed: The Minutes of the Active and Healthy Communities Committee Meeting held on 17 June 2019 were agreed as an accurate record and adopted, on the proposal of Councillor Kimmins, seconded by Councillor Stokes, subject to the amendments regarding AHC/084/2019 above.

C/097/2019 MINUTES OF NEIGHBOURHOOD SERVICES COMMITTEE MEETING HELD ON 19 JUNE 2019

Read: Minutes of Neighbourhood Services Committee Meeting held on 19 June 2019 (copy circulated).

NS/016/2019 – Sustainability and Climate Change Forum

Mr Moore provided an update stating the Sustainability and Climate Change Forum

would be open to any additional Members who wished to attend.

NS/003/2019 – Action Sheet of the Regulatory and Technical Services Committee Meeting held on 20 March 2019

Councillor McAteer stated he was aware of a bio-diversity scheme that had been undertaken along a dual carriageway in the UK and proposed that Council, in an effort to promote bee-friendly and natural habitat zones consider undertaking a similar pilot scheme along the Newry to Warrenpoint dual carriageway. Councillor Enright seconded the proposal.

Mr Moore said that whilst Council was very interested in all aspects of bio diversity, this was a DFI Roads issue and he would forward relevant contact details to Councillor McAteer.

Agreed: Mr Moore to forward relevant DFI Roads contact details to Councillor McAteer.

Agreed: The Minutes of the Neighbourhood Services Committee Meeting held on 19 June 2019 were agreed as an accurate record and adopted, on the proposal of Councillor Gibbons, seconded by Councillor Stokes.

CONSULTATION DOCUMENTS

C/098/2019 DEPARTMENT OF HEALTH CONSULTATION ON GUIDANCE ON INFORMATION SHARING FOR CHILD PROTECTION PURPOSES

Read: Report dated 1 July 2019, from Ms C Miskelly, Assistant Director of Human Resources, regarding the Department of Health Consultation on Guidance on Information Sharing for Child Protection Purposes.

Agreed: It was agreed on the proposal of Councillor Enright, seconded by Councillor McAteer, to approve the proposed Consultation Response to the Department of Health ‘Information Sharing for Child Protection Purposes’, on behalf of Newry, Mourne and Down District Council; as appended to report circulated to Members.

CORRESPONDENCE AND CONFERENCES

C/099/2019 CORRESPONDENCE DATED 13 JUNE 2019 REGARDING COUNCILLOR APPOINTMENTS – WARRENPOINT HARBOUR AUTHORITY

Read: Correspondence received from DFI regarding an extension to the term of appointment for Councillor Sean Doran to the Board of

Warrenpoint Harbour Authority. (copy circulated)

Agreed: **The correspondence received was noted.**

C/100/2019 **CORRESPONDENCE DATED 17 JUNE 2019 REGARDING RECRUITMENT OF MEMBERS TO THE SOUTHERN LOCAL COMMISSIONING GROUP.**

Read: Correspondence received from Health and Social Care Board regarding recruitment of Members to the Southern Local Commissioning Group. (copy circulated)

Agreed: **The correspondence received was noted.**

NOTICES OF MOTION

C/101/2019 **NOTICE OF MOTION – INITIATIVES RE: RECORDING COMMITTEE AND COUNCIL MEETINGS**

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

“This Council strives for the highest standards of openness and transparency in local Government and therefore will undertake the following initiatives to achieve that goal:

- **Video recording and uploading OR live stream all council meetings, whichever is most cost effective.**
- **Audio of Planning committee uploaded online along with other standing committee audio**
- **Audio recordings made of all Council led working groups, party representatives’ forums, sub committees, forums and task and finish groups, all of which to be uploaded online in the same way as standing committees and full Council.**
- **Motions to full Council should only to be delegated to committee where the motion proposer has been given 5 working days’ notice by the Chair that this will happen”.**

The motion was seconded by Councillor Enright.

The Chairperson advised that in accordance with Standing Order 16.1.6 the motion would be referred to the Strategy, Policy & Resources Committee.

AGREED: **The motion was referred to the Strategy, Policy & Resources Committee in accordance with Standing Order 16.1.6.**

C/102/2019: NOTICE OF MOTION – ANIMAL CRUELTY

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

"This Council condemns animal cruelty in all forms; notes the effective framework for punishing offenders and imposing appropriate sentences which serve as a deterrent to others; recognises the work of the USPCA in challenging cruel behaviour toward animals as well as supporting rehoming initiatives for those animals that have suffered abuse or neglect; further notes with concern that there is no central register of those convicted of animal cruelty offences and; resolves to write to the Permanent Secretary at the Department of Justice, and the British and Irish Governments to raise these concerns and propose a central all-island register for animal abusers."

In proposing the motion Councillor Byrne spoke of the many cases of animal abuse occurring across the country and within the Newry, Mourne and Down District area. He referred to the repeated phrase that was heard more often of 'suspended sentences' for offenders of animal cruelty. He pointed out there was no system in place to check on those being convicted and banned from keeping animals being prevented from doing so.

Councillor Byrne highlighted there was a real need to have a UK/Ireland cross border animal abuse register to ensure those convicted of animal abuse and cruelty never got the opportunity to own another animal.

The motion was seconded by Councillor Stokes.

In welcoming the motion Councillor Brown proposed an amendment 'that Council ban all circuses that had live animal acts from Council land'.

Councillor Bain seconded the amendment.

Whilst Councillor Byrne supported the sentiment of the amendment he did not accept it as it deferred from the motion, which was the need for a cross border register to enable a proactive approach in stopping those convicted of animal cruelty being able to own animals.

The Chairperson did then put the amendment to a recorded vote (attached), the results of which were as follows;

FOR:	4
AGAINST:	4
ABSTENTIONS:	19

The Chairperson used his casting vote to vote against the amendment, stating that it was something that could be brought before Council as a Motion at another time.

The amendment was **LOST**.

AGREED: It was unanimously agreed on the proposal of Councillor Byrne, seconded by Councillor Stokes that this Council condemns animal cruelty in all

forms; notes the effective framework for punishing offenders and imposing appropriate sentences which serve as a deterrent to others; recognises the work of the USPCA in challenging cruel behaviour toward animals as well as supporting rehoming initiatives for those animals that have suffered abuse or neglect; further notes with concern that there is no central register of those convicted of animal cruelty offences and; resolves to write to the Permanent Secretary at the Department of Justice, and the British and Irish Governments to raise these concerns and propose a central all-island register for animal abusers".

Councillors Enright, Kimmins, Malone and Taylor were absent from the meeting during the above discussion.

C/103/2019: NOTICE OF MOTION – WELFARE MITIGATIONS

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

"That Newry Mourne & Down District Council welcomes the range of reports recently published which highlight the serious risk of greater hardship for many within our community, if Welfare Mitigations do not continue beyond March 2020. These reports include; Welfare Reform: Mitigations on a Cliff Edge. Cliff Edge Coalition NINIAO: Welfare Reforms in NI.

NM&DDC Calls on all parties to support the need to continue Welfare Mitigations beyond March 2020 and further; Calls on the DfC to take all steps necessary to ensure the Mitigations scheme will continue to help the most vulnerable in our community".

In proposing the motion, Councillor Hanlon spoke of her party's opposition to the Tory welfare cuts agenda which had been the primary driver of ongoing changes and hardship within the benefits system. She stated that in November 2015, an agreement with other political parties in the Stormont Assembly was secured for a mitigation package of £585 million to offset some of the worst aspects of the British Government imposition of welfare cuts.

Councillor Hanlon reinforced that Council must not allow an increase in child poverty, holiday hunger, food bank use, rent arrears and evictions to happen and preventing it was a challenge that now faced all political representatives and that it was vital that funding to offset the Tory cuts continued, post 2020. A unified front to challenge the Tory government's austerity agenda was needed. As part of this, Council should call on Department for Communities to take all the steps necessary to ensure the mitigations scheme will continue to help the most vulnerable in our society.

In seconding the motion Councillor Savage stated his party were fully supportive of the motion and were at the forefront of the campaign against welfare reform. He reiterated the need for mitigation and welfare solutions to be in place by 2020 as the true horror of welfare cuts were already happening in Great Britain.

Councillor Burgess spoke of the Ulster Unionist Party's support for the motion.

AGREED: It was unanimously agreed on the proposal of Councillor Hanlon, seconded by Councillor Savage that Newry Mourne & Down District Council welcomes the range of reports recently published which highlight the serious risk of greater hardship for many within our community, if Welfare Mitigations do not continue beyond March 2020. These reports include; Welfare Reform: Mitigations on a Cliff Edge. Cliff Edge Coalition NINIAO: Welfare Reforms in NI.

Newry, Mourne and Down District Council call on all parties to support the need to continue Welfare Mitigations beyond March 2020 and further; Calls on the DfC to take all steps necessary to ensure the Mitigations scheme will continue to help the most vulnerable in our community".

C/104/2019: NOTICE OF MOTION – WW2 Veterans

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

“With the 75th anniversary of the end of the Second World War approaching, Newry Mourne and Down Council should recognise the contribution of those who fought in that War from Northern Ireland. It notes that every year the number of our surviving veterans is reducing and the time to provide public and appropriate recognition is running out. This Council will therefore provide all surviving veterans of WW2 (including those in the Merchant Navy) who reside in our council area with a Silver Poppy of Remembrance to mark their service in the fight against Fascism and Nazism. These Poppies will be presented to all surviving Veterans at a special Service of Remembrance the week commencing the 4th November 2019. It further encourages other Councils throughout Northern Ireland to mark our surviving Second World War veterans service in a similar way”.

In proposing the motion Councillor Hanna stated that everyone should be thankful to the veterans from the Second World War and that he hoped Council would support this motion as a mark of respect to those surviving veterans within the Newry, Mourne and Down District.

Councillor Harvey seconded the motion.

Councillor McAteer stated that while he respected the sentiment of the motion, the poppy was associated with all conflict Britain was involved in and suggested the shamrock poppy as used by the Royal British Legion in the Republic of Ireland be considered.

Councillor McAteer then proposed the motion be referred to the Councils Equality and Good Relations Forum. This was seconded by Councillor Byrne.

Councillors Burgess, Ruane and Brown spoke in support of the sentiments of the motion.

It was however unanimously agreed on the proposal of Councillor McAteer, seconded by Councillor Byrne to refer the matter to the Equality and Good Relations Forum for further consideration.

Councillor Hanna was happy to support the referral to the Equality & Good Relations Forum, requesting that the matter be dealt with as quickly as possible.

AGREED: It was unanimously agreed on the proposal of Councillor McAteer, seconded by Councillor Byrne that the motion be referred to the Good Relations Forum.

C/105/2019: NOTICE OF MOTION – Water Refill Stations

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

“That this Council will introduce a pilot scheme, similar to the NI Water led initiative #Refillution, and will actively promote the personal use of reusable water bottles and facilitate water refill stations - initially in Warrenpoint & Rostrevor - and then throughout the district as part of its ongoing commitment to the environment.”

The motion was seconded by Councillor Ó Muirí.

The Chairperson advised that in accordance with Standing Order 16.1.6 the motion would be referred to the Neighbourhood Services Committee.

AGREED: The motion was referred to the Neighbourhood Services Committee in accordance with Standing Order 16.1.6.

There being no further business, the meeting concluded at 8.47pm

Signed: _____
Chairman

Chief Executive

NEWRY, MOURNE & DOWN DISTRICT COUNCIL
RECORDED VOTE

DATE: 01/07/19 VENUE: Mourne Room Downpatrick MEETING: Council Meeting

SUBJECT OF VOTE: Item 14 – Amendment to the original motion as proposed by Councillor Brown, seconded by Councillor Bain ‘that Council ban all circuses that have live animal acts from Council land’.

COUNCILLOR	FOR	AGAINST	ABSTAIN	ABSENT
T Andrews				√
G Bain	√			
P Brown	√			
R Burgess	√			
P Byrne			√	
C Casey			√	
W Clarke				√
D Curran			√	
L Devlin				√
S Doran			√	
C Enright				√
H Gallagher				√
M Gibbons			√	
O Hanlon			√	
G Hanna		√		
V Harte			√	
H Harvey		√		
T Hearty			√	
R Howell			√	
L Kimmins				√
M Larkin			√	
A Lewis				√
O Magennis			√	
G Malone				√
C Mason				√
D McAteer			√	
L McEvoy			√	
H McKee				√
K McKevitt			√	
R Mulgrew				√
G O’Hare			√	
B ÓMuirí			√	
H Reilly				√
M Ruane			√	
M Savage			√	
G Sharvin		√		
G Stokes			√	
D Taylor				√
J Tinnelly	√			
J Trainor		√		
B Walker				√
TOTALS	4	4	19	14