

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

Minutes of Council Meeting held on Monday 6 February 2023 at 6.00pm in Downshire Chamber

In the Chair:

Councillor M Savage

In attendance in Chamber:

Councillor T Andrews	Councillor C Bowsie
Councillor Brennan	Councillor R Burgess
Councillor P Byrne	Councillor D Curran
Councillor L Devlin	Councillor C Enright
Councillor A Finnegan	Councillor H Gallagher
Councillor O Hanlon	Councillor G Hanna
Councillor J Jackson	Councillor C King
Councillor D Lee-Surginor	Councillor A Lewis
Councillor O Magennis	Councillor D McAteer
Councillor A McMurray	Councillor D Murphy
Councillor B Ó Muirí	Councillor H Reilly
Councillor G Sharvin	Councillor G Stokes
Councillor D Taylor	Councillor J Trainor

In attendance via Teams:

Councillor W Clarke	Councillor M Gibbons
Councillor V Harte	Councillor R Howell
Councillor G Kearns	Councillor M Larkin
Councillor H McKee	Councillor K McKeivitt
Councillor G O'Hare	Councillor M Rice
Councillor M Ruane	Councillor J Tinnelly

Officials in attendance in Chamber:

Mrs M Ward, Chief Executive
Mr A Cassells, Director of Sustainability and Environment
Mrs J Kelly, Director of Corporate Services
Mr C Mallon, Director of Enterprise, Regeneration and Tourism
Miss S Taggart, Democratic Services Manager (Acting)
Mr G Byrne, Assistant Director of Finance
Ms V Keegan, Head of Communications and Marketing
Mrs D Starkey, Democratic Services Officer

Officials in attendance via Teams:

Mrs P McKeever, Democratic Services Officer

Mr A Patterson, Assistant Director, Tourism, Culture and Events

Also in attendance

Via Teams:

Ms N Largey, Legal Services

C/030/2023

APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Malone and McEvoy.

The Chairperson spoke of the huge tragedy unfolding in Southern Turkey and Northern Syria with two massive earthquakes claiming over 2,500 lives with the death toll rising. On behalf of Council, he expressed condolences to the people of both countries, many of whom were refugees fleeing war in the region.

The Chairperson expressed his condolences to Councillor McEvoy, whose grandfather Pat Joe Travers had been laid to rest over the weekend.

Condolences were also sent to the late former SDLP Rostrevor Councillor Brian Mulligan whose wife Pat had been laid rest.

The Chairperson thanked everyone involved in making his Chairperson's Charity Ball a huge success which raised much needed funds for his chosen charities Southern Area Hospice, Society of Saint Vincent De Paul, Suicide Down To Zero and Simon Community. He thanked the Democratic Services team in making the event happen, all those who attended the ball, sponsored the event in any way and who played a role in the fantastic event.

The Chairperson extended his congratulations to the team at Clanrye Group for securing the district's third Pride of Place Award in a row in Dublin in recent weeks, stating it was justified recognition for an organisation that had improved the lives of citizens for the last 40 years.

Newry Gateway were congratulated on embarking on their celebrations marking 50 years of changing the lives young adults with learning difficulties.

The Chairperson advised local GAA clubs were also to be congratulated with numerous players picking up awards in the Gaelic Life All Stars including the following:

- Kilcoo's Ryan McEvoy, Aaron Branagan and Shealan Johnston who featured in the team of the year.
- Liatroim's Ruairi and Pearse Og McCrickard for hurling team of the year.
- Clonduff's Katie Morgan, Jenna Boden, Fionnuala Carr, Paula O'Hagan and Sara Louise Graffin for Camogie Team of the Year.

The Chairperson advised an emergency notice of motion had been received from Councillor Brennan and for the motion to be heard it would be necessary to suspend Standing Orders (which required a qualified majority vote, not less than 80% of Members present and voting) and this matter would be brought forward for consideration later in the meeting.

C/031/2023 DECLARATIONS OF INTEREST

Councillor Lewis declared an interest in item 27 – Emergency Notice of Motion: Incident of anti-Irish signage outside a school in Clough.

C/032/2023 TO SET A DISTRICT RATE FOR THE FINANCIAL YEAR 2023/24

Read: Report from Mrs M Ward, Chief Executive and Mrs J Kelly, Director of Corporate Services regarding the District Rate 2023/24 dated 6 February 2023 **(Copy circulated)**
Appendix 1: Medium Term Financial Plan
Appendix 2: General Estimate of Rates 2323/24 – DfC Return
Appendix 3: Capital Strategy Report 2023/24
Appendix 4: Capital Programme at 31/1/2023
Appendix 5: Treasury Management Strategy Statement 2023/24
Appendix 5: Minimum Revenue Provision Statement 2023/24
Appendix 6: Action Sheets of meetings of Strategic Finance Working Group to consider rate setting process 2023/24 (restricted item)

The Chief Executive confirmed Ms N Largey, Legal Services was in attendance at the meeting.

In accordance with Standing Order 21, Council was asked to agree that this paper should not be subject to call-in because it would cause an unreasonable delay which would be prejudicial to the Council's and the public's interests in striking the rate by the statutory deadline of 15th February 2023. This was agreed on the proposal of Councillor Ó Muirí, seconded by Councillor Hanlon.

The Chief Executive then referred Members to the considerations and recommendations of the report pointing out that detailed estimates had been formulated, presented and scrutinised by Members via the Strategic Finance Working Group Meetings (action sheets attached at appendix 7). She added account outturns from previous years, corporate pressures, planned savings and efficiencies, current spending plans and projected future investment and that adequate funding was available to protect frontline services had all been taken into account.

Mrs Ward advised she was satisfied that the estimates presented, subject to the significant uncertainties noted within 2.1 of the report, should provide adequate financial resources to support the running costs of the Council for 2023/24 and that reasonable consideration of the financial risks to Council had been made in the preparation of the estimates. Members were reminded that the impact of two economic

shocks and current challenges to Land and Property Services valuation lists could have significant impact on the rate base and therefore consideration to ringfencing a reserve to deal with the financial uncertainty going forward into the new term of Council was required.

Mrs Ward confirmed she was content that the current reserves held by the Council were adequate to meet the medium-term financial commitments of Newry, Mourne and Down District Council.

Members were referred to the recommendations at 3.1 of the report and asked to approve the considerations and recommendations of the Strategic Finance Working group in relation to 2023-24 rate setting process and have regard to the Chief Executive's Statement as required by the Local Government Finance Act (NI) 2011 and approve an increase in the district rate for 2023/24 of 5.99%, based on an estimated penny product of 2,471,219 meaning a non-domestic rate of 27.2846 pence and a domestic rate of 0.4395 pence (and approve points 2-7 of the officer's report).

Councillor Sharvin stated SDLP had taken their responsibility throughout the rates process extremely seriously and been consistent throughout the process in questioning and holding officers to account, but more importantly holding themselves to account for the ratepayers of the district. He referred to Council setting a capital fund to allocate £1.5m across 10 years, setup to reduce the MRP and in turn, the rate rises being faced. He went on to say that by utilising £1.5m from the Capital Fund, the rate being suggested would drop from 5.99% to 3.49% and lessen the burden on the ratepayer and that Council would be delivering the financial tools setup to stop the MRP from rising.

Councillor Sharvin then asked the Chief Executive and Chief Financial Officer of Council to provide a reason to why Council could not utilise the Capital Fund that was setup to stop the rise of the MRP this year and in turn reduce the Council rate.

The Chief Executive responded by stating Members were aware a number of queries had been raised at the SFWG in relation to reserves and officers had tried to address those at the meetings. She added that in general terms, reserves were there to protect the working capital of Council, but also allow realisation of the short and medium-term plans for investment within the District and were not there to fund everyday operations of Council as that would not be financially prudent.

Mrs Ward advised the proposed rate 5.99% was only being achieved by using reserves for 2023/24. She added the use of reserves was a balance and any use would impact the rate for the following financial year and ultimately the delivery of Council's Corporate objectives and ambitions.

In relation to the use of reserves in the capital fund to reduce the MRP in 2023, Members were advised this would directly impact the rate for next year.

Mrs Ward confirmed current estimates showed a projected rate of 10% for 2024/25 and additional use of reserves would only further increase that, and further efficiencies would be required in addition to the pay award risks already highlighted. The level of reserves was dependant on the projected financial position at year end and the level of pay award for 2023/24. As previously advised to Members, Council and

officers will keep the MRP and all capital projects under review for affordability and reprofiling during 2023/34 and beyond.

Members were reminded that projects only impact the rate the year after the building or project come into use and the MRP charge 2023/24 is impacted by capital expenditure completed in 2022/23 and that included IT transformation, purchasing of new vehicles and other capital projects.

Mrs Kelly agreed with the Chief Executive and confirmed a significant amount of reserves had been used to bring the proposed rate down to 5.99% with MRP being part of that and that it was about balance for this year and next as well.

Mrs Ward wished to point out in reply to Councillor Sharvin's reference to using £1.5m from future years capital funds to offset MRP that it was made clear at the SFWG meetings that that was not the position of Council but merely an illustration of how reserves could be used and that it would be the requirement of the new term of Council to set a new strategic direction.

Councillor Sharvin requested legal opinion if Councillors used powers to use the capital funds as set up to be and Chief Executive not acceptable of that what it would mean for Councillors.

Ms Largey, legal advisor pointed out the Chief Executive as Chief Financial Officer and other qualified members of staff who had said this was the appropriate point and that Council should not go further into reserves. She added if Members had advice and you did not act in accordance with that advice then it would leave Councillors in a difficult position.

It was agreed on the proposal of Councillor Sharvin, seconded by Councillor Andrews to have a recess at this point of the meeting to enable Members to consider written legal opinion provided by Ms Largey – 6.29pm.

The meeting then reconvened – 7.10pm.

Councillor Sharvin stated he believed there was still an opportunity to reduce the rate and that it was felt the legal opinion was quite general in terms, but he respected officer's opinions had been shared and expressed throughout the process and that his hands were tied.

In proposing an increase in the district rate for 2023/24 of 5.99% Councillor Ó Muirí spoke of Sinn Féin's satisfaction that Council's finances had been scrutinised over months and that the 5.99% increase represented the lowest the Council could safely and responsibly go with without adversely affecting services. He added they had examined the Council reserves and were satisfied that it would be impossible to borrow any more without seriously jeopardising the ambitious capital programme which would see the delivery of many long awaited projects.

Councillor Hanlon seconded Councillor Ó Muirí's proposal and reiterated the amount of meetings held with Councillors and Officials and thanked everyone for the work undertaken to bring the rate down using sound fiscal policy.

Councillor Byrne spoke at length and asked that it be put on record that it was not about questioning officers but rather the question put forward to the Chief Executive from SDLP at this meeting had been put to the SFWG and an adequate reply had not been given.

Mrs Ward responded saying the capital fund was only put in place in June 2022 when reviewing the significant reserve held by Council and prior to the significant financial challenges presented. Mrs Ward acknowledged Councillor Byrne was correct in relation to the Covid Economic Recovery Fund which was put in place significantly earlier, and which had been utilised. She said as per discussions at the SFWG meetings they had been looking at using the reserves for the purpose of trying to keep the rate at a realistic level whilst also being mindful of future processes and she said Members had been advised there would have to be a strategy put in place in the next four years in relation to reserves.

Councillor Byrne said the CEO, at the second SFWG meeting had stated it was the intention to use the capital fund to stop MRP from rising, and he said MRP was rising this year to a level that put 2.54% on the rate and those two statements did not correlate.

Mrs Ward said the council anticipated the capital fund would be used to try and have an impact on the delivery of capital moving forward. She said everything was being looked at 'in the round', the reserves were being used and could be offset against MRP or other costs this year, and a strategy would have to be put in place moving forward.

Councillor McMurray said his party were aware of the difficult conditions under which Council was operating and that any rise given the current financial pressure was not an easy decision to come to.

Following concerns raised by Councillor Tinnelly that the legal opinion had not been circulated to those Members who were at the meeting remotely, it was agreed on the proposal of Councillor Sharvin, seconded by Councillor McAteer, to go into closed session to enable legal opinion to be shared on screen at this point – 7.27pm.

It was agreed on the proposal of Councillor Devlin, seconded by Councillor Ó Muirí to come out of closed session – 7.35pm.

Councillor Hanna stated his party still believed additional efficiencies could have been made to further reduce the rate and that his party would be abstaining from a vote on the 5.99% increase.

Councillor Reilly expressed concern that Council was dipping into reserves.

Councillor Taylor spoke of how it had been one of the most challenging years which Council had to face and whilst he did not want to see an increase in the rate it was where Council was at this stage, and it was vital to protect frontline services.

Councillor McKee thanked the Chief Executive and team for working through at such a difficult time and that he accepted the rate increase as it was one of the lowest across the Councils and that he did not want to see a reduction in capital spend.

The Chairperson then put the Councillor Ó Muirí's proposal, seconded by Councillor Hanlon to approve the considerations and recommendations of the Strategic Finance Working Group (as outlined within the report) and an increase in the district rate for 2023-24 of 5.99% to a vote, the results of which were as follows:

FOR: 21
AGAINST: 0
ABSTENTIONS: 17

The Chairperson declared Councillor Ó Muirí's proposal carried.

Agreed: **It was agreed on the proposal of Councillor Ó Muirí, seconded by Councillor Hanlon to approve the considerations and recommendations of the Strategic Finance Working Group in relation to the 2023/24 rate setting process (Appendix 7) and, having regard to the Chief Executive's statement as required by the Local Government Finance Act (NI) 2011 (2.1 & 2.2 of the officer's report)**

- 1. Approve an increase in the district rate for 2023-24 of 5.99% based on an estimated penny product of 2,471,219 meaning a non-domestic rate of 27.2846 pence and a domestic rate of 0.4395 pence;**
- 2. Approve the Medium Term Financial plan and authorise the 2023-24 expenditure included in the estimates (Appendix 1);**
- 3. Approve the Capital Strategy Report for 2023-24 as required by the CIPFA Prudential Code. (Appendix 3);**
- 4. Approve the capital programme (see Appendix 4);**
- 5. Approve the Treasury Management Strategy Statement 2023-24 (Appendix 4);**
- 6. Approve the Minimum Revenue Provision Statement 2023-24 (Appendix 5).**
- 7. Approve the Action Sheets of the Strategic Finance Working Group relating to the rate setting process. (Appendix 7: Restricted item)**

Councillor McKeivitt left the meeting for the duration of the above discussion.

C/033/2023 **ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 9 JANUARY 2023**

Read: Action sheet arising from Council Meeting held on 9 January 2023 (copy circulated).

In response to a point raised by Councillor Enright regarding a motion not being included within the action sheet he was advised it would be contained within the action sheet of the Committee it was deferred to. The

C/185/2022 and C/020/2023 – Inclusion of Armagh and Down in Ireland’s Ancient East Destination Marketing Brand

Councillor Byrne asked that a copy of correspondence sent to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media as well as responses received be included within papers.

Agreed: **The Action Sheet from Council Meeting held on 9 January 2023 was agreed on the proposal of Councillor Curran, seconded by Councillor Andrews.**

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/034/2023 MINUTES OF COUNCIL MEETING HELD ON 9 JANUARY 2023

Read: Minutes of Council Meeting held on 9 January 2023 (copy circulated).

Agreed: **The Minutes of the Council Meeting held on 9 January 2023 were agreed as an accurate record and adopted, on the proposal of Councillor Stokes, seconded by Councillor Sharvin.**

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/035/2023 MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 16 JANUARY 2023

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 16 January 2023 (copy circulated).

Agreed: **The Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 16 January 2023 were agreed as an accurate record and adopted, on the proposal of Councillor Hanna, seconded by Councillor Burgess.**

C/036/2023 MINUTES OF AUDIT COMMITTEE MEETING HELD ON 18 JANUARY 2023

Read: Minutes of Audit Committee Meeting held on 18 January 2023 (copy circulated).

Agreed: **The Minutes of Audit Committee Meeting held on 18 January 2023 were agreed as an accurate record and adopted, on the proposal of Councillor McAteer,**

seconded by Councillor Bowsie.

C/037/2023

**MINUTES OF STRATEGY, POLICY AND RESOURCES
COMMITTEE MEETING HELD ON 19 JANUARY 2023**

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 19 January 2023 (copy circulated).

SPR/005/2023: Establishment of All Ireland Citizens Assembly

Councillor Reilly proposed the establishment of an All Ireland Citizens' Assembly be subject to a full equality impact assessment. Councillor Hanna seconded the proposal.

The Chief Executive advised Councillor Reilly had received a response from Councils Equality Officer on the matter and that it had been equality screened. Mrs Ward confirmed she would bring a report in relation to an equality impact assessment to the Strategy, Policy & Resources Committee.

Councillor Ó Muirí stated it was made clear at the Strategy, Policy and Resources Committee that there was no intention to chip away at political, religious or cultural beliefs.

Councillor Reilly replied by commenting that it was about what Council promotes and the perception from the non nationalist community.

Councillor Taylor pointed out any opposition outlined was based on the constitutional position of Council.

Agreed: The Minutes of Strategy, Policy and Resources Committee Meeting held on 19 January 2023 were agreed as an accurate record and adopted, on the proposal of Councillor Byrne, seconded by Councillor Sharvin.

It was agreed on the proposal of Councillor Reilly, seconded by Councillor Hanna that an All Ireland Citizens' Assembly be subjected to an Equality Impact Assessment. It was agreed a report would be presented to the Strategy, Policy & Resources Committee.

C/038/2023

**MINUTES OF ACTIVE AND HEALTHY COMMUNITIES
COMMITTEE MEETING HELD ON 23 JANUARY 2023**

Read: Minutes of Active and Healthy Communities Committee Meeting held on 23 January 2023 (copy circulated).

Agreed: The minutes of the Active and Healthy Communities Committee Meeting held on 23 January 2023 were agreed as an accurate record and adopted, on the

**proposal of Councillor Gallagher, seconded by
Councillor O'Hare.**

**C/039/2023 MINUTES OF SUSTAINABILITY AND ENVIRONMENT
COMMITTEE MEETING HELD ON 25 JANUARY 2023**

Read: Minutes of Sustainability and Environment Committee Meeting held on 25 January 2023 (copy circulated).

**Agreed: The Minutes of Sustainability and Environment
Committee Meeting held on 25 January 2023 were
agreed as an accurate record and adopted, on the
proposal of Councillor Magennis, seconded by
Councillor Andrews.**

C/040/2023 PLANNING SECTION

There were no planning issues.

CORRESPONDANCE AND CONFERENCES

**C/041/2023 NORTHERN IRELAND HOUSING COUNCIL MINUTES - 8
DECEMBER 2022 AND BULLETIN – 12 JANUARY 2023**

Read: Northern Ireland Housing Council Minutes, 8 December 2022 and bulletin, 12 January 2023
(Copy circulated)

**Agreed: The Northern Ireland Housing Council Minutes dated
8 December 2022 and bulletin dated 12 January
2023 were noted on the proposal of Councillor
Burgess, seconded by Councillor Gallagher.**

**C/042/2023 RESPONSE FROM NORTHERN IRELAND OFFICE RE: NOM
C/183/2022 – COST OF LIVING CRISIS**

Read: Correspondence from Northern Ireland Office re: NOM C/183/2022 dated 12 January 2023. **(Copy circulated)**

**Agreed: It was agreed on the proposal of Councillor Burgess,
seconded by Councillor Gallagher to note the
correspondence from Northern Ireland Office.**

C/043/2023 **RESPONSE FROM HM TREASURY RE: NOM C/183/2022 – GOVERNMENT HELP WITH COST OF LIVING CRISIS**

Read: Correspondence from HM Treasury re: NOM C/183/202 dated 18 January 2023. **(Copy circulated)**

Agreed: **It was agreed on the proposal of Councillor Burgess, seconded by Councillor Gallagher to note the correspondence from HM Treasury.**

C/044/2023 **RESPONSE FROM ARMAGH, BANBRIDGE & CRAIGAVON BOROUGH COUNCIL AND FERMANAGH & OMAGH DISTRICT COUNCIL AND ARDS AND NORTH DOWN BOROUGH COUNCIL RE: NOM C/207/2022 WORKERS LEGAL RIGHT TO TIPS**

Read: Correspondence from Armagh, Banbridge & Craigavon Borough Council dated 4 January 2023 and Fermanagh & Omagh District Council dated 13 January 2023 and Ards and North Down Borough Council dated 6 February 2023. **(Copy circulated)**

Agreed: **It was agreed on the proposal of Councillor Burgess, seconded by Councillor Gallagher to note the correspondence Armagh, Banbridge & Craigavon Borough Council and Fermanagh & Omagh District Council and Ards and North Down Borough Council.**

C/045/2023 **LETTER TO COLUM BOYLE, PERMANENT SECRETARY, DEPARTMENT FOR COMMUNITIES RE: RATES SUPPORT GRANT**

Read: Correspondence sent to Colum Boyle, Permanent Secretary, Department for Communities re: Rates Support Grant dated 18 January 2023. **(Copy circulated)**

Councillor Byrne enquired if officers had an update on the requests to DfC for the reinstatement of the Rates Support Grant to normal levels and if they anticipate any further cuts.

The Chief Executive advised the Council's involved with the Rates Support Grant were lobbying very hard for the reinstatement of the grant and that the risk to cuts were included within the rates paper.

Agreed: **It was agreed on the proposal of Councillor Burgess, seconded by Councillor Gallagher to note the correspondence sent to Permanent Secretary, Department for Communities re: Rates Support Grant.**

C/046/2023 **RESPONSE FROM NORTHERN IRELAND OFFICE RE: NOM C/206/2022 CERVICAL SCREENING IN NORTHERN IRELAND**

Read: Correspondence from Northern Ireland Office re: Cervical Screening in Northern Ireland dated 23 January 2023. **(Copy circulated)**

Agreed: **It was agreed on the proposal of Councillor Burgess, seconded by Councillor Gallagher to note the correspondence from Northern Ireland Office.**

C/047/2023 **RESPONSE FROM PSNI RE: NOM C/022/2023 – FORMER WARRENPOINT POLICE STATION**

Read: Correspondence from PSNI re: Former Warrenpoint Police Station dated 25 January 2023. **(Copy circulated)**

Agreed: **It was agreed on the proposal of Councillor Burgess, seconded by Councillor Gallagher to note the correspondence from the PSNI.**

C/048/2023 **RESPONSE FROM CATHERINE MARTIN TD RE: NOM C/020/2023**

Read: Correspondence from Catherine Martin TD Re: NOM C/020/2023 – Inclusion of Counties Armagh and Down in Ireland’s Ancient East Destination Marketing Brand dated 26 January 2023. **(Copy circulated)**

Agreed: **It was agreed on the proposal of Councillor Burgess, seconded by Councillor Gallagher to note the acknowledgement letter from Catherine Martin TD.**

NOTICES OF MOTION

C/049/2023 **NOTICE OF MOTION – LOCAL DEVELOPMENT PLAN**

The following Notice of Motion was received from Councillor Hanlon:

*"Newry, Mourne and Down District Council is responsible for the preparation of a development plan for the district and has commenced work on the Newry, Mourne and Down Local Development Plan (LDP).
The LDP will provide a 15-year plan framework to support economic and social needs in the district, in line with regional strategies and policies, while providing the delivery of sustainable development.*

We commend the work our council planning staff and the diligent work to date by members of the planning committee in the preparation of the plan however, we are concerned the plan will not meet the huge housing need within the district.

The councils Preferred Options Paper cites 10% of all households in the district reside in social housing tenure compared to the NI average of 15%. However, the need for social housing in the district has remained at a very high level since 2010 with a 31% increase from 2012.

This council is committed to ensure housing need is met within this district and therefore will commit to developing a housing led regeneration plan through the strategic assessment and use of public sector land assets and adjoining private sector lands.

Members will be consulted and included within the development of the strategy and good practice evidence will be gathered from similar councils to inform its development”.

The Motion was seconded by Councillor Clarke.

Agreed: **The Motion was referred to the Enterprise, Regeneration and Tourism Committee in accordance with Standing Order 16.1.6.**

C/050/2023 **NOTICE OF MOTION – RECREATIONAL SEA ANGLING STRATEGY**

The following motion was received from Councillor Clarke:

"This Council welcomes the increasing popularity of Sea Angling along the Down coast, recognises the potential for increased tourism and the benefits this will bring to the local economy;

Calls for the development and introduction of a Recreational Sea Angling Strategy in consultation with local fishermen and the relevant agencies.

Such a strategy should aim to;

Promote sea angling in a safe and sustainable way and capitalise on the on the opportunities for the local economy that an increase in sea angling would deliver”.

The Motion was seconded by Councillor Hanlon.

Agreed: **The Motion was referred to the Active and Healthy Communities Committee in accordance with Standing Order 16.1.6.**

C/051/2023 **NOTICE OF MOTION – NORTHERN IRELAND ELECTRICITY SUPPLIERS**

The following motion was received from Councillor Lee–Surginor:

"This Council notes with ongoing concern the cost of living energy crisis inflicted on our fellow citizens, hampered by the ongoing non-functioning of the Northern Ireland Executive and Assembly; the lack of roll out of smart meters by the Department for the Economy and agrees that more needs to be done by Northern Ireland Electricity suppliers to address these issues. In light of the 'Demand Flexibility Service' being

implemented in GB to avoid blackouts and provide savings for consumers, this Council should write to NIE and all electricity suppliers encouraging them to work collaboratively to introduce a similar scheme encouraging consumers to avoid using electricity during peak times and begin rolling out smart meters for all households."

The motion was seconded by Councillor McMurray.

Councillor Bowsie said whilst he agreed it was important to address rising energy costs, he had concerns with the wording of the motion. He said it was important not to overstate the savings to be had by having a smart meter, saying they had no effect on energy usage or tariff; they only gave more accuracy around billing.

Councillor Bowsie said more clarity was needed on what issues needed to be addressed by NIE Suppliers and the 'Demand Flexibility Service' was the responsibility of the National Grid and not NI energy suppliers and he said he would not either support or amend the motion.

Councillor Sharvin said smart meters could show energy usage in real time and could help to monitor bills, however, he said he considered they could also be a source of anxiety for the householder. He asked if an amendment could be made to the motion to include a letter be sent to Mike Brennan, Department for the Economy asking what the Department's plans are for rolling out smart meters across N. Ireland. Councillor Lee Surginor accepted the amendment.

Councillor Reilly asked it to be put on record the great job done by Sir Jeffrey Donaldson and the DUP at Westminster for ensuring all householders in N. Ireland received their £600 energy support payment. Councillor Reilly said he was opposed to smart meters, he considered they provided unwarranted privacy violations and safety issues and the increased Wi-Fi needed could pose a health risk. He said smart meters had been rolled out in the UK with no significant savings reported.

Councillor Taylor said he was content to support the Motion, however, he said he was not convinced smart meters would deliver any savings

In summing up, Councillor Lee Surginor thanked Members for their support and said the smart meter was not designed to make savings but, as and when energy providers rolled the 'Demand Flexible Service' they could prove usage in real time.

Agreed:

It was agreed on the proposal of Councillor Lee Surginor, seconded by Councillor McMurray that Council notes, with ongoing concern; the cost of living energy crisis inflicted on our fellow citizens, hampered by the ongoing non-functioning of the Northern Ireland Executive and Assembly; the lack of roll out of smart meters by the Department for the Economy and agrees that more needs to be done by Northern Ireland Electricity suppliers to address these issues. In light of the 'Demand Flexibility Service' being implemented in GB to avoid blackouts and provide

project in Newry, Mourne and Down, identifying a number of pilot schools across the district; Agrees that the DEA Forums will agree a number of schools in each area to recommend to the Department for Infrastructure as part of a pilot scheme; Shall explore further ways to work with all relevant partners to develop School Streets and support measures to cut vehicle emissions and pollution in the vicinity of schools, including enforceable No-Idling Zones, air quality measuring and tree planting as part of the one million trees initiative".

The motion was seconded by Councillor Gallagher

In proposing the motion, Councillor Sharvin said the School Streets scheme was first highlighted by Belfast City Council and he had discussed the pilot with Sustrans to understand how it could improve our local school streets. He said the School Streets scheme had the potential to address some of the road safety concerns local schools faced on a daily basis. He stated a pilot could be implemented that would see the outside of the school pedestrianised at drop off and pick up time, which, he said would ensure safety for children going and coming from school and also would result the congestion being faced along the street at the two key times as well as reducing vehicle emissions and pollution.

He suggested that Councillors could present a case for schemes to be implemented in their DEA, and through the DEA forums, agreement could be sought on the number of schools in each area and these could then be recommended to the Department for Infrastructure.

During discussions, Members expressed support for the Motion but had concerns regarding the location of some schools in the district and their suitability to be part of the scheme.

Councillor Enright asked that an amendment to read *'and finish the 20mph limits outside of schools on main roads'* be included after the words *'No Idling Zones'*

Councillor McMurray seconded the proposed amendment.

Councillor Sharvin did not accept the amendment.

Councillor Byrne, on a point of information, said the amendment was a direct negative and therefore could not be accepted.

The Chairperson agreed with Councillor Byrne, saying the motion was about closing the road, whereas the amendment was about extending the 20mph limit.

In summing up, Councillor Sharvin thanked Members for their support and said he was aware not all schools would be suitable for the pilot scheme and the DEAs involvement would ensure those schools that were most suitable would be highlighted.

Agreed:

It was agreed on the proposal of Councillor Sharvin, seconded by Councillor Gallagher this Council notes that the "School street" schemes in the Republic of Ireland and GB, which close the roads outside schools during drop-off and pick-up times, have the multiple benefits of improving road

safety for pupils, encouraging active travel to school by walking, cycling and public transport, and improving the air quality around schools; Commends Fingal County Council which has successfully pioneered the scheme at many schools in North County Dublin; Recognises that we do not have the statutory powers to introduce such a scheme in Newry, Mourne and Down, either in pilot or permanent form; Calls on the Department for Infrastructure to bring forward urgently a School Streets pilot project in Newry, Mourne and Down, identifying a number of pilot schools across the district; Agrees that the DEA Forums will agree a number of schools in each area to recommend to the Department for Infrastructure as part of a pilot scheme; Shall explore further ways to work with all relevant partners to develop School Streets and support measures to cut vehicle emissions and pollution in the vicinity of schools, including enforceable No-Idling Zones, air quality measuring and tree planting as part of the one million trees initiative".

The Chairperson advised an emergency Notice of Motion had been received, the wording of which had been emailed to all Councillors and to enable it to be heard, it would be necessary to suspend Standing Orders 16.1.1 for which a qualified majority vote was required. (80% of Members present and voting). The Chairperson then invited Ms Nora Largey to offer legal guidance to Members given the fact there was a potential live investigation going on in respect of the detail of the motion.

Ms Largey advised Members that due to ongoing PSNI investigation all discussions should be kept general, and they should refrain from straying into the detail of the case.

Councillor Hanna said the word 'sinister' in the motion had underlying tones, Ms Largey replied the use of the word was not an issue in legal terms.

Councillor Lewis declared an interest saying he was a member of the Board of Governors and would therefore withdraw from discussions.

It was agreed on the proposal of Councillor Brennan, seconded by Councillor Ó Muirí to suspend Standing orders 16.1.1 at this point in the meeting to allow for the tabling of the emergency motion.

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

FOR: 32
AGAINST: 0

ABSTENTIONS: 5

It was agreed by a qualified majority vote to suspend Standing Orders 16.1.1 (copy attached)

C/054/2023 NOTICE OF MOTION – SIGNAGE OUTSIDE SCHOOL IN CLOUGH

The following Emergency Motion was received from Councillor Brennan:

"This Council condemns in the strongest possible terms the recent erection of intimidatory and anti-Irish signage outside a school in the village of Clough; Council recognises that this was a clear attempt to threaten and intimidate school children and their families and is the latest in an ongoing campaign by some individuals to mark out territory and intimidate both people living in and travelling through the area; Council acknowledges that the naming and targeting of a school in this instance was particularly sinister; And calls on anyone with any information on those responsible for these actions to come forward and assist police with their enquiries immediately."

The Motion was seconded by Councillor Ó Muirí.

In proposing the motion Councillor Brennan said the erection of the signage was a blatant incident of anti-Irish racism that had no place in the tolerant and inclusive Ireland that so many were working hard to achieve and stated that shared education was a valued and respected part of the education system.

He went onto say that such incidents were a clear indication that laws in place to tackle hate crimes and sectarianism must be strengthened so those responsible could be held to account under the law.

Councillor Ó Muirí said, as a teacher, his gaelscoil in Crossmaglen had been partnered with Markethill primary school for 10 – 12 years and the pupils and teaching staff of both schools got on very well together. He stated he very much welcomed shared education and he said the motion was about a united call in opposition to what had occurred.

Councillor Taylor said the sign should not have been erected but he expressed concern with the wording 'mark out territory' contained within the Motion and asked for clarity on what was meant by that wording as he was not aware of any ongoing intimidation in the area.

Councillor McKee said he did not have a problem with people speaking the Irish language, however he considered the Motion to be more of a political statement. He said the sign should not have been erected, however, as Clough was a predominantly Unionist area, he could understand why some people would be opposed to the promotion of the Irish language.

Councillors Gallagher, McMurray, Murphy and O'Hare all expressed full support for the Motion.

The Chairperson said difference needed to be respected and the erection of the sign was no reflection on the school, and it had only served to cause harm.

In summing up, Councillor Brennan thanked Members for their support. He said the erection of the sign was not reflective of the people of Clough and he defended the decision to bring the motion to Council.

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

FOR: 29
AGAINST 5
ABSTENTIONS: 2

The Motion was carried.

Councillor Taylor expressed his disappointment that he had not been given any clarity on the wording as he had requested.

Agreed: **It was agreed on the proposal of Councillor Brennan, seconded by Councillor Ó Muirí that this Council condemns in the strongest possible terms the recent erection of intimidatory and anti-Irish signage outside a school in the village of Clough; Council recognises that this was a clear attempt to threaten and intimidate school children and their families and is the latest in an ongoing campaign by some individuals to mark out territory and intimidate both people living in and travelling through the area; Council acknowledges that the naming and targeting of a school in this instance was particularly sinister; And calls on anyone with any information on those responsible for these actions to come forward and assist police with their enquiries immediately.**

There being no further business, the meeting concluded at 9.21pm.

For confirmation at the Council Meeting to be held on Monday 6 March 2023.

Signed:

Chairperson

Chief Executive

NEWRY, MOURNE & DOWN DISTRICT COUNCIL
RECORDED VOTE

DATE: 6th February 2023

VENUE: Downshire Civic Centre

MEETING: Council

SUBJECT OF VOTE: Qualified Majority Vote for Suspension of Standing Orders

COUNCILLOR	FOR	AGAINST	ABSTAIN	ABSENT
T Andrews	1			
C Bowsie			1	
J Brennan	2			
R Burgess	3			
P Byrne	4			
W Clarke	5			
D Curran	6			
L Devlin	7			
C Enright	8			
A Finnegan	9			
H Gallagher	10			
M Gibbons				1
O Hanlon	11			
G Hanna			2	
V Harte	12			
R Howell	13			
J Jackson			3	
G Kearns	14			
C King	15			
M Larkin	16			
D Lee-Surginor	17			
A Lewis				2
O Magennis	18			
G Malone				3
D McAteer	19			
L McEvoy				4
H McKee			4	
K McKevitt	20			
A McMurray	21			
D Murphy	22			
G O'Hare	23			
B Ó Muirí	24			
H Reilly			5	
M Rice	25			
M Ruane	26			
M Savage	27			
G Sharvin	28			
G Stokes	29			
D Taylor	30			
J Tinnelly	31			
J Trainor	32			
TOTALS	32	0	5	4