

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

Minutes of Council Meeting held on Monday 3 February 2020 at 6.00pm in the Mourne Room, Downshire Civic Centre, Downpatrick

In the Chair: Councillor C Casey

In attendance:	Councillor T Andrews	Councillor P Brown
	Councillor R Burgess	Councillor P Byrne
	Councillor W Clarke	Councillor D Curran
	Councillor L Devlin	Councillor S Doran
	Councillor C Enright	Councillor H Gallagher
	Councillor M Gibbons	Councillor O Hanlon
	Councillor G Hanna	Councillor V Harte
	Councillor R Howell	Councillor M Larkin
	Councillor A Lewis	Councillor G Malone
	Councillor C Mason	Councillor D McAteer
	Councillor H McKee	Councillor K McKevitt
	Councillor A McMurray	Councillor R Mulgrew
	Councillor K Owen	Councillor G O'Hare
	Councillor B Ó Muirí	Councillor H Reilly
	Councillor M Ruane	Councillor M Savage
	Councillor G Sharvin	Councillor G Stokes
	Councillor D Taylor	Councillor J Tinnelly
	Councillor J Trainor	Councillor B Walker

(Officials)

Mrs M Ward, Chief Executive
Mrs D Carville, Director of Corporate Services
Mr M Lipsett, Director of Active & Healthy Communities
Mr C Mallon, Director of Enterprise, Regeneration & Tourism
Mr R Moore, Director of Neighbourhood Services
Mr K Montgomery, Assistant Director of Finance
Miss S Taggart, Democratic Services Manager (Acting)
Mrs D Starkey, Democratic Services Officer

C/017/2020

APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Hearty, Magennis and McEvoy.

- The Chairperson asked that a letter of condolence be sent to the family of John Doris, former Councillor of Down District Council who had passed away.
- The Chairperson acknowledged the sad passing of Seamus Mallon and added his sentiments of condolences to the former Deputy First Minister.
- The Chairperson offered condolences to the family of Deaglan Moran who had died following a tragic road accident in Downpatrick.
- The Chairperson asked that a letter and flowers been sent to Councillor McEvoy who

had recently undergone surgery.

C/018/2020 DECLARATIONS OF INTEREST

Councillor Enright declared an interest in items 15,16,17 and 18 on the agenda.

C/019/2020 TO SET A DISTRICT RATE FOR THE FINANCIAL YEAR 20/21 AS REQUIRED UNDER SECTION 3 OF THE LOCAL GOVERNMENT FINANCE ACT (NI) 2011

Read: Report from Mr K Montgomery, Assistant Director of Finance dated 3 February 2020, regarding the District Rate 2020-21
Appendix 1: Medium Term Financial Plan
Appendix 2: Capital Strategy Report 2020-21
Appendix 3: Four Year Capital Programme
Appendix 4: Treasury Management Strategy Statement 2020-21
Appendix 5: Minimum Revenue Provision Statement 2020-21

Mrs Carville, Director of Corporate Services referred Members to the considerations and recommendations of the Efficiencies Working Group at appendix 6 (restricted item). Members were asked to approve an increase in the district rate for 202/21 of 2.85%, highlighting the key factors contributing to the proposed rate increase in 2020/21.

Mrs Ward advised that, in accordance with the requirements of the Local Government Finance Act (NI) 2011, she, as Chief Financial Officer, was required to provide assurance to Members on the robustness of the revenue estimates and the adequacy of the Council's reserves as part of the rate setting process.

Mrs Ward stated there were a number of significant uncertainties within the current estimates namely Brexit and NI Executive financial uncertainties, including a potential significant reduction of the Rates Support Grant.

Members took the opportunity to thank officers for their hard work and diligence throughout the year in striking the rate.

Noted: **The Action Sheets of Efficiency Working Group Meetings held on 12 November 2019, 17 December 2019 and 17 January 2020 were noted (appendix 6 – restricted item).**

Agreed: **It was agreed on the proposal of Councillor Byrne, seconded by Councillor Clarke to approve the considerations and recommendations of the Efficiencies Working Group in relation to the 2020/21 rate setting process, and:**

- 1. Approve an increase in the district rate for 2020/21 of 2.85% based on an estimated penny product of 2,510,599 meaning a non-domestic rate of 23.6209 pence and a domestic rate of 0.4004 pence;**
- 2. Approve the Medium Term Financial plan and authorise the 2020-21 expenditure included in the estimates (Appendix 1);**

3. Approve the Capital Strategy Report for 2020/21 as required by the CIPFA Prudential Code (Appendix 2);
4. Approve the capital programme (Appendix 3);
5. Approve the Treasury Management Strategy Statement 2020-21 (Appendix 4);
6. Approve the Minimum Revenue Provision Statement 2020-21 (see Appendix 5).

C/020/2020 ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 6 JANUARY 2020

Read: Action sheet arising from Council Meeting held on 6 January 2020 (copy circulated).

Agreed: The Action Sheet from Council Meeting held on 6 January 2020 was agreed on the proposal of Councillor Andrews, seconded by Councillor Doran.

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/021/2020 MINUTES OF COUNCIL MEETING HELD ON 6 JANUARY 2020

Read: Minutes of Council Meeting held on 6 January 2020 (copy circulated).

Agreed: The Minutes of the Council Meeting held on 6 January 2020 were agreed as an accurate record and adopted, on the proposal of Councillor Stokes, seconded by Councillor Hanna.

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/022/2020 MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 13 JANUARY 2020

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 13 January 2020 (copy circulated).

Agreed: The Minutes of the Enterprise, Regeneration and Tourism Committee Meeting held on 13 January 2020 were agreed as an accurate record and adopted, on the proposal of Councillor Hanna, seconded by Councillor Mulgrew.

C/023/2020 MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 16 JANUARY 2020

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 16 January 2020 (copy circulated).

Agreed: The Minutes of the Strategy Policy and Resources Committee Meeting held on 16 January 2020 were agreed

as an accurate record and adopted, on the proposal of Councillor Burgess, seconded by Councillor Savage.

C/024/2020

MINUTES OF ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 20 JANUARY 2020

Read: Minutes of Active and Healthy Communities Committee Meeting held on 20 January 2020 (copy circulated).

AHC/9/2020: Kilclief Play Park

Agreed: In response to a query, Mr Lipsett, Director of Active and Healthy Communities confirmed he would provide an update regarding the completion of works at the play park at Carrievemaclone to Councillor Savage.

AHC/13/2020: No 16 The Square, Rostrevor

Agreed: In response to a request from Councillor Tinnelly, Mr Moore, Director of Neighbourhood Services agreed to look at temporary toilet provision for Rostrevor. Mr Moore pointed out budget may be a restriction.

Agreed: The Minutes of the Active and Healthy Communities Committee Meeting held on 20 January 2020 were agreed as an accurate record and adopted, on the proposal of Councillor Ó Muirí, seconded by Councillor Trainor.

C/025/2020

MINUTES OF NEIGHBOURHOOD SERVICES COMMITTEE MEETING HELD ON 22 JANUARY 2020

Read: Minutes of Neighbourhood Services Committee Meeting held on 22 January 2020 (copy circulated).

Agreed: The Minutes of the Neighbourhood Services Committee Meeting held on 22 January 2020 were agreed as an accurate record, on the proposal of Councillor McKee, seconded by Councillor Owens.

NS/112/2020: Evaluation of alternatives to use of Herbicides containing Glyphosate for controlling weeds and invasive

Agreed: It was agreed on the proposal of Councillor Sharvin, seconded by Walker to amend the minute to read as follows:
To undertake a 12 month review with a target to phase out completely the use of herbicides containing glyphosate for controlling weeds and invasive species on Council property within 3 years or *as soon as possible*.

Agreed: The Minutes of the Neighbourhood Services Committee Meeting held on 22 January 2020 were adopted, on the proposal of Councillor Andrews, seconded by Councillor Owens.

C/026/2020

**EXTRACT OF DRAFT MINUTES FROM PLANNING COMMITTEE
MEETING HELD ON 9 JANUARY 2020**

Read: Extract of Planning Committee Meeting held on 9 January 2020 (copy circulated).

Noted: There were no issues referred from the Planning Committee Meeting held on 9 January 2020.

C/027/2020

**MINUTES OF AUDIT COMMITTEE MEETING HELD ON 9
JANUARY 2020**

Read: Minutes of Audit Committee Meeting held on 16 January 2020 (copy circulated).

Agreed: The Minutes of the Audit Committee Meeting held on 9 January 2020 were agreed as an accurate record and adopted, on the proposal of Councillor Enright, seconded by Councillor Byrne.

CONFERENCE/EVENTS

C/028/2020

**NILGA CONFERENCE, EXHIBITION & GALA AWARDS DINNER, 20
FEBRUARY 2020**

Read: Correspondence regarding the NILGA Conference, Exhibition and Gala Awards Dinner on 20 February 2020. (Copy circulated)

Agreed: It was agreed to note the names of Councillors and officers attending NILGA Conference, Exhibition and Gala awards dinner as listed on the schedule (as listed on the agenda).

It was also agreed that Councillors Andrews, Burgess, McKevitt and Walker would attend as NILGA Members.

C/029/2020

**NI LOCAL GOVERNMENT PARTNERSHIP CONFERENCE – 14
MAY 2020**

Read: Correspondence dated 28 January 2020 from the Northern Ireland Local Government Partnership on Traveller Issues regarding a conference on 14 May 2020.

Agreed: It was agreed on the proposal of Councillor Andrews, seconded by Councillor Ruane that nominees Councillors Casey, Stokes and Tinnelly and Ms Suzanne Rice attend the Northern Ireland Local Government Partnership conference on 14 May 2020.

CORRESPONDENCE

**C/030/2020 ARDS AND NORTH DOWN BOROUGH COUNCIL RE: EARLY
DIAGNOSIS OF BOWEL AND BREAST CANCER RE: C/182/2019**

Read: Correspondence dated 2 January 2020 from Ards and North Down Borough Council re: Early Diagnosis of Bowel and Breast Cancer. (Copy circulated)

Agreed: **The correspondence from Ards and North Down Borough Council re: Early Diagnosis of Bowel and Breast Cancer was noted.**

C/031/2020 DEPARTMENT OF HEALTH RE: NIFRS BUDGET C/209/2019

Read: Correspondence dated 9 January 2020 from Department of Health re: NIFRS Budget C/209/2019. (copy circulated).

Agreed: **The correspondence from Department of Health re: NIFRS Budget was noted.**

**C/032/2020 FERMANAGH & OMAGH DISTRICT COUNCIL RE MOTION:
C/209/2019 NIFRS**

Read: Correspondence dated 10 January 2020 from Fermanagh & Omagh District Council re: Motion: C/209/2019 NIFRS. (copy circulated)

Agreed: **The correspondence dated 10 January 2020 from Fermanagh & Omagh District Council re: Motion C/209/2019 NIFRS was noted.**

C/033/2020 NILGA REGARDING NILGA STRATEGIC CONSULTATIONS

Read: Correspondence dated 23 January 2020 from NILGA re: NILGA Strategic Consultations. (copy circulated)

Agreed: **The correspondence dated 23 January 2020 from NILGA regarding NILGA Strategic Consultations was noted.**

C/034/2020 MID ULSTER DISTRICT COUNCIL RE: MOTION: C/209/2019

Read: Correspondence dated 28 January 2020 from Mid Ulster District Council re: Motion: C/209/2019 NIFRS. (copy circulated)

Agreed: **The correspondence dated 28 January 2020 from Mid Ulster District Council re: Motion C/209/2019 NIFRS was noted.**

NOTICES OF MOTION

C/035/2020

NOTICE OF MOTION – BALLYNAHINCH BY-PASS

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

"This Council writes to the newly installed Minister for Infrastructure requesting an urgent meeting to discuss the next step of the Ballynahinch By-Pass and further underlines the fact that this By-Pass is vital to the survival of Ballynahinch town and also to the commuting community in this part of the District. We believe that this project is shovel ready and needs urgent Ministerial direction and approval".

Councillor Owens seconded the Motion.

In proposing the Motion, Councillor Walker referred to infrastructure work and projects that had taken place across Northern Ireland and stated he believed the time had come for Newry, Mourne and Down District Council to demand a fair share of funding particularly for the Ballynahinch By Pass.

Councillor Walker stated that with the Assembly now restored and a Minister for Infrastructure in place, Newry, Mourne and Down Council should seek an urgent meeting with the Minister seeking the immediate release of funding so work on the Ballynahinch By-Pass could commence to enhance trade and business in and around the greater Ballynahinch area.

Members from each of the political party's spoke in support of the motion and it was unanimously agreed.

Agreed:

It was agreed on the proposal of Councillor Walker, seconded by Councillor Owens that Council writes to the newly installed Minister for Infrastructure requesting an urgent meeting to discuss the next step of the Ballynahinch By-Pass and further underlines the fact that this By-Pass is vital to the survival of Ballynahinch town and also to the commuting community in this part of the District. We believe that this project is shovel ready and needs urgent Ministerial direction and approval.

C/036/2020:

NOTICE OF MOTION – DOMESTIC ABUSE INCIDENTS

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

"That this Council recognises 2019 saw the North of Ireland experience the highest number of domestic abuse incidents since records began and agrees to work collaboratively with the statutory agencies and health trusts to ensure support and protection of individuals and families experiencing domestic violence be a priority in all council buildings".

Councillor O'Hare seconded the Motion.

The Chairperson advised that in accordance with Standing Order 16.1.6 the motion would be referred to the Active and Healthy Communities Committee.

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

C/037/2020: NOTICE OF MOTION – A1 JUNCTIONS

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

"This Council make a formal written submission to the upcoming A1 Junctions Phase 2 Public Inquiry, which is to begin in March 2020.

The submission will reflect the full support of this council for an urgent upgrade of this road as per the DFI proposals, a stretch of road that has brought so much devastation to the families of many local people who have lost their lives while travelling on it over the years. Council will also write to the other local authorities through which the A1 travels, namely Lisburn & Castlereagh City Council and Armagh City, Banbridge & Craigavon Borough Council urging them to support our motion and requesting that they too make their own submissions to the inquiry."

Councillor Mulgrew seconded the Motion.

In proposing the Motion, Councillor Tinnelly pointed out the A1 was the main road between two of the biggest cities and was a road travelled by thousands from this District daily. Unfortunately, it was a lethal stretch of road that had claimed the lives of many residents including that of Karl Heaney, whose mother was present at this meeting and who was a determined campaigner to ensure the Department of Infrastructure delivered on much needed and long promised road improvements.

Councillor Tinnelly stated the Department for Infrastructure were aware the public opinion for the proposed upgrade being overwhelmingly in favour of their proposals, and that this was reinforced by the response to the statutory consultation between March and June 2019. Despite the volume of support which included a petition of 12,000 signatures it was disappointing that the Department for Infrastructure felt obliged to initiate a public enquiry.

Councillor Tinnelly stated that it was for that reason that Newry, Mourne and Down District Council had to offer its unqualified support for the improvement proposals for the A1 and make a formal written submission to the upcoming A1 Junctions Phase 2 Public Inquiry.

In seconding the motion, Councillor Mulgrew welcomed the Department for Infrastructure's decision to implement significant and major changes to this road. Councillor Mulgrew advised her understanding was that works were to include 4 new grade separate junctions, 21 improved access points, 9 road closures and enhanced central reservation barriers amongst others. The process of the review would take until 2020/2021 and in the meantime her party would push strongly for any interim measures to make this road safer until the works that were to be carried were implemented.

Councillors McKeivitt, Taylor, Owens, Reilly and Malone on behalf of their respective party's spoke in favour of the motion.

Councillor Tinnelly thanked Members for their unanimous support for the motion.

Agreed: **It was agreed on the proposal of Councillor Tinnelly, seconded by Councillor Mulgrew that Council make a**

formal written submission to the upcoming A1 Junctions Phase 2 Public Inquiry, which is to begin in March 2020.

The submission would reflect the full support of Council for an urgent upgrade of this road as per the DFI proposals, a stretch of road that has brought so much devastation to the families of many local people who have lost their lives while travelling on it over the years. Council will also write to the other local authorities through which the A1 travels, namely Lisburn & Castlereagh City Council and Armagh City, Banbridge & Craigavon Borough Council urging them to support our motion and requesting that they too make their own submissions to the inquiry.

Councillor Reilly left the meeting at this point – 7.12pm

C/038/2020: NOTICE OF MOTION – FIREWORKS

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

"In the interests of animal welfare, this Council will cease to use, purchase or fund fireworks and fireworks displays for events in the district. It recognises the unnecessary distress that fireworks can cause for animals and will investigate alternative ways of celebrating events such as silent fireworks or lighting/laser displays".

In proposing the motion, Councillor Brown advised he was doing so following concerns amongst animal owners and animal welfare activists about the harm traditional fireworks can cause. Councillor Brown advised that since tabling the motion he had been contacted by several animal charities, dog kennels, farmers and individual animal owners expressing their support for the motion.

Reference was made to a campaign lead by RSPCA called 'Bang out of order' as well as the impact of traditional fireworks had on humans, military veterans and some children and adults with autism.

Councillor Brown stated it was important to note that his motion was not to ban fireworks, but rather that Council should seek alternatives and suggested the words silent fireworks be amended to read quiet fireworks.

Councillors Walker and Clarke stated they could not support the motion.

A lengthy discussion ensued following which Councillor Enright seconded an amendment to Councillor Browns original motion as follows:

"In the interests of animal welfare, this Council will recognise the unnecessary distress that fireworks can cause for animals and will investigate alternative ways of celebrating events such as quiet fireworks or lighting/laser displays".

Councillor Clarke put forward the following amendment to Councillor Brown's motion, seconded by Councillor Sharvin. This amendment was accepted by Councillor Brown.

"In the interests of animal welfare, Council will recognise the unnecessary distress that fireworks can cause for animals and will investigate alternative ways of celebrating events such as quiet fireworks or lighting/laser displays. Council will resolve to require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people; to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks. It is important that we as Council recognise that events need to be inclusive and accessible to everyone especially those with additional needs and heightened sensory perception."

Councillors Sharvin, Hanlon, Taylor, Owens Tinnelly and McAteer spoke in support of the amended motion.

The Chairperson asked for a show of hands on the amended motion, which was unanimously agreed.

Agreed: It was agreed on the proposal Councillor Clarke, seconded by Councillor Sharvin that in the interests of animal welfare, Council will recognise the unnecessary distress that fireworks can cause for animals and will investigate alternative ways of celebrating events such as quiet fireworks or lighting/laser displays.

Council will resolve to require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people; to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks. It is important that we as Council recognise that events need to be inclusive and accessible to everyone especially those with additional needs and heightened sensory perception

Councillor Burgess left the meeting during the above discussion – 7.25pm.

C/039/2020: NOTICE OF MOTION – CLIMATE CHANGE

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

"This Council recognises that in view of its recent "Climate Change Emergency" motion, a range of actions need to be adopted across all departments in Council. To ensure a speedy departure from the current status quo towards real climate change action, this Council adopts the concrete actions found in the British and Irish Nuclear Free Local Authorities 10-point guide and instructs management to build and implement a Climate Change Emergency Plan founded on this detailed framework."

Councillor Brown seconded the Motion.

