

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

**Minutes of Council Meeting held on Monday 4 April 2022 at 6.00pm via Hybrid
in Downshire Chamber and Microsoft Teams**

In the Chair: Councillor C Mason (Chamber)

In attendance in Chamber:

Councillor T Andrews	Councillor R Burgess
Councillor D Curran	Councillor C Enright
Councillor A Finnegan	Councillor O Hanlon
Councillor R Howell	Councillor D McAteer
Councillor L McEvoy	Councillor McMurray
Councillor D Murphy	Councillor G O'Hare
Councillor B Ó Muirí	Councillor M Rice

In attendance via Teams:

Councillor P Brown	Councillor P Byrne
Councillor C Casey	Councillor W Clarke
Councillor H Gallagher	Councillor M Gibbons
Councillor M Larkin	Councillor A Lewis
Councillor O Magennis	Councillor G Malone
Councillor H McKee	Councillor K McKeivitt
Councillor R Mulgrew	Councillor H Reilly
Councillor M Ruane	Councillor M Savage
Councillor G Sharvin	Councillor D Taylor
Councillor J Tinnelly	Councillor J Trainor

**Officials in attendance
in Chamber:**

Mrs D Carville, Deputy Chief Executive
Mr C Mallon, Director of Enterprise, Regeneration &
Tourism
Miss S Taggart, Democratic Services Manager (Acting)
Mrs P McKeever, Democratic Services Officer
Mrs D Starkey, Democratic Services Officer

**Officials in Attendance
Via Teams:**

Mr M Lipsett, Director of Active & Healthy Communities
Ms K Coyle, Legal Services
Ms N Largey, Legal Service
Mr F O'Connor, Head of Legal Administration

C/058/2022

APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Devlin, Hanna, Harte, Owen and Stokes and Mrs M Ward, Chief Executive and Mr J McBride, Director of Neighbourhood Services (Acting).

The Chairperson spoke of her theme for the year being mental health and how now more than ever as elected representatives Members were out and about speaking with constituents and hearing issues. She highlighted that no one could dispute the cost of living was causing major

stress and pressure on all generations and that it was having a major impact on mental health and wellbeing.

As Chairperson she asked Members to keep that in mind as they encountered friends, families and even strangers and make an extra effort to help where possible, whether it be to support or signpost to local services where needed and to also keep an eye on each other.

The Chairperson welcomed representatives from Belfast Legal Services to the meeting.

C/059/2022 DECLARATIONS OF INTEREST

There were no declarations of interest.

C/060/2022 ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 7 MARCH 2022

Read: Action sheet arising from Council Meeting held on 7 March 2022 (copy circulated).

Agreed: The Action Sheet from Council Meeting held on 7 March 2022 was agreed on the proposal of Councillor Burgess, seconded by Councillor Gallagher.

Councillor Enright left the meeting at this point – 6.07pm.

C/061/2022 CALL-IN FROM COUNCIL MEETING HELD ON 7 FEBRUARY 2022

Read: Report dated 4 April 2022 from Mr F O'Connor, Head of Legal Administration regarding a Call in Request from Council Meeting held on 7 February 2022. (copy circulated)

Mrs Carville referred Members to the report and legal opinion and advised that it was exempt under paragraph 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 and any discussion on same would have to be held in closed session.

Councillor Reilly questioned why discussion had to be held in closed session commenting that it was in the public's interest to know what was contained within the legal advice.

Mrs Carville clarified the legal advice was exempt under paragraph 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 which was information in relation to which a claim to legal professional privilege could be maintained in legal proceedings, and it was under that section that officers were recommending compliance with the Local Government Act and hold discussion in closed session.

Councillor Ó Muirí stated it was not a controversial issue and the motion had been clear at the time in that Council join Belfast City Council as a notice party in legal action against the Minister for action he had taken. He added the decision to pass the motion had been called in and the legal advice clearly stated there were no grounds for the call in. Councillor Ó Muirí proposed Council proceed with the motion as worded, seconded by Councillor Hanlon.

Councillor Taylor commented that it wasn't clear from the recommendations within the report to proceed with the decision taken on the motion at that time and that there were other matters that needed to be discussed and considered other than going ahead with the legal decision.

Agreed: On the proposal of Councillor Andrews, seconded by Councillor McAteer, it was agreed to exclude the public and press from the meeting during discussion on the next matters which related to exempt information by virtue of para. 5 of Part 1 of Schedule 6 of the Local Government (Northern Ireland) 2014 – Information in relation to which a claim to legal professional privilege could be maintained in legal proceedings, and the public may, by resolution, be excluded during this item of business.

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

Agreed: It was agreed by Qualified Majority Vote (copy attached) that the notice of motion from the Council Meeting held on 7 February 2022 proceed with Equality Screening.

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/062/2022 MINUTES OF COUNCIL MEETING HELD ON 7 MARCH 2022

Read: Minutes of Council Meeting held on 7 March 2022 (copy circulated).

Agreed: The Minutes of the Council Meeting held on 7 March 2022 were agreed as an accurate record and adopted, on the proposal of Councillor Burgess, seconded by Councillor Hanlon.

C/063/2022 MINUTES OF SPECIAL COUNCIL MEETING HELD ON 18 MARCH 2022

Read: Minutes of Special Council Meeting held on 18 March 2022 (copy circulated).

Agreed: The Minutes of the Special Council Meeting held on 18 March 2022 were agreed as an accurate record and adopted, on the proposal of Councillor McAteer, seconded by Councillor Curran.

C/064/2022 MINUTES OF SPECIAL COUNCIL MEETING HELD ON 24 MARCH 2022 – S.E. TRUST

Read: Minutes of Special Council Meeting held on 24 March 2022 with S.E. Trust (copy circulated).

Councillor Sharvin commented the meeting had been really useful however attendance had been disappointing and suggested that there may have been confusion around MS Teams and Zoom. He added that this was not good enough given the health issues within the District.

Agreed: The Minutes of the Special Council Meeting held on 24 March 2022 with S.E. Trust were agreed as an accurate record and adopted, on the proposal of Councillor Sharvin, seconded by Councillor Hanlon.

C/065/2022

MINUTES OF SPECIAL COUNCIL MEETING HELD ON 24 MARCH 2022 – SACIA, WARRENPOINT

Read: Minutes of Special Council Meeting re. SACIA, Warrenpoint held on 24 March 2022 (copy circulated).

Agreed: The Minutes of the Special Council Meeting held on 24 March 2022 re. SACIA, Warrenpoint were agreed as an accurate record and adopted, on the proposal of Councillor McAteer, seconded by Councillor Savage.

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/066/2022

MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 14 MARCH 2022

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 14 March 2022 (copy circulated).

Agreed: The Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 14 March 2022 were agreed as an accurate record and adopted, on the proposal of Councillor Howell, seconded by Councillor Ruane.

C/067/2022

MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 16 MARCH 2022

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 16 March 2022 (copy circulated).

SPR/039/2022: Notice of Motion regarding Irish Unity Working Group

Councillor McAteer wished to speak publicly at his disappointment at unionist colleagues not joining the formation of Irish Unity Working Group, in particular the Alliance Party stance to abstain from the notice of motion while awaiting an invitation to attend said working group. He queried whether they were intending to cooperate with the formation of the group.

Councillor Ó Muirí pointed out the matter had been played out in the Equality and Good Relations Forum and by the Strategic, Policy and Resources Committee with different views on it and that should be respected.

Councillors Lewis, Taylor and Reilly spoke in opposition to comments made by Councillor McAteer.

Councillor McMurray expressed his disappointment in the comments raised by Councillor McAteer, in particular, Councillor McAteer's misrepresentation that he had quoted Andrew Trimble, when in fact he had said if one were to read the article, one would get a semblance for the failing of a certain brand of people within this corner of a landmass that we are on. He advised he would be quite happy to avail of any invitation to sit on the working group.

Agreed: The Minutes of Strategy, Policy and Resources Committee Meeting held on 16 March 2022 were agreed as an accurate record and adopted, on the proposal of Councillor Ó Muirí, seconded by Councillor Sharvin.

C/068/2022

MINUTES OF ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 21 MARCH 2022

Read: Minutes of Active and Healthy Communities Committee Meeting held on 21 March 2022 (copy circulated).

Agreed: **The Minutes of Active and Healthy Communities Committee Meeting held on 21 March 2022 were agreed as an accurate record and adopted, on the proposal of Councillor McEvoy, seconded by Councillor Ó Muiri.**

C/069/2022

MINUTES OF NEIGHBOURHOOD SERVICES COMMITTEE MEETING HELD ON 23 MARCH 2022

Read: Minutes of Neighbourhood Services Committee Meeting held on 23 March 2022 (copy circulated).

Agreed: **The Minutes of Neighbourhood Services Committee Meeting held on 23 March 2022 were agreed as an accurate record and adopted, on the proposal of Councillor Andrews, seconded by Councillor Clarke.**

C/070/2022

PLANNING MINUTES

Read: Extract from Minutes of Planning Committee Meeting held on 9 March 2022 (copy circulated)

Noted: **The extract from the Planning Committee Minutes of Meeting held on 9 March 2022 was noted on the proposal of Councillor Burgess, seconded by Councillor Larkin.**

FOR NOTING

C/071/2022

NORTHERN IRELAND HOUSING COUNCIL MINUTES 10 FEBRUARY 2022

Read: Northern Ireland Housing Council Minutes dated 10 February 2022. (Copy circulated)

Agreed: **The Northern Ireland Housing Council Minutes dated 10 February 2022 were noted on the proposal of Councillor Andrews, seconded by Councillor Curran.**

C/072/2022

NORTHERN IRELAND HOUSING COUNCIL BULLETIN – MARCH 2022

Read: Bulletin dated March 2022 from Northern Ireland Housing Council. (Copy circulated)

Agreed: **The Northern Ireland Housing Council Bulletin was noted on the proposal of Councillor Andrews, seconded by Councillor Curran.**

C/073/2022

CORRESPONDENCE RECEIVED FROM FERMANAGH AND OMAGH DISTRICT COUNCIL RE. FREE SCHOOL MEALS

Read: Letter dated 11 March 2022 re. Free School Meals. (Copy circulated)

Councillor Byrne proposed Council write to the current Education Minister, Ms McIlveen to request the School Meals Payment Scheme that had been in use throughout Covid lockdown be reactivated. This was seconded by Councillor Andrews.

Councillor Byrne spoke of how well the scheme had worked during the Covid lockdown in identifying and targeting those in need, and how with the cost of living crisis now causing mid to low income families to fall into poverty it was needed.

Councillor Ó Muirí supported the proposal and spoke of how in times of cost of living crisis there was a real need to focus on families in most need.

Agreed: The correspondence from Fermanagh and Omagh District Council re: Free School Meals was noted on the proposal of Councillor Andrews, seconded by Councillor Curran.

It was agreed on the proposal of Councillor Byrne, seconded by Councillor Andrews to write to the current Education Minister, Ms McIlveen to request the School Meals Payment Scheme that was in use throughout Covid lockdown be reactivated.

C/074/2022

CORRESPONDENCE RECEIVED FROM DEPARTMENT OF JUSTICE RE. NOM C/039/2022 – ONLINE ACCOUNTS

Read: Letter dated 18 March 2022 re. NOM C/039/2022 – Online Accounts. (Copy circulated)

Agreed: The correspondence from Department of Justice re: NOM C/039/2022, Online Accounts was noted on the proposal of Councillor Andrews, seconded by Councillor Curran.

C/075/2022

CORRESPONDENCE RECEIVED FROM DEPARTMENT OF HEALTH RE. EMERGENCY NOM C/042/2022 – EMERGENCY SURGERY PROVISION AT DAISY HILL HOSPITAL

Read: Letter dated 16 March 2022 re. Emergency NOM C/042/2022 – Emergency Surgery Provision at Daisy Hill Hospital. (Copy circulated)

Councillor Savage encouraged everyone within the District including elected representatives to respond to the consultation on Urgent and Emergency Care Review which had been tabled from 16 March 2022.

Councillor Savage spoke at length about the importance of sustaining the type 1 categorisation of emergency service at Daisy Hill Hospital as well as the long term potential for cross border co operation. He spoke of the importance of working collaboratively to ensure the future of the Health Service and that Daisy Hill Hospital was part of that and encouraged everyone to follow up on the points laid out by the Minister as outlined within the correspondence received.

Councillor Murphy welcomed the response and commented that more reviews and consultations were not needed to tell what was already known and that rather the Southern Trust needed to

be held to account as they had responsibility to recruit and retain specialist clinicians.

Agreed: **The correspondence from Department of Health re: Emergency NOM C/042/2022 – Emergency Surgery Provision at Daisy Hill Hospital was noted on the proposal of Councillor Andrews, seconded by Councillor Curran.**

C/076/2022 **CORRESPONDENCE RECEIVED FROM NORTHERN IRELAND
AMBULANCE SERVICE RE. EMERGENCY NOM C/042/2022 -
EMERGENCY SURGERY PROVISION AT DAISY HILL HOSPITAL**

Read: Letter dated 3 March 2022 re. Emergency NOM c/042/2022 – Emergency Surgery Provision at Daisy Hill Hospital. (Copy circulated)

Councillor Mulgrew expressed disappointment at not receiving documentation from NIAS sent to Council prior to the Special Council Meeting on 24 March 2022 with the Trust and asked that consideration be given to dates and times of future meetings.

Councillor Mulgrew welcomed that the Trust and NIAS had stressed the critical role Daisy Hill Hospital would serve in the Health Service in a post covid world and that NIAS had been engaged prior to the removal of emergency service and that other systems were put in place to mitigate negative impact. Councillor Mulgrew also spoke of how NIAS was under severe pressure and continued to raise ongoing issues.

In referring to the correspondence Councillor McAteer welcomed the Trust was making arrangements for transfer of patients by other means where possible to limit impact on NIAS.

Agreed: **The correspondence from Northern Ireland Ambulance Service re: Emergency NOM C/042/2022 – Emergency Surgery Provision at Daisy Hill Hospital was noted on the proposal of Councillor Andrews, seconded by Councillor Curran.**

C/077/2022 **CORRESPONDENCE RECEIVED FROM DEPARTMENT FOR
COMMUNITIES RE. CONSOLIDATED COUNCILLOR ALLOWANCES**

Read: Letter dated 28 March re. Consolidated Councillor Allowances. (Copy circulated)

Agreed: **The correspondence from Department for Communities re: Consolidated Councillor Allowances was noted on the proposal of Councillor Andrews, seconded by Councillor Curran.**

Councillor Gallagher left the meeting at this point – 19.15pm.

NOTICES OF MOTION

C/078/2022 **NOTICE OF MOTION – CHILD POVERTY**

The following Notice of Motion was received from Councillor McMurray:

NEWRY, MOURNE & DOWN DISTRICT COUNCIL
RECORDED VOTE

DATE: 4 April 2022 VENUE: Hybrid Meeting MEETING: Council Meeting

SUBJECT OF VOTE: Qualified Majority Vote to approve Notice of Motion from Council 07/02/2022

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