

Please note it was agreed at the Council Meeting held on Monday 7 October 2019 to agree the Council Minutes of 2 September 2019 as an accurate record, subject to the below amendments:-

C/138/2019 MINUTES OF COUNCIL MEETING HELD ON 2 SEPTEMBER 2019

Read: Minutes of Council Meeting held on 2 September 2019 (copy circulated).

Call in - C122/2019: Council agree to the transfer of the seats from Kilkeel Town Hall to the Newcastle Community Cinema

The Chief Executive referred to Standing Orders 21.4 (3):

If a call-in is made in accordance with Standing Order 21.2 paragraph (3) and section 41 (1) (a) of the 2014 Act, the Clerk must place the call-in on the agenda for the next Meeting of the Council

The Chief Executive declared that, in this instance the decision agreed by the Council on 2 September 2019 was null and void as the group no longer wished to acquire the seats.

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

Minutes of Council Meeting held on Monday 2 September 2019 at 6.00pm in the Mourne Room, Downshire Civic Centre, Downpatrick

In the Chair: Councillor C Casey

In attendance:	Councillor T Andrews	Councillor G Bain
	Councillor R Burgess	Councillor P Byrne
	Councillor P Brown	Councillor S Doran
	Councillor W Clarke	Councillor C Enright
	Councillor M Gibbons	Councillor O Hanlon
	Councillor G Hanna	Councillor V Harte
	Councillor H Harvey	Councillor T Hearty
	Councillor M Larkin	Councillor A Lewis
	Councillor O Magennis	Councillor G Malone
	Councillor C Mason	Councillor R Mulgrew
	Councillor L McEvoy	Councillor H McKee
	Councillor K McKevitt	Councillor G O'Hare
	Councillor B Ó Muirí	Councillor M Ruane
	Councillor M Savage	Councillor G Stokes
	Councillor D Taylor	Councillor J Tinnelly
	Councillor J Trainor	Councillor B Walker

(Officials)

Mr L Hannaway, Chief Executive
Mrs M Ward, Director of Enterprise, Regeneration & Tourism
Mr R Moore, Director of Neighbourhood Services
Mr P Tamati, Asst. Director – Leisure & Sport
Mr A Grimshaw, Project Director – Estates & Capital Projects
Miss S Taggart, Democratic Services Manager
Ms L O'Hare, Democratic Services Officer

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Mrs P McKeever, Democratic Services Officer

C/118/2019 APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Curran, Devlin, Gallagher, Howell, Kimmins, McAteer, Reilly and Sharvin.

Councillor Casey welcomed all to the meeting and made reference to the 'Wake the Giant' and 'Newry Pride' festivals that had been held in the District over the past few weeks, both of which had been hugely successful and had attracted large numbers of people from outside the District.

C/119/2019 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

C/120/2019 ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 5 AUGUST 2019

Read: Action sheet arising from Council Meeting held on 5 August 2019 (copy circulated).

Councillor Enright referred to Minute Ref. C/85/2019 – Notice of Motion – Climate Change Emergency which had been tabled at the Council Meeting on 3 June 2019 and said he considered this should be discussed at Full Council rather than referred to a Sub Committee. Mr Hannaway advised Councillor Enright he would need to submit a specific Notice of Motion on Climate Change Emergency to a future Council Meeting.

Agreed: The Action Sheet from Council Meeting held on 5 August 2019 was agreed.

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/121/2019 MINUTES OF COUNCIL MEETING HELD ON 5 AUGUST 2019

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Read: Minutes of Council Meeting held on 5 August 2019 (copy circulated).

Agreed: The Minutes of the Council Meeting held on 5 August 2019 were agreed as an accurate record and adopted on the proposal of Councillor Hanna, seconded by Councillor Hearty.

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/122/2019 MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 12 AUGUST 2019

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 12 August 2019 (copy circulated).

ERT/099/2019 - Public Realm Scheme / Revitalisation Project Irish Street, Downpatrick

Councillor Hanlon asked for clarity on the Irish Street Public Realm Scheme, saying the works were not fully completed and there was still work to be done including road resurfacing. Mrs Ward advised that, although the work was completed in principle, she acknowledged there was still some work outstanding and she would ensure that communications were issued to traders in partnership with Transport NI. It was agreed to amend the wording on the Minutes accordingly.

ERT/078/2019 - Transfer of Tourism & Heritage Assets

Councillor Clarke raised the issue of the seating at Kilkeel Town Hall and proposed the seating be transferred to the Newcastle Community Cinema. This was seconded by Councillor Doran.

Councillor McKee said he did not agree the seats should be removed as he understood the town hall including fixtures and fittings were 'listed' and the Historic Environment

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Division should be consulted before progressing. Councillor Hanna concurred with Councillor McKee.

Councillor Stokes proposed that no action be taken until the results of the D1 process had been completed.

The Chairman put Councillor Clarke's proposal to a recorded vote and voting was as follows: (copy of vote appended to these Minutes)

For:	16
Against:	13
Abstentions:	4

The proposal was declared 'carried'.

Agreed: ERT/099/2019 be amended as follows:
To note - Public Realm works were completed in principle at Irish Street, Downpatrick and traders to be updated accordingly in conjunction with Transport NI.

Agreed: ERT/078/2019 to be amended as follows:
On the proposal of Councillor Clarke, seconded by Councillor Doran, it was agreed that Council proceed to grant a request for the use of cinema seats from Kilkeel Town Hall to the Newcastle Community Cinema.

Agreed: The Minutes of the Enterprise, Regeneration and Tourism Committee Meeting held on 12 August 2019 were agreed as an accurate record and adopted, subject to amendments on ERT/099/2019 and ERT/078/2019 being made, on the proposal of Councillor Burgess, seconded by Councillor Hanlon.

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C/123/2019

**MINUTES OF STRATEGY, POLICY AND RESOURCES
COMMITTEE MEETING HELD ON 14 AUGUST 2019**

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 14 August 2019 (copy circulated).

SPR/097/2019 – New Civic Centre/Public Realm/Theatre and Conference Facilities

Councillor Walker asked for assurances that public consultations would be conducted, in particular around the cathedral area, and he referred to a letter received by all Councillors from a concerned member of the public.

Ms Ward advised that Council had held a public engagement session, discussions had taken place with church representatives and arts groups and there was ongoing public engagement, including a media briefing scheduled for 13 September and a briefing session, specifically aimed at the business community was to take place in October. Additionally, public consultation drop in sessions were to be scheduled.

Councillor Savage agreed with Councillor Walker's comments and said the media briefing session would be particularly useful in dispelling any negative speculation regarding the car parking element of the scheme. Councillor Savage continued, saying social housing should also be embraced and linked into the overall regeneration of the city.

Councillor Brown agreed with both Councillor Walker and Councillor Savage but said it was important the Albert Basin project was progressed as well.

Councillor Tinnelly asked if the Planning Committee would be involved in the decision-making process regarding the proposed new civic centre/public realm/theatre and conference facilities as this could be a potential conflict of interest. Mr Hannaway replied that the Planning committee would make the decision, as per legislation, any planning decisions regarding Council interests would be referred to the Department for Infrastructure for consideration.

Councillor Taylor said it was important to promote the benefits of the scheme and that transparency and keeping the public informed was paramount for public confidence.

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Ms Ward advised a Communications Strategy would be brought back to Council so that Members could see the consultation process.

Councillor Stokes concurred with Councillor Brown's comments regarding the importance of ensuring the Albert Basin project was progressed.

Councillor Tinnelly said he did not agree with the recommended location for the civic hub as there were too many uncertainties and he proposed that Council hold back on making a final decision to approve the recommendation that Abbey Way site be selected as the location for the civic hub. Councillor Brown seconded the proposal.

Councillor Byrne stated clarity would be needed on the counter proposal made by Councillor Tinnelly and said it would not be prudent to delay indefinitely, a time frame would be needed.

Councillor Brown amended the proposal to include that Council hold back on making a final decision to approve the recommendation that Abbey Way site be selected at the location for the civic hub, until a full and detailed plan on the public consultation strategy be made available to Members.

Councillor Tinnelly agreed to include Councillor Brown's amendment.

Mr Hannaway reminded Members these Newry City Regeneration Projects were part of the Belfast Region City deal that Council had signed up to, and any delay could have implications.

The Chairman put Councillor Tinnelly's counter proposal to a recorded vote and voting was as follows: (copy of vote appended to these minutes).

For:	4
Against:	26
Abstentions:	3

The counter proposal was declared 'lost'.

Agreed: **The Minutes of the Strategy Policy and Resources Committee Meeting held on 14 August 2019 were agreed as an accurate record and adopted, on the**

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proposal of Councillor Burgess, seconded by Councillor Savage.

C/124/2019

MINUTES OF ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 19 AUGUST 2019

Read: Minutes of Active and Healthy Communities Committee Meeting held on 19 August 2019 (copy circulated).

AHC/135/2019 – Play Park Update

Councillor Clarke referred to the Downs Road play park in Newcastle, saying it had fallen into disrepair and. asked that officers investigate the possibility of installing new play equipment to provide a suitable play park for Newcastle as a modern holiday destination.

Mr Tamati said he would investigate what could be done and revert back to Councillor Clarke.

AHC/126/2019 – Autism Friendly Swim Sessions

Councillor McKevitt asked that the letters be sent to all autism groups in the district regarding the introduction of autism friendly swimming lessons as soon as possible.

Councillor Hanna welcomed the Autism Friendly swim sessions in Kilkeel, however asked officers to install a larger hoist in the pool prior to the scheme being implemented.

AHC/129/2019 – Home to Hospital Scheme for Slieve Gullion DEA

Councillor Byrne welcomed the scheme, as did Councillor Mulgrew, however Councillor Mulgrew said the most recent consultations issued by the Department of Health indicated a shortfall in transport related issues that were currently being met by the community and voluntary sector. Councillor Mulgrew continued, saying a lot of people aged between 65 – 70 with long term health concerns had to travel regularly to hospital appointments and this was often very difficult for them. Councillor Mulgrew said ways of including this sector of the community in the scheme should be explored.

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Agreed: AHC/135/2019 – Mr Tamati to look at reallocating funding for Downs Road play park in Newcastle and revert back to Councillor Clarke.

Agreed: AHC/126/2019 – It was agreed that officers investigate the possibility of installing a larger hoist in Kilkeel Swimming Pool prior to the implementation of Autism friendly swim sessions.

Agreed: The Minutes of the Active and Healthy Communities Committee Meeting held on 19 August 2019 were agreed as an accurate record and adopted, on the proposal of Councillor Ó'Muirí, seconded by Councillor O'Hare.

C/125/2019 MINUTES OF NEIGHBOURHOOD SERVICES COMMITTEE MEETING HELD ON 20 AUGUST 2019

Read: Minutes of Neighbourhood Services Committee Meeting held on 20 August 2019 (copy circulated).

NS/036/2019 – Defective Wall – Shimna River Newcastle

Councillor McKee stated the wall had given way further upstream and would need to be investigated.

Agreed: The Minutes of the Neighbourhood Services Committee Meeting held on 20 August 2019 were agreed as an accurate record and adopted, on the proposal of Councillor Andrews, seconded by Councillor Magennis.

CORRESPONDENCE AND CONFERENCES

C/126/2019 NAC LOCAL GOVERNMENT CONFERENCE – CARLISLE 13-15 SEPTEMBER 2019

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Read: Correspondence on the NAC Local Government Conference (copy circulated).

Agreed: It was agreed that any Councillor interested in attending the NAC Local Government Conference would contact Democratic Services within the next 24 hours so that travel arrangements could be made.

C/127/2019 NAC NORTHERN IRELAND REGION AGM 2019

Read: NAC Northern Ireland Region AGM 2019 – 4 October 2019 in Cookstown. (copy circulated).

Agreed: The NAC Northern Ireland Region AGM 2019 was noted.

C/128/2019 ANIMAL CRUELTY

Read: Correspondence dated 24 July 2019 from Office of the Minister for Agriculture, Food and the Marine, Dublin regarding Animal Cruelty. (copy circulated)

Read: Correspondence dated 12 August 2019 from the Northern Ireland Office regarding Animal Cruelty. (copy circulated)

Councillor Byrne referred to the correspondence dated 24 July 2019 received from the Irish Government and said he hoped a full response would be forthcoming.

Mr Hannaway replied that a further letter could be sent from Council to the Irish Government requesting that we are kept informed of the Minister's position on this issue.

Agreed: A further letter to be sent to the Office of the Minister for Agriculture, Food and the Marine, Dublin requesting that Council is kept informed of the Minister's position on this issue.

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Agreed: The correspondence dated 12 August 2019 regarding Animal Cruelty was noted.

C/129/2019 WELFARE MITIGATION SCHEMES.

Read Correspondence dated 6 August 2019 from Northern Ireland Office regarding Welfare Mitigation Schemes. (copy circulated).

Councillor Savage said this issue needed to be reignited and he appealed to the two bigger parties to work together in an effort to achieve a satisfactory resolution.

Agreed: The correspondence dated 6 August 2019 regarding Welfare Mitigation Schemes was noted.

C/130/2019 **700MHZ SPECTRUM CLEARANCE PROGRAMME**

Read: Correspondence dated 21 August 2019 from Department for Digital, Culture, Media & Sport regarding 700MHz Spectrum Clearance Programme – Clearances: September 2019

Agreed: The correspondence dated 21 August 2019 regarding 700MHz Spectrum Clearance Programme – Clearances: September 2019 was noted.

NOTICES OF MOTION

C/131/2019 NOTICE OF MOTION – LIVE ANIMALS IN CIRCUSES

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

"That this Council, in the interests of animal welfare, will not grant licences or other permissions to circuses featuring live animals. This Council states its

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opposition to the use of live animals in circuses in general and calls on the DAERA to consider a Northern Ireland wide ban on circuses with live animals”.

In proposing the motion, Councillor Brown said many circus animals were subjected to constantly being moved around, cramped temporary housing, forced training/ performance and intimidating crowds of people, and many animals developed behavioural and / or health problems as a direct result of the captive life they were forced to lead.

Councillor Brown acknowledged that although his motion called for the ban on circuses with all live animals, not just wild animals, he accepted that any eventual legislation would probably only cover wild animals and he considered there was little distinction to be made between the two.

Councillor Bain seconded the motion.

There was general support for the motion, however Councillor Harvey said he did not agree with the motion saying he believed that not all circus animals were badly treated and that well trained animals were happy animals.

The Chairman put the vote by way of a show of hands and voting was as follows: (copy of vote appended to these Minutes)

For:	31
Against:	1
Abstentions:	0

The Motion was declared carried.

AGREED: It was agreed on the proposal of Councillor Brown, seconded by Councillor Bain that this Council, in the interests of animal welfare, will not grant licences or other permissions to circuses featuring live animals. This Council states its opposition to the use of live animals in circuses in general and calls on the DAERA to consider a Northern Ireland wide ban on circuses with live animals

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C/132/2019: NOTICE OF MOTION – CARERS ALLOWANCE

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

“Council’s Active and Healthy Communities Department will immediately recognise Carers’ Allowance as a means tested benefit enabling recipients of that benefit to qualify for concessionary rates at leisure facilities across the District.”

Councillor Bain seconded the motion.

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

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

C/133/2019: NOTICE OF MOTION – USE OF WEED KILLER GLYPHOSATE

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

"Council will cease from using the weed killer Glyphosate and request that all subcontractors employed by Council also cease the use of Glyphos and all products containing Glyphosate in this Council district, in favour of a more environmentally friendly product and approach"

Councillor Gibbons seconded the motion.

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

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

**C/134/2019: NOTICE OF MOTION – DISABILITY ACCESS ON TO
NEWCASTLE BEACH**

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

"This Council provides disability access on to Newcastle beach to enable the facility to be inclusive, which will enhance the visitor experience for all, this initiative will build upon the successful partnership between the Mae Murray Foundation and Council in providing an inclusive destination at Cranfield beach".

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 & Healthy Communities Committee.

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

There being no further business, the meeting concluded at 7.10pm.

Signed:

Chairman

Chief Executive

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