

NEWRY AND MOURNE DISTRICT COUNCIL

COMHAIRLE AN IÚIR AGUS MHÚRN

Minutes of Monthly Meeting of the Council held on Monday 5 January 2015 at 7.00pm in the Boardroom, District Council Offices, Monaghan Row, Newry

In the Chair Cllr D Hughes

In Attendance Councillor W Burns
Councillor M Carr
Councillor C Casey
Councillor B Curran
Councillor G Donnelly
Councillor S Doran
Councillor S Ennis
Councillor F Feely
Councillor J Feehan
Councillor G Fitzpatrick
Councillor A Flynn
Councillor V Harte
Councillor T Hearty
Councillor D Hyland
Councillor D Hughes
Councillor L Kimmins
Councillor M Larkin
Councillor J McArdle
Councillor D McAteer
Councillor H McKee
Councillor A Moffett
Councillor R Mulgrew
Councillor M Murphy
Councillor B O'Muire
Councillor J Patterson
Councillor B Quinn
Councillor H Reilly
Councillor M Ruane
Councillor D Taylor

Officials in Attendance Mr E Curtis, Clerk & Chief Executive
Mr J Farrell, Director of Environmental Health & Building Services
Mr E McManus, Deputy Director of Technical/Leisure Services
Ms B Phillips, Joint Acting Director of Finance
Ms B Magill, Administrative Officer
Ms L Dillon, Committee Administrator

Apologies Councillor C McGreevy

M/1/2015:- MINUTES

Agreed: On the proposal of Councillor Hearty seconded by Councillor Feely it was agreed the Minutes of the Monthly Meeting of the Council held on Monday 1 December 2014 be adopted as a true and accurate record, same having been circulated.

M/2/2015:- MATTERS ARISING

Noted:- It was noted the Clerk & Chief Executive met with Mr J Rose Offcom regarding why Councillors are not permitted to speak on IUR FM. A report will be submitted on same to a meeting of the Staff & Policy/Equality Committee in January 2015.

Application:- Headway

Noted: Correspondence dated 18 November 2014 from Headway had been received in response to the Council's correspondence dated 16 July 2014. This correspondence had been forwarded to Councillor Curran for information.

Councillor Curran expressed his disappointment at the contents of the above letter which he said did not address the issues regarding how his application had been evaluated.

**Non attendance of NIEA and Planning Service
- Fews Councillors Meeting (27 November 2014) re Old Tram Station Site Bessbrook**

Noted:- A letter had been sent to both NIEA and Planning Service expressing Councillors disappointment that representatives from each agency failed to attend a meeting of Fews Councillors held on 27 November 2014 to discuss proposed works to Old Tram Station Site, Bessbrook. No response has been received to date.

FINANCE SECTION

**M/3/2015: TREASURERS ADVICE SHEET
(REF: F/1)**

Read: Examination of Accounts and Signed Treasurers Advice Sheet in respect of payments for the month of November 2014 (B Run) in the sum of £450,464.86. *(Copy circulated)*

Agreed: On the proposal of Councillor Hyland seconded by Councillor Donnelly it was agreed to approve the above payments.

Read: Treasurers Advice Sheet in respect of payments for the month of December 2014 (A Run) in the sum of £908,136.06. *(Copy circulated)*

Agreed: On the proposal of Councillor Hyland seconded by Councillor Donnelly it was agreed to approve the above payments.

**M/4/2015: EXAMINATION OF ACCOUNTS
- MANUAL PAYMENTS
(REF: F/1)**

Read: Examination of Accounts in respect of manual payments for the month of November 2014 (B Run), in the sum of £1,258,312.61. **(Copy circulated)**

Agreed: On the proposal of Councillor Hyland seconded by Councillor Donnelly it was agreed to approve the above payments.

Read: Examination of Accounts in respect of manual payments for the month of December 2014 (A Run), in the sum of £679.14. **(Copy circulated)**

Agreed: On the proposal of Councillor Hyland seconded by Councillor Donnelly it was agreed to approve the above payments.

M/5/2015: IMPREST PAYMENT

Read: Analysis of revenue payments made through the Imprest Account for the month of December 2014 in the sum of £5,908.20. **(Copy circulated)**

Agreed: On the proposal of Councillor Hyland seconded by Councillor Donnelly it was agreed to approve the above payments.

**M/6/2015: NET REVENUE EXPENDITURE
(REF: F/1)**

Noted: It was noted the Net Revenue and Expenditure Report for 8 month period to 31 December 2014 was not available. This report will be available for tabling at the Finance Committee Meeting to be held on Thursday 15 January 2015.

**M/7/2015: REPORT OF FINANCE COMMITTEE MEETING
-THURSDAY 18 DECEMBER 2014
(REF: F/1)**

Read: Report of Finance Committee Meeting held on Thursday 18 December 2014. **(Copy circulated)**

Agreed: On the proposal of Councillor Burns seconded by Councillor Feehan it was agreed to approve the above report and the recommendations contained therein.

ENVIRONMENT HEALTH & BUILDING SERVICES SECTION

**M/8/2015: REPORT OF ENVIRONMENT HEALTH & BUILDING SERVICES COMMITTEE
MEETING
- MONDAY 1 DECEMBER 2014
(REF: M/4/4 & M/4/5)**

Read: Report of Environment Health & Building Services Committee Meeting held on Monday 1 December 2014. **(Copy circulated)**

Agreed: On the proposal of Councillor Hearty seconded by Councillor Ruane it was agreed to approve the above report and the recommendations contained therein.

The following issues were raised and referred to the Environment Health & Building Services Department for attention:-

1. Smoking in vehicles

Councillor Curran asked for an update with regard to the enforcement of the law in respect of people smoking in vehicles.

Noted: It was noted smoking in vehicles was against the law if the vehicle is a works vehicle. Scheduled enforcement controls are carried out by the Environment Health & Building Services Department. If anyone has information regarding the breach of the law in respect of smoking in works vehicles that details including the date time and registration of the vehicle can be passed to the Environment Health & Building Services Department who will then take the necessary action.

2. Fly Tipping

Councillor Patterson said that despite putting in place additional arrangements for refuse collections and opening times for civic amenity sites over the Christmas period, he had still received complaints regarding fly tipping and he said this was disappointing.

3. Blocked Sewer – 37 Orior Park, Bessbrook

Agreed: A Fews Councillors Site Meeting be convened with representatives from NI Water and officials from the Environment Health & Building Services Department to discuss the ongoing problem of a possible blocked sewer affecting property at no. 37 Orior Park, Bessbrook.

4. Income from dog fouling prosecutions

Agreed: It was agreed the Environment Health & Building Services Department investigate why Newry & Mourne District Council statistics were not included in an article published recently in the Irish News on statistics from Councils on income received from dog fouling prosecutions. This information to be reported back to the next Environment Health & Building Services Committee in due course.

5. Noise nuisance

Noted: If Councillors receive complaints regarding noise issues that they forward this information to the Environment Health & Building Services department if they wish to have noise equipment provided to monitor situations.

6. Air pollution

It was noted Newry had one of the highest recorded levels of air pollution over the Christmas period. Considerable discussion took place regarding air pollution in Newry during which it was noted that the high levels recorded were due to a number of factors mainly the topography of Newry and omissions from high traffic volumes, central heating boiler systems, and fuels which are not smokeless.

Agreed:

- (a) Environment Health & Building Services department to report back via the EHBS Committee Meeting with details on the number of prosecutions made in relation to those householders who do not use smokeless fuel but who have been found to be using other types of fuel which are not acceptable in terms of creating air pollution.**
- (b) The Council write to Mr S Richardson Divisional Roads Manager seeking clarification on funding from the European Commission “Connecting Europe Initiative”, with regard to the development of the Southern Relief Road**
- (c) The Environment Health & Building Services department to re-issue the document from DOE called “Air Pollution in Northern Ireland 2013” which was already issued to Councillors in October 2014.**
- (d) On the proposal of Councillor Patterson seconded by Councillor Moffett Council officials to investigate the possibility of sending a delegation to Brussels to meet with relevant officials from the European Union to discuss the funding for the Southern Relief Road.**

Noted: Other suggestions which Members made during the course of discussion included obtaining statistics from GP Practices and Hospitals regarding respiratory (lung/chest) related conditions to establish the impact poor air quality is having on people’s health, to promote a programme to encourage people to ensure their central heating systems are efficient, to put pressure on commercial outlets who sell fuel to encourage the sale of smokeless fuels, obtain statistics on air quality over the past number of years to establish the extent of air pollution and meet with health officials to discuss its impact.

7. Bi-lingual Name Plates

Several Members expressed concern regarding survey letters issued to residents for bi-lingual name plates for roads in the District as it had been reported this was causing community tensions in certain areas. They also expressed concern at bi-lingual name plates on unnamed roads which did not have any residents living along yet Council policy states the provision of a bi-lingual nameplate can only be considered at the request of a resident and asked that such cases needed to be investigated.

- Agreed:** (a) **Environment Health & Building Services department to investigate complaints reported by Members regarding surveys issued for the bi-lingual nameplates on roads and also on unnamed roads in the District with particular reference to roads in the Mournes, Altnamackin, Newtownhamilton and Lissumon areas.**
- (b) **The issues raised by Members with regard to bi-lingual road nameplates to be examined by the Council's Equality Officer with a report to be issued back to the Council via the Staff & Policy/Equality Committee in due course.**
- (c) **The Council to seek legal advice on the Council's Bi-lingual policy in relation to road nameplates and report back to Staff & Policy/Equality Committee Meeting in due course.**
- (d) **Councillor Carr to be provided with a copy of the Council's Bi-lingual policy with regard to road nameplates and details of applications over the past 5 year period.**

Noted: In response to queries from Members as to whether details of the applicants requesting Bi-lingual road nameplates can be provided to elected Members, Mr Curtis, Clerk & Chief Executive explained that under the Data Protection Act, such information could not be released by the Council and if this information were to be released, it could not be released without the approval of the individual who made the request.

M/9/2015: NIEA RE CLEAN UP SERVICE - FLY TIPPING
(REF: G/4)

Read: Correspondence dated 5 December 2014 from NIEA regarding the Partnership Project to address fly tipping and confirming that due to the reactive nature of the work to carry out clear up operations following fly tipping it is estimated the current budget will be spent by the end of December 2014. When this budget is exhausted NIEA confirm they will notify the Council by email that the project is suspended and no further incidents of any nature can be referred to NIEA for consideration. ***(Copy circulated)***

During discussion which followed Members expressed concerns at the serious implications for the Council and the environment if NIEA suspend its service for the removal and disposal of fly tipping waste, in particular waste generated from laundered fuel, a problem which was unique to certain parts of the Newry & Mourne District.

Agreed:

- (a) **The Council seek an urgent meeting with the Minister for the Department of Environment to discuss the contents of the NIEA correspondence dated 5 December 2014 regarding the suspension of the Partnership Project for fly tipping.**
- (b) **The Council write to NIEA requesting the Department do not issue the email notification referred in their letter of 5 December 2014, until such times as the**

Council has had an opportunity to meet with the Minister on the issue of the Partnership Project for fly tipping.

- (c) The contents of correspondence dated 5 December 2014 from NIEA regarding the possible suspension of the Partnership Project for fly tipping and the serious implications this will have for the Council should this service be suspended, also be brought to the attention of the Office of the First & Deputy First Ministers.**
- (d) To note that the Council will not be in a position to allocate funding for clean up operations for fly tipping in particular waste from laundered fuel and that this be stipulated in correspondences to the Minister for the Department of the Environment, the office of First & Deputy First Ministers and NIEA.**
- (e) In the event NIEA issue an email to confirm the Partnership Project for fly tipping clean ups has been suspended, the Council will deal with any requests to remove laundered fuel waste on the basis of ensuring protection to the environment.**

**M/10/2015: REPORT OF MEETING OF SUB GROUP HEALTH SERVICE WORKING GROUP
- MONDAY 8 DECEMBER 2014
(REF: G/13/19)**

Read: Report of Sub Group Health Service Working Group Meeting held on Monday 8 December 2014. (Copy circulated)

Agreed: On the proposal of Councillor Hearty seconded by Councillor Feehan it was agreed to approve the above report and recommendations contained therein.

Agreed: On the proposal of Councillor Burns seconded by Councillor Donnelly it was agreed a letter of best wishes be sent to Mairead McAlinden on her resignation as Chief Executive of the Southern Health & Social Services Trust and wish her well for the future.

TECHNICAL/LEISURE SERVICES

**M/11/2015: REPORT OF TECHNICAL/LEISURE SERVICES COMMITTEE MEETING
- 10 DECEMBER 2014
(REF: MT/2/5)**

Read: Report of Technical/Leisure Services Committee Meeting held on Wednesday 10 December 2014. (*Copy circulated*)

Agreed: On the proposal of Councillor McAteer seconded by Councillor Feehan it was agreed to approve the above report and the recommendations contained therein.

The following issues were raised and referred to the Technical/Leisure Services department for attention:-

1. Refuse Lorries

Agreed: The Technical/Leisure Services Department to examine the provision of a “Kill Stop” being provided in Council refuse vehicles. This issue to be included in the risk assessment of vehicles which is to be carried out and reported back to Council in due course.

2. Funding Application - Greenway

A report will be submitted back to Council via the Technical/Leisure Services Committee Meeting regarding a response from the Community Foundation for Northern Ireland to a request from Council for an extension to the consultation timeframe regarding the funding application for the Greenway.

Agreed: Technical/Leisure Services department to contact the Community Foundation for Northern Ireland to seek a meeting with Council to discuss matters regarding the community consultation regarding a funding application to the Big Lottery for the Greenway.

**M/12/2015: SYMPATHY
(REF: M/21)**

Agreed: It was unanimously agreed a letter of sympathy be sent to Glasgow City Council on the tragic accident in which 6 people lost their lives.

ROADS/WATER/NIE

Newry Town DEA Meetings

**M/13/2015: REPORT OF NEWRY TOWN COUNCILLORS MEETING
- THURSDAY 4 DECEMBER 2014
- RE: FLOODING – NEWRY AREA
(REF: G/4/2)**

Read: Report of Newry Town Councillors Meeting held on Thursday 4 December 2014 regarding recent flooding in the Newry area. (Copy circulated)

Agreed: On the proposal of Councillor Feely seconded by Councillor Casey it was agreed to approve the above report and recommendations contained therein.

Crotlieve DEA Meetings

**M/14/2015: REPORT OF CROTLIEVE COUNCILLORS MULTI AGENCY MEETING
-THURSDAY 18 DECEMBER 2014
(REF: M/43/5)**

Read: Report of Crotlieve Councillors Multi Agency Meeting held on Thursday 18 December 2014. (*Copy circulated*)

Agreed: On the proposal of Councillor Ruane seconded by Councillor McAteer it was agreed to approve the above report and recommendations contained therein.

Slieve Gullion DEA Meetings

**M/15/2015: REPORT OF SLIEVE GULLION COUNCILLORS MEETING
-THURSDAY 18 DECEMBER 2014
RE: FIRST RESPONDER SCHEME – CROSSMAGLEN AREA
(REF: G/13/19)**

Read: Report of Slieve Gullion Councillors Meeting held on Thursday 18 December 2014 regarding proposed Community First Responder scheme for Crossmaglen. *(Copy circulated)*

Agreed: On the proposal of Councillor Hearty seconded by Councillor Donnelly it was agreed to approve the above report and recommendations contained therein subject to recording an apology for Councillor G Donnelly.

**M/16/2015: REPORT OF SLIEVE GULLION COUNCILLORS MEETING
- MONDAY 17 NOVEMBER 2014
RE: FLOODING AT ARDROSS PARK CROSSMAGLEN
(REF: G/13/19)**

Read: Report of Slieve Gullion Councillors meeting held on Monday 17 November 2014 regarding flooding at Ardross Park, Crossmaglen. *(Copy circulated)*

Agreed: On the proposal of Councillor Hearty seconded by Councillor McArdle it was agreed to approve the above report and recommendations contained therein.

Fews DEA Meeting

**M/17/2015: REPORT OF FEWS MULTI AGENCY MEETING
-TUESDAY 16 DECEMBER 2014.
(REF: M/43/1)**

Read: Report of Fews Multi Agency Meeting held on Tuesday 16 December 2014. *(Copy circulated)*

Agreed: On the proposal of Councillor Moffett seconded by Councillor O’Muirí it was agreed to approve the above report and recommendations contained therein.

CORPORATE/DEMOCRATIC/ADMINISTRATION SECTION

**M/18/2015: REPORT OF OFFICERS MEETING – TUESDAY 9 DECEMBER 2014
RE: RESTORATION OF SILVERY LIGHT VESSEL
- LANDS AT ALBERT BASIN
(REF: R/S 89/2/14/A)**

Read: Report of Officers Meeting held on Tuesday 9 December 2014 regarding the restoration of the Silvery Light Vessel and a request to use lands at Albert Basin. *(Copy circulated)*

Agreed: It was unanimously agreed relevant Council officials meet with R McShane Solicitor to discuss in further detail the request to use land at Albert Basin for

the restoration of the Silvery Light Vessel, in terms of the possible impact the granting of a license or lease may have on these said lands. A detailed report on this matter be brought back to the Council via the appropriate Committee, in due course.

**M/19/2015: SEALING OF DOCUMENTS
(REF: M/65)**

Agreed: On the proposal of Councillor Donnelly seconded by Councillor Feely it was agreed the Mayor of Council and the Clerk & Chief Executive sign and seal the following documentation on behalf of the Council.

- (a) Licence Agreement – Newry Rainbow Community Christmas event – McClelland Park, Newry

**M/20/2015: CUTS TO DRAFT EDUCATION BUDGET 2015/2016
(REF: G/3)**

Read: Email correspondence dated 14 September 2014 from Mr S Rogers, Chair of the Board of Governors of Grange Primary School requesting the Council lobby the Department of Education regarding proposed cuts to the draft educational budget to ensure no cuts are made to front line services in schools.

Noted: The Department of Education Draft Budget 2015/16 was published on the 25 November 2014 and the public consultation period ended on the 29 December 2014.

Agreed: It was agreed the above matter be referred to the political party groups on the Council to consider making representations to the Department of Education regarding cuts to the budget on an individual party basis.

**M/21/2015: INSURANCE RENEWAL – NORTH STREET CAR PARK
(REF:M/81/15)**

Read: Correspondence dated 19 December 2014 from Newry City Centre Management Partnership requesting the Council contribute £400 towards the renewal of insurance for the North Street Car Park which is due to expire on the 21 January 2015.

Agreed: On the proposal of Councillor Feely seconded by Councillor Donnelly it was agreed the Council contribute £400 towards the renewal of insurance for the North Street Car Park.

**M/22/15: CLOSURE OF KILMOREY ARMS HOTEL KILKEEL
(REF: M/4/2)**

Agreed: It was unanimously agreed the Economic Development department contact the Receivers of the Kilmorey Arms Hotel, Kilkeel to establish if there is any assistance the Council can offer following the closure of this hotel which has gone into receivership.

There being no further business the meeting ended at 8.35pm.

For consideration at the Monthly Meeting of the Council to be held on Monday 2 February 2015.

Signed: _____
Clerk & Chief Executive

Signed: _____
Mayor of Council