



November 3rd, 2016

Notice Of Meeting

You are requested to attend the Council meeting to be held on **Monday, 7th November 2016** at **6:00 pm** in **Mourne Room, Downshire Civic Centre, Downpatrick.**

Agenda

1 Apologies and Chairperson's Remarks

2 Declarations of Interest

Council Minutes For Adoption and Signing

3a Minutes of Council Meeting held on 3rd October 2016

Council Minutes 03-10-2016.pdf

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3b Action Sheet arising from Council Meeting held on 3 October 2016

Council-03102016.pdf

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4 Minutes of Special Council Meeting held on 26th September 2016

Special Council 26-09-2016.pdf

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6 Minutes of Special Council Meeting held on 20 October 2016

Special Council 20-10-2016.pdf

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6 Minutes of Special Council Meeting held on 24 October 2016

Special Council 24-10-2016.pdf

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7 Minutes of Special Council Meeting held on 25 October 2016

Special Council 25-10-2016.pdf

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8 Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 10 October 2016

[ERT Mins 10 October 2016.pdf](#)

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9 Minutes of Strategy, Policy and Resources Committee Meeting held on 13 October 2016

[SPR13102016.pdf](#)

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10 Minutes of Active and Healthy Communities Committee Meeting held on 17 October 2016

[AHC 17092016.pdf](#)

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11 Minutes of Regulatory and Technical Services Committee Meeting held on 19 October 2016

[RTS Minutes 19-10-16.pdf](#)

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For Discussion/Decision

12 Committee Terms of Reference

[Item 12 re Terms of References.pdf](#)

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13 To seek approval to amend Council's Standing Orders

[Amendment to Standing Orders.pdf](#)

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[Standing Orders - tracked 1 November 2016 S Taggart.pdf](#)

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Correspondence

14 Correspondence received from Boundary Commission for NI

2018 Review of Parliamentary Constituencies: Publication of Provisional Proposals Report

15 Correspondence received from Department for Communities re proposed closure of Ballynahinch and Newcastle Social Security Offices

Correspondence from Dept for Communities re Social Security office closures.pdf

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Conferences/Events

16 Conference on Mental Health Provision

Policy Forum for Northern Ireland Keynote Seminar: Improving mental health provision in Northern Ireland: prevention, treatment and developments in care

Timing: Morning, Tuesday, 17th January 2017

Venue: Belfast

Time: 08:30 - 13:00

Options:

Places at Improving mental health provision in Northern Ireland: prevention, treatment and developments in care (including refreshments and PDF copy of the transcripts) are £210 plus VAT;

Concessionary rate places for small charities, unfunded individuals and those in similar circumstances are £80 plus VAT. Please be sure to apply for this at the time of booking.

For those who cannot attend:

Copies of the briefing document, including full transcripts of all speeches and the questions and comments sessions and further articles from interested parties, will be available approximately 10 days after the event for £95 plus VAT;

Concessionary rate: £50 plus VAT.

Consultation Documents

17 Consultation on Proposed Changes to the Law applying to Northern Ireland Credit Unions

Consultation closes 5 December 2016

CUCCBS Commencement (s4) - consultation letter.pdf

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18 State Pension Age Independent Review: Interim Report with Questions

19 Consultation from Education Authority re: Strategic Review of Nursery Provision in Special Schools

Public Consultation to commence January 2017

[Letter to All Stakeholders 26.10.16.pdf](#)

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Sealing Documents

20 Sealing Documents

1. Release of Charge - Lislea Community Association - Lands at Lislea - CC/22 - It was agreed at the SPR Committee Meeting on 15 September 2016 to release the charge.
2. Agency Agreement - Newry, Mourne and Down District Council and Department for Infrastructure - provision of Off-Street Parking Enforcement and a Penalty Charge Notice Processing Service.
3. Licence Agreement - for use of Albert Basin, Newry by Parker Green Company Limited for period 1 November 2016-21 January 2017 inclusive.

Notices of Motion

21 Notice of Motion received from Councillor Enright

"That this council notes that:

- A majority of voters in the North of Ireland voted to remain in the European Union in the Brexit referendum which took place on the 23rd June.
- The uncertainty caused by the Brexit referendum result is already damaging trade and investment and causing currency fluctuations which are impacting on cross-Border business.
- A new EU frontier stretching from Dundalk to Derry would create real hardship for people in this region particularly those who cross the border on a daily basis who would face potential customs checkpoints, traffic delays and the closure of local border roads.
- That the current economic uncertainty will be overshadowed by the situation that would arise should a hard border result in the imposition of tariffs and the restriction of the free movement of goods, services and people on this island.
- The end of EU economic support for peace building and border communities will hit many vital community projects who have over the past decade received over £1 billion in EU support.
- With the end of EU subsidies farmers in the North will suffer a dramatic loss of

income as CAP accounts for approximately 80% of farm incomes in the north and that this will be a severe blow to the local economy in rural areas north and south of the border.

- Noting the advances that have been made in the Peace Process, opening border roads, and integrating communities separated from their natural hinterlands during the years of conflict, the imposition of new barriers and a hard border would be an enormous backward step.
- Welcomes the initiative of those from the business sector, the community sector, farmers and individuals who have come together to form Border Communities Against Brexit to demand that the Irish and British Governments respect the North's remain vote.
- Recognising that it makes absolutely no sense to have one part of Ireland operating within the EU and another outside , this council will actively support the campaign by Border Communities Against Brexit for the North's remain vote to be respected.

Invitees

Cllr Terry Andrews	terry.andrews@downdc.gov.uk
Cllr Naomi Bailie	naomi.bailie@nmandd.org
Cllr Patrick Brown	patrick.brown@nmandd.org
Cllr Robert Burgess	robert.burgess@nmandd.org
Cllr Stephen Burns	stephen.burns@downdc.gov.uk
Lorraine Burns	lorraine.burns@newryandmourne.gov.uk
Cllr Pete Byrne	pete.byrne@nmandd.org
Mr Gerard Byrne	gerard.byrne@nmandd.org
Cllr Michael Carr	michael.carr@newryandmourne.gov.uk
Mrs Dorinnia Carville	dorinnia.carville@nmandd.org
Cllr charlie casey	charlie.casey@newryandmourne.gov.uk
Cllr William Clarke	william.clarke@downdc.gov.uk
Cllr Garth Craig	garth.craig@downdc.gov.uk
Cllr Dermot Curran	dermot.curran@downdc.gov.uk
Mr Eddy Curtis	eddy.curtis@newryandmourne.gov.uk
Cllr Laura Devlin	laura.devlin@downdc.gov.uk
Ms Louise Dillon	louise.dillon@newryandmourne.gov.uk
Cllr Sean Doran	sean.doran@newryandmourne.gov.uk
Cllr Sinead Ennis	sinead.ennis@nmandd.org
Cllr Cadogan Enright	cadogan.enright@downdc.gov.uk
Cllr Gillian Fitzpatrick	gillian.fitzpatrick@newryandmourne.gov.uk
Cllr Glyn Hanna	glyn.hanna@nmandd.org
Mr Liam Hannaway	liam.hannaway@nmandd.org
Cllr Valerie Harte	valerie.harte@newryandmourne.gov.uk
Cllr Harry Harvey	harry.harvey@newryandmourne.gov.uk
Cllr Terry Hearty	terry.hearty@newryandmourne.gov.uk
Cllr David Hyland	david.hyland@newryandmourne.gov.uk
Miss Veronica Keegan	veronica.keegan@downdc.gov.uk
Mrs Shiela Kieran	sheila.kieran@newryandmourne.gov.uk
Cllr Liz Kimmins	liz.kimmins@nmandd.org
Cllr Mickey Larkin	micky.larkin@nmandd.org
Mr Michael Lipsett	michael.lipsett@downdc.gov.uk
Cllr Kate Loughran	kate.loughran@newryandmourne.gov.uk
Cllr Jill Macauley	jill.macauley@nmandd.org
Mrs Regina Mackin	regina.mackin@newryandmourne.gov.uk
Cllr Kevin Mc Ateer	kevin.mcateer@nmandd.org
Colette McAteer	collette.mcateer@newryandmourne.gov.uk
Cllr Declan McAteer	declan.mcateer@newryandmourne.gov.uk
Eileen McParland	eileen.mcparland@newryandmourne.gov.uk
Mr Colin Moffett	colin.moffett@newryandmourne.gov.uk
Cllr Roisin Mulgrew	roisin.mulgrew@nmandd.org

Cllr Mark Murnin	mark.murnin@nmandd.org
Mrs Aisling Murray	aisling.murray@newryandmourne.gov.uk
Cllr Barra O Muiri	barra.omuiri@nmandd.org
Cllr Pol O'Gribin	pol.ogribin@nmandd.org
Mr Canice O'Rourke	canice.orourke@downdc.gov.uk
Ms Patricia Oakes	patricia.oakes@downdc.gov.uk
Cllr Brian Quinn	brian.quinn@newryandmourne.gov.uk
Cllr Henry Reilly	henry.reilly@newryandmourne.gov.uk
Cllr Michael Ruane	michael.ruane@newryandmourne.gov.uk
Democratic Services	democratic.services@nmandd.org
Cllr Gareth Sharvin	gareth.sharvin@downdc.gov.uk
Cllr Gary Stokes	gary.stokes@nmandd.org
Sarah Taggart	sarah-louise.taggart@downdc.gov.uk
Cllr David Taylor	david.taylor@newryandmourne.gov.uk
Caroline Taylor	Caroline.Taylor@downdc.gov.uk
Cllr Jarlath Tinnelly	jarlath.tinnelly@nmandd.org
Cllr John Trainor	john.trainor@nmandd.org
Cllr William Walker	william.walker@nmandd.org
Mrs Marie Ward	marie.ward@downdc.gov.uk

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

Minutes of Council Meeting held on Monday 3 October 2016 at 6pm in the Mourne Room, Downshire Civic Centre, Downpatrick

In the Chair: Councillor G Fitzpatrick**In attendance:** **(Councillors)**

Councillor T Andrews	Councillor N Bailie
Councillor P Brown	Councillor R Burgess
Councillor S Burns	Councillor P Byrne
Councillor M Carr	Councillor C Casey
Councillor W Clarke	Councillor G Craig
Councillor D Curran	Councillor S Doran
Councillor S Ennis	Councillor C Enright
Councillor V Harte	Councillor H Harvey
Councillor T Hearty	Councillor D Hyland
Councillor J Macauley	Councillor M Larkin
Councillor K Loughran	Councillor D McAteer
Councillor K McAteer	Councillor R Mulgrew
Councillor M Murnin	Councillor B O'Múiri
Councillor B Quinn	Councillor H Reilly
Councillor G Sharvin	Councillor G Stokes
Councillor D Taylor	Councillor JJ Tinnelly
Councillor J Trainor	Councillor B Walker

(Officials)

Mr L Hannaway, Chief Executive
 Mrs D Carville, Director of Corporate Services
 Mr M Lipsett, Director of Active and Healthy Communities
 Mr C O'Rourke, Director of Regulatory and Technical Services
 Mrs C Miskelly, Assistant Director, Corporate Services (Human Resources)
 Mr G Ringland, IT Manager
 Mrs E McParland, Democratic Services Manager
 Mrs C Taylor, Democratic Services Officer

C/172/2016

APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Devlin, Hanna, Kimmins, O'Gribin and Ruane.

- The Chairperson extended sympathies to the family and co-workers of Ronan Mulroy who had died tragically in Warrenpoint.
- The Chairperson offered sympathies to Councillor Glyn Hanna, whose mother, Bessie Hanna, had passed away earlier that day.
- County Down had been named in the top 100 Sustainable Destinations for 2016 at the World Tourism Day event in Slovenia.

C/173/2016 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

C/174/2016 ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 5 SEPTEMBER 2016

Read: Action Sheet from Council Meeting held on 5 September 2016 (copy circulated)

AGREED: The Action Sheet from Council Meeting held on 5 September 2016 was agreed.

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/175/2016 MINUTES OF COUNCIL MEETING HELD ON 5 SEPTEMBER 2016

Read: Minutes of Council Meeting held on 5 September 2016 (copy circulated)

A2 Road

In response to a query from Councillor Reilly, Mr Hannaway undertook to check progress in relation to a request to the Minister for a meeting on the A2 road.

AGREED: The minutes were agreed as an accurate record and adopted on the proposal of Councillor Burgess, seconded by Councillor Stokes.

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/176/2016 **MINUTES OF ENTERPRISE, REGENERATION AND
TOURISM COMMITTEE MEETING HELD ON 12 SEPTEMBER
2016**

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 12 September 2016 (copy circulated)

ERT/131/2016 – Warrenpoint Baths

Councillor Carr said he welcomed the fact that planning permission for the Warrenpoint Baths would soon be considered and he said it was important the project was shovel ready. Councillor Carr said he concurred with comments made by Councillor D McAteer at the Committee meeting in relation to people's desire for the provision of a bathing/water facility in Warrenpoint. He said Council should examine the need for a swimming facility which would enhance the tourism potential of Warrenpoint and requested this be included as one of the options in the options paper, following the outcome of the Warrenpoint Baths planning process.

A discussion ensued and Mr Hannaway said Council had funded work to date on the Warrenpoint Baths. He said any additional sporting facilities would have to form part of Council's overall Sports Development Strategy. He clarified that Heritage Lottery Funding provided funding for a different type of development, and involved keeping buildings traditional.

Councillor D McAteer said the DEA Councillors had not been consulted by the Heritage Lottery Fund and he wished to keep the project alive for potential Heritage Lottery funding. He referred to the District being a primary tourist area in Ireland, saying this project would drive tourism in Warrenpoint.

Councillor W Clarke referred to a number of large Heritage Lottery Funded projects underway in the District, saying a new planning application would need to be made to apply for Heritage Lottery Funding.

AGREED: It was agreed on the proposal of Councillor Carr, seconded by Councillor D McAteer, that Warrenpoint Baths be discussed at the October meeting of ERT Committee under Option 3 – Refurbish the existing building and discussed in relation to the Sports Development Strategy.

ERT/133/2016 – Clanrye River and Public Realm Clean Up

Councillor Casey asked for clarity on the following points:

- Whether all avenues had been exhausted regarding Rivers Agency undertaking the cleaning of the Clanrye River.
- Had the terms and conditions or ownership changed regarding the car park at the bottom of Catherine Street, Newry, which had been leased to raise funding to enable the steam cleaning of the footpaths in Newry.

Mr Hannaway undertook to investigate the above issues and update Councillor Casey.

Councillor Reilly referred to the river in Kilkeel, saying Rivers Agency were adamant their only responsibility was the free flow of water through the river and he suggested Council should be seeking to have more work carried out on town centre rivers.

Councillor Hyland said the condition of rivers was a long standing issue. He said the Clanrye River was in an awful state and was not attractive for tourists and he welcomed Council approaching any agency or body to help to improve the current situation.

AGREED: **The minutes were agreed as an accurate record and adopted on the proposal of Councillor Hearty, seconded by Councillor Burgess, with the amendment as agreed to minute ERT/131/2016.**

C/177/2016 MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 15 SEPTEMBER 2016

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 15 September 2016 (copy circulated)

SPR/193/2016 – IT Strategy

Councillor Carr placed on record his appreciation to Mrs Carville for providing the breakdown of the 40 IT projects within the IT Strategy, but asked that these be broken down further prior to the rates estimates process, so that a realistic figure could be put into the rates for next year.

In response, Mrs Carville said the figures of the revenue and capital streams would be drilled down into further during the rates estimates process. She advised the Efficiencies Working Group had been agreed as the forum for preparation of the rates process. She said the IT Strategy was a 4 year strategy which would be updated over the next 4 years and information would be brought back to Councillors as to where the spend was against estimate.

Mrs Carville said the £7.6m figure referred to was the best estimate that had been arrived at by the Consultants and if this figure changed, then the best estimate would be used for the rates process.

Councillor Sharvin thanked Mrs Carville and Mr Ringland for the further breakdown. He said some of the projects could be rolled together as one which could save Council a substantial amount of money.

In response to a query from Councillor Sharvin, Mrs Carville said that if Council was in agreement to proceed, investigation would commence on individual cases on a priority basis and detailed business cases would be drawn up. Cost savings

generated from any new systems would be considered, together with collaboration with other Councils.

Mrs Carville further advised an IT Project Board would be set up to oversee the business cases and regular updates brought back to Efficiencies Working Group as the projects evolved.

Councillor Casey expressed concerns regarding Council's IT equipment being provided by Hewlett-Packard, saying he was aware of the role they played in providing oppressive security software which was used against Palestinians in the Westbank.

Mrs Carville undertook to provide Councillor Casey with details of companies used by the Council for IT equipment.

In response to Councillor Burns, Mr Ringland advised that no particular project or solution had been chosen to date. He said it was important to go to the market and let the competitive processes drive out the best solution to meet Council's requirements. He added that this would be a solution driven exercise.

In response to concerns from Councillor Enright, Mrs Carville said the IT Strategy was all about achieving efficiency of business processes and the next stage to the process would provide a greater level of detail. She said that the timing of the projects was important and the merging of the departments into one.

AGREED: **The minutes were agreed as an accurate record and adopted on the proposal of Councillor Walker, seconded by Councillor W Clarke.**

C/178/2016 **REPORT OF THE ELECTED MEMBER DEVELOPMENT WORKING GROUP MEETING HELD ON 12 SEPTEMBER 2016**

Read: Report of the Elected Member Development Working Group Meeting held on 12 September 2016 (copy circulated)

AGREED: **The minutes were agreed as an accurate record and adopted on the proposal of Councillor Andrews, seconded by Councillor Harvey.**

C/179/2016 **MINUTES OF ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 19 SEPTEMBER 2016**

Read: Minutes of Active and Healthy Communities Committee Meeting held on 19 September 2016 (copy circulated)

AHC/112/2016 – Delegation to Minister

Councillor Burns advised he was the representative from Sinn Fein to meet with the Minister for Education to discuss the development of sports facilities between schools and Councils.

AGREED: The minutes were agreed as an accurate record and adopted on the proposal of Councillor Burns, seconded by Councillor Byrne.

C/180/2016 **MINUTES OF REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON 21 SEPTEMBER 2016**

Read: Minutes of Regulatory and Technical Services Committee Meeting held on 21 September 2016 (copy circulated)

AGREED: The minutes were agreed as an accurate record on the proposal of Councillor Trainor, seconded by Councillor Hearty.

RTS/156/2016 – Report re. Off-Street Parking – Extension of Agency Agreement with Transport NI

Agreed: On the proposal of Councillor Mulgrew, seconded by Councillor Trainor, it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of Paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information relating to the financial or business affairs of any particular person (including the Council holding that information).

Agreed: On the proposal of Councillor Mulgrew, seconded by Councillor Hyland, it was agreed the Council come out of closed session.

Agreed: When the Council came out of closed session, the Chief Executive reported it had been agreed on the proposal of Councillor Walker, seconded by Councillor Mulgrew, to approve the proposed extension of the Agency Agreement and Technical Specification with Transport NI (TNI) for up to a further three (3) years, effective from 1 November 2016 to 31 October 2019, based on the final schedule of costs provided at Appendix 1, as circulated at the Regulatory and Technical Services Committee held on 21 September 2016.

AGREED: The minutes were adopted on the proposal of Councillor Craig, seconded by Councillor Mulgrew.

C/181/2016 **MINUTES OF AUDIT COMMITTEE HELD ON 22 SEPTEMBER 2016**

Read: Minutes of Audit Committee Meeting held on 22 September 2016 (copy circulated)

AGREED: **The minutes were agreed as an accurate record and adopted on the proposal of Councillor Hearty, seconded by Councillor P Brown.**

AC/50/2016 – Action Sheet – Minutes of Audit Committee Meeting – 28 April 2016

(2) Councillor Craig raised concern at the on-going discussion in relation to the M & E works proposed for Down Leisure Centre. He asked that the Consultants be invited to meet with all Councillors to have an open and transparent discussion on the issues raised by Councillor Enright and any other interested Councillors.

AGREED: **It was agreed on the proposal of Councillor Craig, seconded by Councillor Hearty, that the M&E consultancy team for the Down Leisure Centre be invited to a meeting of the Strategy, Policy and Resources Committee, to which all Councillors would be invited, for a question and answer session on this issue.**

In response to queries from Councillor Reilly, Mrs Carville explained at the Efficiencies Working Group meeting the previous week, it had been agreed the working group would be the forum for the rates estimates process. She added that all Councillors were invited to attend the Efficiencies Working Group and she was in the process of agreeing a detailed timetable.

Councillor Reilly expressed concerns regarding the Mournes DEA and in particular the Annalong Harbour issue and said he hoped the needs of the Mournes would be given consideration within the rates setting process.

CORRESPONDENCE AND CONSULTATION

C/182/2016 **CORRESPONDENCE RECEIVED FROM MINISTER O'NEILL RE: VISIT TO DOWNE HOSPITAL**

Read: Correspondence dated 15 September 2016, received from Minister O'Neill regarding visit to Downe Hospital (Copy circulated).

Councillors Walker and Trainor said they were very disappointed the Minister of Health had refused to meet with the Council on the matter of Downe hospital.

Councillor Hyland said Daisy Hill Hospital should also have been included in any correspondence to the Minister.

Councillor Hearty said the Minister had only recently taken up post and intended firstly to meet with the Trust

AGREED: It was agreed on the proposal of Councillor Walker, seconded by Councillor Trainor, that Council write to the Minister of Health expressing disappointment at her refusal to meet with Council and asking if she would also meet regarding services at Daisy Hill Hospital.

C/183/2016 **CORRESPONDENCE FROM DEPARTMENT FOR COMMUNITIES REGARDING SPECIAL RESPONSIBILITY ALLOWANCES**

Read: Correspondence dated 31 August 2016 received from Pamela Baxter, Private Secretary, Department for Communities, regarding Special Responsibility Allowances.

AGREED: It was agreed to note the correspondence from the Department for Communities regarding the Special Responsibility Allowances.

C/184/2016 **CORRESPONDENCE FROM BOUNDARY COMMISSION RE 2018 REVIEW OF PARLIAMENTARY CONSTITUENCIES**

Read: Correspondence dated 5 September 2016 received from Eamonn McConville, Secretary to the Boundary Commission regarding 2018 Review of Parliamentary Constituencies.

Councillor Casey said Newry had not been included as a location for a public hearing.

AGREED: It was agreed that responses would be made to the correspondence from the Boundary Commission regarding the 2018 Review of Parliamentary Constituencies on a Party basis, as opposed to a corporate response from Council.

It was also agreed that correspondence be sent to the Boundaries Commission requesting Newry be considered as a location for one of the public hearings.

SEALING DOCUMENTS

C/185/2016 **SEALING DOCUMENTS**

AGREED: It was agreed to sign and seal the following documents on the proposal of Councillor D McAteer, seconded by Councillor Stokes:

1. AD/LEG/159 - Newry BID Levy Operating Agreement between Newry, Mourne and Down District Council and Newry BID Company Limited.

NOTICES OF MOTION

C/186/2016 NOTICE OF MOTION RECEIVED FROM COUNCILLOR BROWN

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

'This Council welcomes the UK Governments creation of a resettlement scheme to bring unaccompanied refugee children from Europe to safety in the UK. We express our disappointment however that no children have yet been brought to the UK under this scheme. We call upon the NI Executive to carry out a feasibility study as to how to fund and develop the regional infrastructure necessary to provide sanctuary to refugee children within this province and volunteers Newry, Mourne and Down Council's support in making this happen.'

In proposing the Motion, Councillor Brown said the motion was part of a pledge that had gone out across the UK and he highlighted the following points:

- It was just over 1 year since the photo of drowned Syrian 3 year old, Alan Kurdi, had shocked the world.
- Over 13 million Syrians were refugees or internally displaced in Syria.
- 65 million people across the world were displaced by conflict.
- The UK had pledged to take 20,000 Syrians refugees, less than 2,000 had been resettled so far and only 98 had come to Northern Ireland.
- Westminster had made a commitment to work with the English councils to bring unaccompanied refugee children to the UK to safety, but they had failed to deliver on this promise.
- Northern Ireland had not taken in a single unaccompanied Syrian child and there were thousands in need of a home.
- Help Refugees latest census of the migrant camp in Calais had revealed 608 unaccompanied children in the camp, an increase of 64% since the Government committed to the Duds Scheme.
- The youngest lone child was eight years old.
- 10,000 children had disappeared since registering as refugees in Europe, potentially into the hands of traffickers.
- Devolved and local and central government must work together on this to ensure a lifeline to these most vulnerable children.
- The District had previously shown great generosity with thousands of donations for Calais camp. This year in November in Newcastle, a large

fundraiser was being organised to help refugees. Intercultural Awareness Days had also been planned throughout the District.

- This motion would send a message to the Executive Office that the Council wanted to work in partnership with them to take in child refugees, including the Executive ensuring funding for regional infrastructure needed for services for refugee children and working to recruit more foster parents.

Councillor Enright seconded the motion stating the Government was in international disgrace over this issue. A trail of devastation had been left across the Middle East and Africa and this was the biggest wave of refugees since World War II and Britain had done nothing apart from build a fence around the camp at Calais.

Councillors Stokes, W Clarke, Harvey and Taylor also spoke in support of the motion.

AGREED: It was agreed on the proposal of Councillor Brown, seconded by Councillor Enright, that 'This Council welcomes the UK Governments creation of a resettlement scheme to bring unaccompanied refugee children from Europe to safety in the UK. We express our disappointment however that no children have yet been brought to the UK under this scheme. We call upon the NI Executive to carry out a feasibility study as to how to fund and develop the regional infrastructure necessary to provide sanctuary to refugee children within this province and volunteers Newry, Mourne and Down Council's support in making this happen.'

C/187/2016

NOTICE OF MOTION RECEIVED FROM COUNCILLOR TRAINOR

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

“That this Council notes with great concern the Panorama documentary which has exposed the safety features at Sellafield including the improper storage of radioactive materials and the loss of equipment and papers; recognises that this is the latest in a litany of hazards since Sellafield was established; calls on the Minister of State for Climate Change and Industry to undertake a review of all security procedures to ensure they are fit to protect the public; and further calls on the Northern Ireland Executive to take immediate action to ensure Northern Ireland is safe from any risks posed by the Sellafield, initially by seeking immediate meetings with both the Nuclear Decommissioning Authority, and the Minister of State for Climate Change and Industry.”

In proposing the motion, Councillor Trainor said his Party would be seeking the Minister for Climate Change and Industry to meet with the Nuclear Decommissioning Authority to accelerate the decommissioning of nuclear waste and they should be urgently working to establish a secure deep level geographic storage site away from Sellafield.

Councillor Trainor said the dangers of nuclear waste were too extreme for the Council not to pursue directly with the Minister and the NI Executive.

Councillor Walker seconded the motion and commended Councillor Trainor in bringing this issue forward, saying said the coastline of the District could be affected.

Councillor Enright spoke in support of the motion and commended Councillor Trainor. He suggested a joint Council policy on nuclear issues which would reignite connections with the Irish Government to inspect the site.

Councillor Bailey commended Councillor Trainor for bringing the motion forward and proposed the following amendment to the motion to read:

“That this Council notes with great concern the panorama documentary which has exposed the safety features at Sellafield including the improper storage of radioactive materials and the loss of equipment and papers; recognises that this is the latest in a litany of hazards since Sellafield was established; and calls on the Minister of State for Climate Change and Industry and the Nuclear Decommissioning Authority to secure the complete closure and immediate decommissioning of the Sellafield site.”

This was seconded by Councillor Burns.

Councillors Trainor and Walker confirmed their acceptance of the additional amended wording to expand their motion to add:

“and the Nuclear Decommissioning Authority to secure the complete closure and immediate decommissioning of the Sellafield site.”

Councillors Macauley, Carr and Hyland also spoke in support of the motion highlighting the dangers of nuclear waste and the Sellafield site.

AGREED: On the proposal of Councillor Trainor, seconded by Councillor Walker “that this Council notes with great concern the panorama documentary which has exposed the safety features at Sellafield including the improper storage of radioactive materials

and the loss of equipment and papers; recognises that this is the latest in a litany of hazards since Sellafield was established; and calls on the Minister of State for Climate Change and Industry and the Nuclear Decommissioning Authority to secure the complete closure and immediate decommissioning of the Sellafield site.”

There being no further business, the meeting concluded at 7:40pm

Signed:

Chairperson

Chief Executive

ACTION SHEET – COUNCIL MEETING – MONDAY 3 OCTOBER 2016

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
C/172/2016	Apologies & Chairperson's Remarks	Letter of Condolence to be sent to family of Mr Ronan Mulroy.	C Taylor	Letter sent 4.10.16	Y
		Letter of Condolence to be sent to Councillor Glyn Hanna upon the death of his Mother.	S Kieran	Letter Sent 4.10.16	Y
C/175/2016	Action Sheet arising from Council Meeting held on 5 September 2016	Update requested from Minister Hazzard re designation of the A2 Road	C Taylor	Letter sent 12.10.16	
C/175/2016	Minutes of Council Meeting held on 5 September 2016	Agreed.	All Directors		Y
C/176/2016	Minutes of ERT 12 September 2016	Warrenpoint Baths to be discussed at the October meeting of ERT Committee under Option 3 – Refurbish the existing building and discussed in relation to the Sports Development Strategy. Information to be provided to Cllr Casey as follows: <ul style="list-style-type: none"> • Whether all avenues had been exhausted regarding Rivers Agency undertaking the cleaning of the Clanrye River. • Had the terms and conditions or ownership changed regarding the car park at the bottom of Catherine Street, Newry, which had been leased to raise funding to enable the steam cleaning of the footpaths in Newry. 	M Ward M Ward M Ward E Curtis	Ongoing	N
C/177/2016	Minutes of SPR – 15 September 2016	Information to be provided to Cllr Casey regarding details of companies used by the Council for IT equipment.	D Carville	Information provided to Cllr Casey by email on 1 November 2016.	
C/178/2016	Minutes of EMDWG – 12 September 2016	Agreed.		All Actions completed.	Y

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
C/179/2016	Minutes of AHC Committee Meeting – 19 September 2016	Agreed.	M Lipsett		
C/180/2016	Minutes of RTS Committee Meeting – 21 September 2016	Agreed.	C O'Rourke		
C/181/2016	Minutes of Audit Committee – 22 September 2016	M&E consultancy team for the Down Leisure Centre to be invited to a meeting of the Strategy, Policy and Resources Committee, to which all Councillors would be invited, for a question and answer session on this issue.	E Curtis	On agenda for SP&R Meeting in November	
C/182/2016	Correspondence received from Minister O'Neill re Visit to Downe Hospital	Correspondence to be sent to the Minister of Health expressing disappointment at her refusal to meet with Council and asking if she would also meet regarding services at Daisy Hill Hospital.	C Taylor	Letter sent 12.10.16	
C/184/2016	Correspondence from Boundaries Commission	Responses to be made on a Party basis as opposed to a corporate response from Council Correspondence be sent to the Boundaries Commission requesting Newry be considered as a location for one of the public hearings.	C Taylor	Letter sent 12.10.16. Reply dated 20.10.16 received. On agenda at Council 7.11.2016. See Item 14 on Council Agenda for Response from Boundaries Commission	
C/185/2016	Sealing Documents	It was agreed to sign and seal the documents listed.	C Taylor	Signed and sealed.	Y
C/186/2016	Notice of Motion received from Councillor Brown	Correspondence to be sent to the NI Executive to requesting them to carry out a feasibility study as to how to fund and develop the regional infrastructure necessary to provide sanctuary to refugee children within this province.	C Taylor	Letter sent 12.10.16	
C/187/2016	Notice of Motion received from Councillor Trainor	Correspondence to be sent to the following requesting the complete closure and immediate decommissioning of the Sellafield Site: <ul style="list-style-type: none"> Minister of State for Climate Change and Industry 	C Taylor	Letters sent 12.10.16. Holding response received 18.10.16 from NDA. Holding response received 20.10.16 from Minister Dept for Communication, Climate	

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		<ul style="list-style-type: none"><li data-bbox="741 264 1216 293">• Nuclear Decommissioning Authority<li data-bbox="741 296 1317 352">• Minister for Communications, Climate Action and Environment.		Action & Environment - Dublin	

NEWRY, MOURNE & DOWN DISTRICT COUNCIL**NMD/SC/****Minutes of Special Council Meeting held on Monday 26 September 2016 at 6pm
in the Mourne Room, Downshire Civic Centre, Downpatrick****In the Chair:** Councillor G Craig**In attendance:****(Councillors)**

Councillor T Andrews	Councillor P Brown
Councillor S Burns	Councillor P Byrne
Councillor M Carr	Councillor C Casey
Councillor W Clarke	Councillor D Curran
Councillor S Ennis	Councillor C Enright
Councillor G Hanna	Councillor H Harvey
Councillor T Hearty	Councillor D Hyland
Councillor L Kimmins	Councillor M Larkin
Councillor K Loughran	Councillor J Macauley
Councillor D McAteer	Councillor K McAteer
Councillor R Mulgrew	Councillor M Murnin
Councillor B Ó'Muirí	Councillor B Quinn
Councillor M Ruane	Councillor G Stokes
Councillor JJ Tinnelly	Councillor J Trainor
Councillor B Walker	

(Officials)

Mr E Curtis, Director of Strategic Planning and Performance
 Mrs D Carville, Director of Corporate Services
 Mr C O'Rourke, Director of Regulatory & Technical Services
 Mr A McKay, Chief Planning Officer
 Mr K Montgomery, Assistant Director, Corporate Services
 (Finance)
 Mrs E McParland, Democratic Services Manager
 Miss S Taggart, Democratic Services Officer
 Mrs C Taylor, Democratic Services Officer

Also in attendance: Mr G Flynn, Northern Ireland Housing Executive
 Ms M Conway, Northern Ireland Housing Executive
 Ms L Wilson, Northern Ireland Housing Executive

SC/40/2016**APOLOGIES AND CHAIRPERSON'S REMARKS**

Apologies were received from Councillors Bailie, Burgess, P Clarke, Devlin, Fitzpatrick and Taylor. Apologies were also received from Mr Hannaway, Chief Executive.

SC/41/2016 DECLARATIONS OF INTEREST

There were no declarations of interest.

SC/42/2016 NMDDC STATEMENT OF ACCOUNTS 2015/16

Mrs Carville presented the statement of accounts for 2015/16 stating the draft accounts had to be submitted by 30th June 2016. She advised that the Northern Ireland Audit Office had confirmed the accounts were largely complete and the Audit Committee had subsequently approved the accounts and the Annual Governance Statement at their meeting of 22nd September 2016. Mrs Carville stated the Chair and Chief Executive were required to sign off the accounts by 30th September 2016 and the accounts would then be uploaded to the Council website.

Mrs Carville highlighted the key results contained within the accounts as follows:

- The usable reserves as at 31 March 2016 were £8,489,000.
- The net worth of Newry, Mourne and Down District Council was £71,885,000.
- Significant governance issues that were highlighted included transferring functions, delivery of capital programme, IT and embedding risk management arrangements.

Councillor Enright thanked the finance team for their efforts throughout the year while working with two separate systems.

NOTED: The statement of accounts for 2015/16 was noted.

SC/43/2016 NORTHERN IRELAND HOUSING EXECUTIVE – HOUSING INVESTMENT PLAN

The Chairperson welcomed Mr Flynn, Ms Conway and Ms Wilson to the meeting and invited them to make their presentation. (copy of presentation appended to the minutes)

Mr Flynn stated the Housing Investment Plan (HIP) provided an overview of the housing market and detailed social housing investment at a local level. He advised this was the first annual update on the four year plan and as NIHE were a partner with the Council on the Community Plan, the HIP would be reviewed to reflect Community Planning priorities after March 2017.

The Chairperson thanked Mr Flynn for his presentation and invited questions from the Members. Members asked the following questions:

- The local NIHE staff were to be commended for the excellent work they do. Were there any plans to build properties within the Rowallane area?
- Ballynahinch housing need was reading as zero, was this a typing error?
- Was there any facility in place for another Housing Association to take over the scheme that did not materialise in Ballynahinch due to planning permission difficulties?
- Were there any plans to provide sheltered accommodation within the Crossgar area?
- The housing need for Ballyhornan was presented as 8 however latent demand surveys were previously carried out in the area which showed greater demand for housing.
- There were no plans for Strangford even though there should have been 14 units built under PPS21. Was there any possibility of housing provision within the village?
- The housing demand in Killough was for 1 and 2 bedroom units, especially for older people, were there any plans for these to be built?
- Was the Housing Executive trying to put pressure on Central Government to allow them to reassert its role as house builders?
- Waiting lists for maintenance on existing housing stock such as double glazing, heating, fascia boards and masonry cracking were very long, was there any plans in place to tackle these lists?
- Due to housing no longer being built near schools, teaching jobs etc. within schools were being endangered. Were there any plans for remedial action being brought forward to recognise areas where housing could be built in order that first time buyers can purchase houses close to schools?
- What was happening with the Downe Hospital site?
- When would repairs to the properties damaged by fires in Newcastle be completed and were there any plans to carry out external maintenance within the Bracken Avenue area of Newcastle?
- The housing list in Newcastle was extensive, however the provision of 40 houses would not tackle this list. Had land for social homes been identified, was it possible to look at available land and bring proposals to the planners on the possibility of building.
- Questions were being asked by the public on the maintenance of developments such as grass cutting and weed clearance, was this Housing Executive's responsibility?
- Villages in South Armagh were registering as having zero housing need, however many constituents were presenting themselves to Members asking for the possibility of getting housing within the villages.
- Could maintenance teams investigate the issue of overgrowing plants covering the lights within developments in the South Armagh area?
- If there were complications with the Downe Hospital site, had other sites in the Downpatrick area been identified?

- Socially adapted housing was required for people with disabilities.

Members of the delegation responded to the queries as follows:

- There were 2 schemes on-site at the minute within the Rowallane area which would add 52 houses. There were projected 45 people within housing stress in Crossgar and there were schemes for 28 units. The Housing Executive would continue to support Housing Associations who were dealing with the land at Downpatrick Street in Crossgar.
- Sheltered accommodation was set out within the Housing Investment Plan and the Housing Executive would look at the waiting list in order to develop the housing mix of schemes in the Rowallane area.
- There was a projected need of 10 units in Strangford and the Housing Association had looked at developing a site under PPS21. However, it was being investigated by another Housing Association.
- Ballyhornan did have housing need and a scheme was planned for 5 units however there was an underrepresentation of people presenting as being in need.
- The Housing Executive understood their ability to borrow and build houses would be very beneficial and the Social Housing Reform Programme was currently looking into this.
- Kitchen replacement schemes were planned for Killyleagh, Castlewellan and Ardglass, however if Members have any specific addresses that required maintenance, they could forward them onto the local offices.
- Housing Associations were actively driving to acquire sites to develop for social housing within the Downpatrick area and the Housing Executive were very keen to support them.
- The population was ageing and increasing and there had not been enough private building taking place as well as social housing. The evidence of demand supports any initiatives to release all land available and the Housing Executive would welcome the help and assistance of public representatives to try to increase the supply of land for more housing to meet the demand.
- There was a large waiting list in Newcastle and this needed to be looked at, however there was a shortage of land. Housing Executive would be very happy to meet with Councillors and the Planning Department to try to develop ideas for gaining more land and a meeting had been set up with the Housing Executive and officials from Council for 14th October 2016..
- A scheme was being drawn up for Bracken Avenue and the Housing Executive were looking at shortening the tender process. Members would be advised when the scheme was taking place.
- There were no plans at present for maintenance on the exterior of the houses in the Bracken Avenue area.
- In terms of ground maintenance, if the area was a Housing Executive development, they were responsible for this and this was one aspect that the Housing Executive sometimes fails on.

- Members should try to encourage people to sign up on the housing list within the areas in South Armagh.
- There was a projected need of 525 houses in the Downpatrick area and there was provision for 100 houses on the Downe Hospital site. The Housing Associations in the area were constantly coming up with sites in the area and buying up existing housing within estates.
- Housing Executive track record was quite poor when dealing with maintenance and this was something they need to work on. The Housing Executive recognise the need for smaller and wheelchair accessible accommodations and try to take this into consideration when looking at housing mix and trying to match people to housing.

Mr Flynn thanked the Councillors and Council for their support of the Housing Executive and stated any questions that had been submitted prior to the meeting would be answered in due course.

The Chairperson thanked the delegation for their presentation.

There being no further business, the meeting concluded at 7.30pm.

For adoption at Meeting of Newry, Mourne and Down District Council to be held on Monday 7 November 2016.

Signed:

Chairperson

Chief Executive

Housing Investment Plan Newry, Mourne and Down District Council September 2016

HousingExecutive

Purpose of HIP

- Housing Investment Plan (HIP) has 2 main purposes:
 1. The Housing Executive is statutorily required under the 1981 Housing Order to report to councils on its past years performance and next years proposals
 2. The HIP will inform Community Planning

Overview of the HIP

- The HIP provides an overview of the housing market in Newry, Mourne and Down
- Details social housing investment at a local level
- It is a 4 year plan with an annual update in intervening years. This is the first annual update
- NIHE is a partner with Council on the Community Plan, agreeing priorities and outcomes. The HIP will be reviewed to reflect Community Planning priorities after March 2017

Themed Approach

- The HIP contains 5 themes:
 1. Identify and meet housing need and demand
 2. Improve people's homes
 3. Transform people's lives
 4. Enable sustainable neighbourhoods
 5. Deliver quality services
- Each theme has a set of outcomes with key actions
- Highlighted is last year's performance, actions for the next 4 years and a longer term outlook.

Housing Executive Investment

Expenditure in Newry, Mourne and Down

	Actual Spend £m (2015/16)	Projected Spend £m (2016/17)
Capital Improvements	0.66	1.70
Planned Maintenance	2.92	4.41
Response Maintenance	2.76	2.86
Private Sector Grants	1.54	1.19
Grounds maintenance	0.31	0.38
Supporting People	5.81	6.55
Total	14	17.09
New Build / HA Grant	9.60	(not available)
Total Spend	23.60	17.09

Maintenance Investment 2015-16

Type	Homes
Double Glazing	87
Outside Maintenance	289
Heating Installation	535
Smoke Alarm Replacement	63
Revenue Replacement	129

Key Housing Issues (1)

- An ageing population
- 3,358 total applicants on waiting list
- 2,264 (67%) in housing stress
- 1,283 households presented as homeless
- 70% accepted as homeless
- 437 social housing allocations
- 140 new social homes started

Key Housing Issues (2)

- 1,693 new social housing units are needed over next five years
- 3 year programme – 476 (gross) new social housing units
- Improving private housing market (634 private new build starts in 2015)
- Mixed tenure developments and affordable housing
- Rural need and availability of land in Villages and Small Settlements
- Welfare Reform and suitable accommodation

Next Steps

- Progress against the HIP objectives will be regularly monitored and will continue to be reported on annually.
- The Housing Investment Plan, the Community Plan and the new Local Development Plan should all align and fit together.

NEWRY, MOURNE & DOWN DISTRICT COUNCIL**NMD/SC/**

**Minutes of Special Council Meeting held on Thursday 20 October 2016 at 6pm
in the Mourne Room, Downshire Civic Centre, Downpatrick**

In the Chair: Councillor G Fitzpatrick**In attendance:****(Councillors)**

Councillor N Bailie	Councillor R Burgess
Councillor P Byrne	Councillor M Carr
Councillor C Casey	Councillor W Clarke
Councillor G Craig	Councillor D Curran
Councillor S Doran	Councillor S Ennis
Councillor G Hanna	Councillor V Harte
Councillor H Harvey	Councillor T Hearty
Councillor D Hyland	Councillor L Kimmins
Councillor J Macauley	Councillor M Larkin
Councillor K Loughran	Councillor K McAteer
Councillor R Mulgrew	Councillor B Ó'Muirí
Councillor B Quinn	Councillor H Reilly
Councillor M Ruane	Councillor G Stokes
Councillor D Taylor	Councillor J J Tinnelly
Councillor J Trainor	Councillor B Walker

(Officials)

Mr L Hannaway, Chief Executive
 Mr E Curtis, Director of Strategic Planning and Performance
 Mrs D Carville, Director of Corporate Services
 Mrs R Mackin, Assistant Director, Corporate Planning and Policy
 Mr C Moffett, Equality Officer
 Miss V Keegan, Marketing Manager
 Mrs E McParland, Democratic Services Manager
 Miss S Taggart, Democratic Services Officer
 Mrs C Taylor, Democratic Services Officer

Also in attendance: Dr E Collins, Chief Executive, Equality Commission for Northern Ireland
 Mr M Wardlow, Chief Commissioner for the Equality Commission Northern Ireland
 Mr P O'Kane, Legal Advisor, McShane and Company

SC/44/2016**APOLOGIES AND CHAIRPERSON'S REMARKS**

Apologies were received from Councillors Brown, D McAteer, Devlin, Sharvin, O'Gribin and Andrews.

The Chairperson welcomed the representatives from the Equality Commission for Northern Ireland to the meeting.

SC/45/2016 DECLARATIONS OF INTEREST

There were no declarations of interest.

SC/46/2016 EQUALITY COMMISSION FOR NORTHERN IRELAND (ECNI) REPRESENTATIVES TO OUTLINE THE EQUALITY COMMISSION'S ROLE, FOR CONSIDERATION AND DECISION-MAKING PROCESS IN RELATION TO RESCINDING THEIR ORIGINAL DECISION OF MARCH 2015, REGARDING NEWRY AND MOURNE DISTRICT COUNCIL'S REVIEW OF THE DECISION TO NAME RAYMOND MCCREESH PARK

Mr M Wardlow, Chief Commissioner for the Equality Commission Northern Ireland, said he welcomed the opportunity to offer clarification regarding the Equality Commission's decision to rescind their original decision of March 2015 regarding Newry and Mourne District Council's review of the decision to name Raymond McCreesh Park.

Mr Wardlow explained that in April 2016, leave was granted by the Court for a Judicial Review. This required the Equality Commission to take legal advice and during the process of engagement with Counsel, the Equality Commission were asked to look at two areas in particular against the original recommendation. The Equality Commission had then gone back to the Statutory Duty and Investigations Committee and to the full Commission for a final decision. As a result of this, the Equality Commission were asking Council to re-look at two areas:

The two areas were:

1. The decision that was taken by the Council "in committee", with full plenary powers, ran against the Equality Commission's recommendation that the process be held in an open and transparent fashion. The decision was taken "in camera" and therefore no-one was present and it was not known who was saying what to whom, and they felt this was not open and reasonably transparent.
2. The Commission had understood that Officers had engaged with the Committee that day and presented not just the consultation responses, but a considered analysis of those responses with options available to the Council. However when the audit was undertaken to see if papers were available no evidence of qualitative analysis or an options paper could be provided.

Questions from Members were answered by the representatives from the Equality Commission as follows:

- No-one could have known about the Equality Commission's decision prior to the date when the decision was made. Decisions were never taken in advance and the Equality Commission did not have delegated responsibility through its Committees.
- If there was evidence of someone in the Equality Commission speaking to another party and that information then being in the public domain, evidence would be welcomed so that this could be investigated.
- All the minutes and reports of Equality Commission meetings were published in the public domain.
- A vote was not taken at the meeting when the Equality Commission had initially declared themselves satisfied, it had been by full consensus of the Commission.
- When a review for Judicial Review against the Commission was raised, the Equality Commission looked at the issues raised in the Judicial Review leave application, took Counsel's advice on the issues and, in this case, the Equality Commission anticipated they would not be subject to a Judicial Review. However a number of comments in relation to the claim made against the Commission were what caused Counsel to advise the Commission should consider both the issue of transparency of the decision taken within the Council, and the availability of qualitative analysis of the responses.
- The decision was not taken on political grounds. It was taken purely on the background of the Judicial Review, the engagement with Judge and Counsel and the Equality Commission believing if the decision came back to a Judicial Review, those were the two areas where a deficiency would have been held up.
- It was not about whether something was right or wrong. The Equality Commission's colleagues worked with Council's colleagues to see the process through. In 2015 the Commission said the Council had fulfilled what was asked for. When the decision making process was subject to a legal forensic examination and, in one case, when something was accepted by the Commission's staff in conversation by Council's staff in good faith, there was no forensic evidence this actually happened.
- The Equality Commission Counsel's view was that a meeting that had full plenary powers in taking a decision of this nature would not have been able to be held up against what the Equality Commission called an open and transparent process.
- The Equality Commission staff colleagues did not provide wrong advice, but in two areas of the process this could now be reasonably challenged and these were the two areas the Equality Commission was asking Council to revisit.
- There were two areas in the Equality Commission's original request which they were asking Council to revisit.
- The role of the Equality Commission was never to substitute their decision for the decision of a public body. The Equality Commission could express views, but their role stopped before a decision came before a democratic Committee or Council.
- The Equality Commission were no less diligent in this case than in any other. Some people would always be unhappy with decisions the Equality Commission made.

- The Equality Commission did not take decisions, they could only make comments; but they did have a statutory duty to oversee the process up to the point where a decision was taken.
- The Equality Commission's reason for being present at tonight's meeting was to provide clarity on the two areas that needed to be revisited.
- It was the responsibility of the Equality Commission to ensure Council took regard and due regard duties seriously.
- The NI Act set out clearly the Equality Commission's number of roles in relation to Section 75, which were to provide advice to public authorities and where the Equality Commission had concerns that a public authority had breached its equality scheme.
- Minutes were available from the Statutory Duty and Investigations Committee meeting, which did the work for the Commission, and available on the Equality Commission's website. These meetings were not audio recorded.
- The Equality Commission had not rescinded a decision in any of its previous cases, and this was the first time that a Judicial Review had been taken against the Equality Commission in respect of how they dealt with an investigation under Paragraph 11 of Schedule 9 of the NI Act.
- The two issues the Equality Commission had asked Council to look at again – the decision taken “in committee” with full plenary powers and the absence of a considered analysis of consultation responses – Council had taken its own legal advice about that and the Equality Commission had not questioned that decision at the time, but had accepted this was the way Council did its business.
- When the Equality Commission worked with public bodies they worked in “good faith”.
- Public bodies had to pay due diligence to legal advice. If they did not, there could be consequences.
- The Chief Commissioner's performance was reviewed by OFMDFM once a year. The Chief Commissioner reviewed each of the Commissioners once a year. The Audit Committee did a self-review and internal audit reviewed processes on a 3 yearly basis.
- The Equality Commission reported to OFMDFM.
- Customer satisfaction and public attitude surveys were undertaken regularly, every 3-4 years by the Equality Commission. These were undertaken externally.
- The case against the Equality Commission was dismissed in court last week and an agreement to pay 50% of costs of the applicant to date. The grounds of Judicial Review against Council were different to the grounds of Judicial Review against the Equality Commission.
- All public bodies were subject to the potential for a Judicial Review. In this particular case, the advice the Equality Commission received was there were two areas of the process that could not stand against the Equality Commission's original request.
- The Equality Commission did not accept they were at fault for this situation. They were only present to clarify why the original decision had been rescinded and why there were two areas to be revisited.

During the debate, Councillors spoke of their disappointment and concerns regarding the Equality Commission's decision to rescind their original decision of March 2015.

Clarity was provided by Mr Moffett, who confirmed that it had been accepted there would be no qualitative analysis undertaken as part of the review. He advised a qualitative analysis had been undertaken as part of the first process undertaken by Newry and Mourne District Council during 2011/2012. However, as the ECNI investigation subsequent to this had concluded it looked as if Councillors had voted purely along party political lines, and recommended the Council review its decision, it was agreed by Council that in undertaking the review it would place all of the documentation (consultee responses) in the hands of Councillors as the single decision-makers. Mr Moffett reiterated that at no stage did the Council ever state a qualitative analysis was undertaken as part of the review process. He added that the Equality Commission were aware of this and were also consultees in the process.

Councillor Clarke said he wished to place on record that Council Officers did everything they were requested to do in this process and he also placed on record that all minorities were being protected by Council.

Councillor Hanna requested an objective review of the Chief Commissioner's performance.

Councillor Ruane requested hard copies of the relevant meeting minutes of Equality Commission to be made available to Councillors.

During the debate, Councillor Burgess departed from the meeting at 6.53pm, Councillor Reilly at 6.54pm and Councillor Doran at 6.55pm.

The Chairperson thanked the representatives from the Equality Commission and they departed from the meeting at 7.01pm.

The meeting resumed at 7.04pm.

SC/47/2016 REPORT ON CONSIDERATION OF CORRESPONDENCE FROM EQUALITY COMMISSION FOR NORTHERN IRELAND DATED 30 JUNE 2016 REGARDING THE REVIEW OF THE DECISION TO NAME THE RAYMOND MCCREESH PARK

Read: Report from Mr L Hannaway, Chief Executive, dated 20 October 2016, regarding the consideration of correspondence from Dr Evelyn Collins CBE, Chief Executive, ECNI dated 30 June 2016, re: Review of decision to name Raymond McCreesh Park (copy circulated).

In response to a query from Councillor Stokes, Mr Hannaway confirmed that Council was in a Judicial Review process and if Council did not follow legal advice, the consequences could be the responsibility of individual Councillors, as opposed to the Council.

In response to a question from Councillor Hyland, Mr Hannaway confirmed the recruitment of consultants being proposed to carry out the qualitative analysis and

development of options paper would be recruited from a list of qualified consultants held by the Staff Commission for N Ireland.

Mr Hannaway undertook to bring back the consultant costings to Council.

AGREED: It was agreed on the proposal of Councillor Craig, seconded by Councillor Taylor, that:

- Council commission an independent consultant to undertake a qualitative analysis of the consultation responses and development of an options paper.
- The qualitative analysis be tabled with the Councillors' Equality & Good Relations Reference Group for discussion and development of an options paper.
- The qualitative analysis and options paper be provided to all Councillors and tabled for consideration at a meeting of Council in January or February 2017.

There being no further business, the meeting concluded at 7.13pm.

For adoption at Meeting of Newry, Mourne and Down District Council to be held on Monday 7 November 2016.

Signed: _____
Chairperson

Chief Executive

NEWRY, MOURNE & DOWN DISTRICT COUNCIL**NMD/SC/**

Minutes of Special Council Meeting held on Monday 24 October 2016 at 6pm in the Mourne Room, Downshire Civic Centre, Downpatrick

In the Chair: Councillor G Craig**In attendance:****(Councillors)**

Councillor T Andrews	Councillor R Burgess
Councillor P Byrne	Councillor D Curran
Councillor C Enright	Councillor G Hanna
Councillor V Harte	Councillor H Harvey
Councillor T Hearty	Councillor J Macauley
Councillor M Larkin	Councillor K Loughran
Councillor K McAteer	Councillor R Mulgrew
Councillor M Murnin	Councillor B Ó'Muirí
Councillor B Quinn	Councillor H Reilly
Councillor M Ruane	Councillor G Stokes
Councillor D Taylor	Councillor J J Tinnelly
Councillor B Walker	

(Officials)

Mr L Hannaway, Chief Executive
 Mrs E McParland, Democratic Services Manager
 Miss S Taggart, Democratic Services Officer
 Mrs C Taylor, Democratic Services Officer

Also in attendance: Mr S Richardson, Divisional Manager, Transport NI
 Mr S Duffy, Section Engineer for Newry, Mourne and Down East, Transport NI
 Ms C Noble, Section Engineer for Newry, Mourne and Down West, Transport NI

SC/48/2016**APOLOGIES AND CHAIRPERSON'S REMARKS**

Apologies were received from Councillors Brown, Burns, Carr, Casey, Devlin, Ennis, Fitzpatrick, Hyland, Kimmins, D McAteer and Trainor.

The Chairperson welcomed the representatives from Transport NI to the meeting. He advised Members he would be taking general and strategic questions at the beginning of the meeting, before giving Members the opportunity to raise DEA specific questions.

SC/49/2016**DECLARATIONS OF INTEREST**

There were no declarations of interest.

SC/50/2016**TRANSPORT NI – AUTUMN PRESENTATION**

Mr Richardson thanked the Council for the invitation to present Transport NI's Autumn report and stated the Southern Division covered three Council areas and the report updated the proposed work for 2016/17 which had been detailed in the spring annual report and also included additional schemes that had been added as a result of increased funding.

Mr Richardson highlighted the following updated areas:

- A24 Ballynahinch Bypass - The Department's Project Team had considered the report on A24 Ballynahinch Bypass and were currently finalising a report for the Minister's consideration.
- Newry Southern Relief Road - Due to the ongoing design development process and feedback received through the consultation process, an additional corridor had been identified and it was expected to delay the completion of the Stage 1 assessment until the beginning of 2017.
- A7 Rowallane to Doran's Rock – Design work and the Environmental Assessment for the proposal were substantially completed. A series of meetings with those landowners who would be impacted by the scheme was to be arranged within the next coming months, to discuss the extent of the lands required.
- Ballygowan Road Bridge in Comber was inserted into the report in error and should be disregarded.
- There was a full winter maintenance service in place with 74 staff on standby to salt main roads.
- The Minister earmarked £10m for the Rural Roads Initiative to address the rural roads in the worst condition and improvements would be targeted at many short lengths of particularly poor condition. Both Section offices in the Newry, Mourne and Down District Council area had instructed their contractors accordingly and a substantial number of schemes had already been completed.
- Proposed junction improvements at Collins Corner, Downpatrick had further issues arising with ground conditions at the site and the scheme had been postponed in favour of Fountain Street, Downpatrick.
- The scheme at Fountain Street was to improve traffic progression with the provision of road widening and on-street parking areas for local residents as well as road humps. The aim would be to deliver the scheme within the current financial year.
- There were ongoing discussions around the development of a park and ride scheme on the Belfast Road as well as an extension of the park and ride scheme at Clough Roundabout from 16 spaces to 30 spaces.
- Development of one-way systems in Edward Street, St Dillon's Avenue and Irish Street, St Patrick's Avenue and Market Street were continuing to be investigated.
- The new road alignment in Irish Street, Downpatrick was now completed and an Environmental Improvement scheme was ongoing following the removal of the blast wall.
- The Downpatrick Eastern Distributor Road needed serious consideration in order to improve traffic flow within the town.

- Due to the unrest in the Flying Horse area, the crossing facilities had been removed as there had been over £30,000 spent making repairs to the site.
- The new Strangford Ferry was handed over on 11th October 2016 and would be in service from November 2016.

Members asked the following questions following the presentation of the report:

- Were there any plans to install a slow lane or overtaking lane on the Crossgar Road into Downpatrick as the farming community were not able to pull over and were this was causing difficulty with the Police?
- Ballynahinch Bypass was a critical scheme as there were thousands of people travelling through the town on a daily basis. How could the scheme be made into a flagship scheme for the Department?
- £10m had been set aside for the rural road scheme, how much money could be drawn down for this District and were there schemes ready to proceed when the funding was available?
- It was very important for the District to have a feasibility study completed for the Eastern Distributor Road as it would have the potential to raise between £7m and £11m extra in the rates each year. Would it be possible to look at the powers that the new Council had in terms of planning to assist in the realisation of this road?
- The crossing at the Flying Horse was put in the wrong area and should have been sited across from the shops, thereby ensuring it would not be damaged.
- A2 upgrade to trunk road status was vitally needed. Would it be possible to make the Shimna Road 2-way again as a bypass for vehicles to get beyond Newcastle?
- How much salt had been stockpiled?
- Was it Council's responsibility for gritting the footpaths?
- Was there any new equipment to assist in keeping mountain roads open throughout the winter?
- Request that Roads Service contact the two gentlemen who were originally involved in the work on the A2 to find out what information they may have retained.

Mr Richardson responded to some of the queries as follows:

- The design for the A7 did not provide for slow lanes as this would increase the land check and as funding was not available, land could not be vested as yet.
- The issue of the Ballynahinch Bypass went to public enquiry in January and the Department was in the final stages of completing submission to the Minister as to how to take the scheme forward. There were only four flagship schemes throughout Northern Ireland.
- £1.4m was made available to this District and there was an extensive list of sites for repair. These were being worked through and some had been completed.
- The pedestrian crossing at the Flying Horse area would be kept under review.
- There was 90000 tonnes of salt stockpiled with additional being held at the suppliers.

- Council and Transport NI had a Memorandum of Understanding whereby they could work together if required during the winter months.
- Four new snowblowers had been purchased which should assist in keeping mountain roads open throughout the winter.
- Enquiries would be made as to the identity and whereabouts of the gentlemen who were originally involved in the work on the A2.

Mr Hannaway advised Council had written to the Minister to ask for a meeting regarding the upgrading of the A2 to trunk road status. He stated a response had been received and he recommended a delegation of 4 or 5 Members on a cross-party basis from the Crotlieve and Mournes DEAs should attend the meeting on 13th December.

This was agreed and Mr Hannaway asked that Party Leaders inform officers of the names for the delegation as soon as possible.

The Chairperson stated that Members could ask specific DEA questions from the delegation. The following questions were posed:

Crotlieve DEA

Crotlieve DEA Members raised the following issues and questions:

- The time taken to record street lighting issues was too long and it was pointless recording online the street lights that were broken. There had been no improvement over the summer.
- The state of the roads had not improved, but had gone backwards.

Downpatrick DEA

Downpatrick DEA Members raised the following issues and questions:

- Was the proposed asphalt and bitmac resurfacing on the B1 Ardglass Road, Downpatrick an earlier agreed scheme or an additional scheme?

Transport NI Officials responded to Downpatrick DEA questions as follows:

- The proposed asphalt and bitmac resurfacing on the B1, Ardglass Road, Downpatrick was not an additional scheme.

Newry DEA

Newry DEA Members raised the following issues and questions:

- There were many pedestrian footpaths in Newry which were on steps. When the lights were out, this could be very dangerous. Could Transport NI prioritise broken street lights on the steps?

Transport NI Officials responded to Newry DEA questions as follows:

- Transport NI's top priority regarding street lighting was where there was an electrical safety issue, followed by group outages and then single outage, but representatives would meet with the street lighting engineers to discuss the possibility of replacing broken street lights on steps in Newry.

Rowallane DEA

Rowallane DEA Members raised the following issues and questions:

- The format of the meeting, with the DEAs meeting Transport NI officials during the afternoon, had been very productive.
- A further survey into the pedestrian crossing in Killyleagh was welcomed.
- It was welcomed that the staff at Castlenavan quarry had been very helpful.
- Disappointment was expressed that there were no flagship schemes in the District.
- Could Dorans Rock to Saintfield be flagged up in future?
- Works at the Kilmore Bridge were welcomed.
- The end of the Windmill Road to Comber Street onto the Ballygowan Road – the drain was not working.

Transport NI Officials responded to Rowallane DEA questions as follows:

- The drain on the Windmill Road to Comber Street onto the Ballygowan Road would be investigated.

Slieve Croob DEA

Slieve Croob DEA Members raised the following issues and questions:

- The new pavements were welcomed in Newcastle Road, Drumaness.
- Was there any progress on the Castlewellan Road which was due for resurfacing?
- A stretch of pavement in Ballynahinch had not been reinstated after a new electricity supply had been installed in the bus shelter in Windmill Street.

Transport NI Officials responded to Slieve Croob DEA questions as follows:

- Transport NI officials would check on the stock of materials which were used to reinstate public realm works.
- Re-instatement of public realm pavement works should be in granite.
- Castlewellan Road would hopefully be resurfaced early next year and Transport NI officials were working with Phoenix Natural Gas on this road as well as through Kilmore, Crossgar and into Downpatrick.

Slieve Gullion DEA

Slieve Gullion DEA Members raised the following issues and questions:

- It was disappointing that the scheme at the junction of the Creamery Road/Newry Road had been withdrawn.
- The bridge on Larkins Road was not listed in the report.
- The Autumn Report contained the shortest list for surface dressing ever and this was disappointing as the Minister had allocated £1.4m but there was none for the Slieve Gullion area.
- It was vitally important that gritting was prioritised on the country roads as in bad weather the country schools had to close causing inconvenience to children and families.
- The gulleys at Tullyah Road were blocked.
- Lough Road –
- Was the Coach Road completed regarding re-surfacing?
- Could officials look at gritting the roads outside Carrickrovaddy and Ballymoyer Primary Schools in bad weather.
- Could the Forkhill Road's painted arrows be re-instated.
- Street lights on Maphoner Road, Mullaghbawn were broken and one was full of water.
- Street lights were out in the Park Urney estate in Forkhill.
- Had a traffic survey been undertaken in the past 10 years on the Turmore Road, Newry?

Transport NI Officials responded to Slieve Gullion DEA questions as follows:

- Additional monies were for area resurfacing, not for surface dressing. A list of roads to be re-surfaced in the District would be circulated.
- Reasonable requests would be looked at regarding gritting and roads near to schools would be taken into consideration. Transport NI did endeavour to grit the rural school network of roads. The Turmore Road would be looked at from a gritting perspective.
- Street lighting issues had been noted.

The Mournes DEA

The Mournes DEA Members raised the following issues and questions:

- Could the chicane on the Mill Road be kept on the list.
- Could the Carrigenagh Road be gritted as well as the primary school road network, in particular, the road to the Brackenagh West Primary School.
- Could a crash barrier be put in place at the S bend at Spelga.
- The Back Road, Annalong was in need of re-surfacing.
- The Leitrim Road, Kilkeel had subsided.
- The vegetation on the footpaths on the A2 and the main road was overgrown and needed to be cut back.

- Could Attical Primary School apply for flashing lights to calm traffic?
- Could Transport NI work with Council, land owners and through the DEAs to look into a District Cycling Strategy
- Gullies were blocked at the Ballyhafry Road, Bryansford.
- Were there any plans to re-surface the Castlewellan Road, Rathriland and the Cavan Road, Ballygapogue?
- School signs for rural schools were badly overgrown and vegetation should be cut back.

Transport NI Officials responded to The Mournes DEA questions, by saying the issues had been noted and officials would revert to Councillors through the DEA Fora Meetings with Transport NI Officials present.

Mr Richardson advised he would make a link between the Cycling Unit in the Department and Council regarding the Cycling Strategy. Mr Hannaway advised this initiative could be discussed at the Community Planning's Environmental and Spatial Development Working Group.

The Chairperson thanked the delegation for their attendance at the meeting.

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

For adoption at Meeting of Newry, Mourne and Down District Council to be held on Monday 7 November 2016.

Signed:

Chairperson

Chief Executive

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/SC/

**Minutes of Special Council Meeting held on Tuesday 25 October 2016 at
6.08pm in the Mourne Room, Downshire Civic Centre, Downpatrick**

In the Chair: Councillor G Fitzpatrick

In attendance: **(Councillors)**

Councillor T Andrews	Councillor W Clarke
Councillor G Craig	Councillor C Enright
Councillor G Hanna	Councillor H Harvey
Councillor T Hearty	Councillor D Hyland
Councillor M Larkin	Councillor K Loughran
Councillor B Quinn	Councillor M Ruane
Councillor B Walker	

(Officials)

Mr L Hannaway, Chief Executive
 Mrs M Ward, Director of Enterprise, Regeneration and
 Tourism
 Mr P Green, Head of Compliance
 Ms H Wilson, Countryside & Access Officer
 Mrs E McParland, Democratic Services Manager
 Mrs L Moore, Legal Advisor
 Miss S Taggart, Democratic Services Officer
 Mrs C Taylor, Democratic Services Officer

Also in attendance: Mr C Campbell, Legal Services, Belfast City Council

SC/51/2016

APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Brown, Burns, Byrne, Carr, Casey, Curran, Devlin, Doran, D McAteer, Macauley, Stokes and Trainor.

The Chairperson welcomed the Deputations representing Mr Canning and the Ringhaddy Area Residents to the meeting.

COUNCILLOR CLARKE ENTERED THE MEETING AT THIS STAGE – 6.09PM

SC/52/2016 **REPORT FROM COUNCIL'S LEGAL ADVISOR ON OPTIONS AVAILABLE TO COUNCIL IN RELATION TO PUBLIC RIGHT OF WAY OVER LANDS BETWEEN RINGHADDY ROAD AND QUARTERLAND ROAD, KILLINCHY, CO DOWN**

Agreed: On the proposal of Councillor Hearty, seconded by Councillor Andrews, it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of Paragraph 5 of Part 1 of Schedule 6 of the Local Government Act (NI) 2014 - information in relation to which a claim to legal professional privilege could be maintained in legal proceedings

Read: Report from Council's Legal Advisor on options available to Council in relation to Public Right of Way over lands between Ringhaddy Road and Quarter Road, Killinchy, Co Down (copy circulated at meeting)

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

SC/53/2016 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

SC/54/2016 **BACKGROUND REPORT FROM COUNCIL OFFICERS ON PUBLIC RIGHT OF WAY OVER LANDS BETWEEN RINGHADDY ROAD AND QUARTERLAND ROAD, KILLINCHY, CO DOWN**

Read: Background Report from Ms H Wilson, Countryside Access Officer, dated 25 October 2016 regarding Public Right of Way over lands between Ringhaddy Road and the Quarterland Road, Killinchy. (copy circulated)

Noted: **The report was noted.**

SC/55/2016 **PRESENTATION BY DEPUTATION REPRESENTING LANDOWNER**

The Chairperson invited the speakers for the deputation representing the Landowner, Mr F O'Donoghue and Mr P Bowles to make their presentation to the meeting.

Mr O'Donaghue presented the case for Mr and Mrs Canning, stating that they were disputing the assertion of a public right of way on their lands between Ringhaddy Road and Quarterland Road, Killinchy and outlining for Members, the Landowner's reasons for so disputing the decision of the Legacy Council. He also circulated correspondence to Members to substantiate the points outlined in his presentation.

SC/56/2016 PRESENTATION BY DEPUTATION REPRESENTING THE STEERING COMMITTEE FOR CONCERNED RINGHADDY AREA RESIDENTS

The Chairperson invited the speakers for the deputation representing the Steering Committee for the Concerned Ringhaddy Area Residents, Ms J Young and Mr C Payne to make their presentation to the meeting.

Ms Young and Mr Payne presented the case for the Steering Committee for the Concerned Ringhaddy Area Residents and highlighting historical evidence that they said substantiated the existence of a public right of way from 1833 on the lands under consideration, between Ringhaddy Road and Quarterland Road, Killinchy.

COUNCILLOR HYLAND LEFT THE MEETING AT THIS STAGE – 6.36PM

SC/57/2016 FOR DECISION – HAVING CONSIDERED THE ADDITIONAL EVIDENCE AND THE LEGAL REPORT AND HAVING HEARD THE DEPUTATIONS, TO DETERMINE IF THERE IS ANYTHING THAT WOULD LEAD COUNCIL TO CHANGE ITS DECISION TO ASSERT AS A PUBLIC RIGHT OF WAY

Agreed: **On the proposal of Councillor Hearty, seconded by Councillor Andrews, it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of Paragraph 5 of Part 1 of Schedule 6 of the Local Government Act (NI) 2014 - information in relation to which a claim to legal professional privilege could be maintained in legal proceedings**

Agreed: **On the proposal of Councillor Hanna, seconded by Councillor Clarke, it was agreed the Council come out of closed session.**

Councillor Larkin proposed that Council reconfirmed the decision of the legacy Council to assert the Public Right of Way, however, in light of the evidence that had been submitted by the landowner, the Council believed it would be prudent to seek a Declaration in the High Court as to the status of this pathway. This was seconded by Councillor Walker.

The Chairperson put the motion to a vote, the results of which are as follows:

FOR:	12
AGAINST:	0
ABSTENTIONS:	1

Agreed: It was agreed on the proposal of Councillor Larkin, seconded by Councillor Walker, on a vote of 12 for, 0 against and with 1 abstention, that Council reconfirmed the decision of the legacy Council to assert the Public Right of Way, however, in light of the evidence that had been submitted by the landowner, the Council believed it would be prudent to seek a Declaration in the High Court as to the status of this pathway.

There being no further business, the meeting concluded at 7.47pm.

For adoption at Meeting of Newry, Mourne and Down District Council to be held on Monday 7 November 2016.

Signed:

Chairperson

Chief Executive

NEWRY MOURNE AND DOWN DISTRICT COUNCIL

Minutes of the Enterprise, Regeneration & Tourism Committee Meeting held on Monday 10 October 2016 at 5.00pm in the Boardroom, District Council Offices, Monaghan Row, Newry

Chairperson: Councillor R Burgess

Vice Chairperson: Councillor D Curran

In Attendance: **(Committee Members)**

Councillor T Andrews

Councillor N Bailie

Councillor W Clarke

Councillor G Hanna

Councillor H Harvey

Councillor D McAteer

Councillor B Quinn

Councillor G Stokes

Councillor J Tinnelly

Officials in Attendance: Mr J McGilly Assistant Director ERT
Mr M Mohan Senior Tourism Initiatives Manager
Ms L Dillon Democratic Services Officer

Also in attendance: Mr J Clarke National Trust

ERT/146/2016: APOLOGIES AND CHAIRPERSON'S REMARKS

The following apology was received:

Ms M Ward Director Enterprise Regeneration & Tourism

On behalf of the Committee, Councillor Burgess extended best wishes to Ms Marie Ward Director of Enterprise Regeneration & Tourism who was absent from the meeting due to a family illness and he said their thoughts and prayers were with her at this time.

ERT/147/2016: DECLARATIONS OF INTEREST

No declarations of interest were received.

**ERT/148/2016: ACTION SHEET
MINUTES OF ENTERPRISE REGENERATION & TOURISM
COMMITTEE MEETING
MONDAY 12 SEPTEMBER 2016**

Read: Action Sheet arising out of the Minutes of the Enterprise, Regeneration & Tourism Committee Meeting held on Monday 12 September 2016.
(Copy circulated)

AGREED: On the proposal of Councillor Andrews seconded by Councillor Hanna it was agreed to note the Action Sheet arising out of the Minutes of the Enterprise, Regeneration & Tourism Committee Meeting held on Monday 12 September 2016.

PRESENTATIONS

**ERT/149/2016: PRESENTATION
RE: NATIONAL TRUST**

Mr Jonathan Clarke, General Manager National Trust gave a presentation to the Committee regarding the work of the National Trust which highlighted a number of National Trust places and properties located within the Newry Mourne & Down District.

Discussion then followed during which several Members commended the National Trust on the work it carried out. A number of issues were raised by Members to which Mr Clarke gave a response.

Issues raised by Members:

Was any provision being included in future planning for National Trust property for people wanting to take part in motor cycle and scrambling activities as activity breaks were becoming extremely popular?

Did the National Trust have any plans to purchase property to develop within the District?

Have the National Trust any plans for places such as Bloody Bridge, Kilkeel and Warrenpoint, Greencastle Castle?

Are the National Trust planning to collaborate with other agencies such as NI Water with regard to improving the visitor experience at Silent Valley?

Are there any plans for the National Trust to work with the voluntary and community sector regarding Castle Ward?

Would the National Trust consider becoming involved with provision of a Park & Ride facility to address traffic congestion in Downpatrick as there are a lot of heritage buildings in Downpatrick which attract visitors?

The community collective in Downpatrick are exploring options to purchase the old PSNI site to develop as a community run hotel to address the lack of accommodation in the area – Would the National Trust be willing to engage with the groups and work in conjunction with the Council on such a project?

Can National Trust address issues regarding the pitch size for tents at Castle Ward as these are smaller than what is provided at other locations, ie, review costs?

Would the National Trust consider supporting the Council if the Council were to lobby the Government for compensation for the Council areas most affected by Sellafield?

NIEA are keen to pursue a collaboration with Council and Transport NI regarding Narrow Water Keep – would National Trust consider becoming involved in such a collaboration?

What plans do the National Trust have regarding the development of Tourism?

Have the National Trust any plan for the provision of activities to enhance the visitor experience at Murlough Beach and address issues regarding coastal erosion?

Opportunity to highlight Christian heritage in the area, ie the story of St Donard.

Look at the possibility of the National Trust working in collaboration with the Council regarding charges at Forest Parks with the view to introducing a single pass for people to gain admission to forest parks and National Trust properties and provide a full package for the visitor.

National Trust to look at the importance of highlighting local industrial historic heritage

Have National Trust looked at the provision of a vernacular railway or gondola system at Slieve Donard?

Response from Mr J Clarke National Trust:

The National Trust did engage with a broad number of groups but motor cycling/scrambler enthusiasts were not specifically focused upon however the National Trust would take this point on board. The damage caused by scrambling activities did not fit with a nature reserve area.

The National Trust had no immediate plans to purchase additional property however it was working closely with the Department for Communities regarding Audley's Castle and Dundrum Castle.

The National Trust would like to engage with groups like NI Water and Forest NI with regard to the Silent Valley and other areas.

A stakeholder forum meeting was hosted at Castle Ward which involved representatives from community and voluntary sector.

National Trust plane to implement an online booking service for camping/caravan sites and this will continually be kept under review.

The National Trust are linking in with the Council regarding the Mourne Gateway and other initiatives and it appears there will be opportunities for marketing teams in both the Council and the National Trust to work together on these initiatives.

Conservation is a priority at Murlough Beach – boardwalks are provided to keep people off the dunes. There is opportunity to work with the Council to increase the visitor experience at this location, ie, hiring out water sport clothing and equipment.

National Trust are very conscious of coastal erosion and would be keen to work with the Council regarding a coastal erosion strategy.

Noted: Mr Clarke said he would look at a number of the issues raised by Councillors.

Councillor Burgess thanked Mr Clarke for addressing the Committee.

ENTERPRISE, EMPLOYMENT & REGENERATION

ERT/150/2016: IN-YEAR DEPARTMENTAL FUNDING RING OF GULLION AONB

Read: Report dated 10 October 2016 from Mr D Rice, Partnership Manager regarding an offer of additional in-year funding from NIEA for Ring of Gullion AONB.
(Copy circulated)

AGREED: **On the proposal of Councillor Tinnelly seconded by Councillor Andrews it was agreed to accept, sign and return the Letter of Offer for funding from NIEA to address objectives as outlined in Report dated 10 October 2016 from Mr D Rice Partnership Manager.**

AGREED: On the proposal of Councillor Bailie seconded by Councillor Curran it was agreed Council Officials raise issues regarding maintenance at Struell Wells with NIEA, and report back to the ERT Committee in due course.

Noted: Members highlighted the need to address issues regarding the disposal of leftover material from Transport NI and NI Water contracts along rural roads; removal of overgrowth around road signs; cleaning of green moss from road signs; maintenance of heritage sites across the District.

**ERT/151/2016: (A) INTERIM NORTHERN IRELAND BUSINESS START PROGRAMME (NIBSP)
(B) NORTHERN IRELAND BUSINESS START PROGRAMME (NIBSP) – NEW PROGRAMME 2017 – 2020**

Read: Report dated 10 October 2016 from Mrs M Ward, Director of Enterprise, Regeneration and Tourism regarding delivery of the interim programme for the specific business plan implementation under Northern Ireland Business Start Programme. **(Copy circulated)**

Read: Report dated 10 October 2106 from Mrs M Ward, Director of Enterprise, Regeneration and Tourism regarding a collaborative Council NI Business Start Programme application. **(Copy circulated)**

AGREED: On the proposal of Councillor Andrews seconded by Councillor Harvey it was agreed it was agreed to approve the recommendations contained in Reports dated 10 October 2016 from Mr M Patterson Enterprise Development Officer as follows:

(Interim) Northern Ireland Business Start Programme (NIBSP)
To appoint Newry & Mourne Enterprise Agency and Down Business Centre to deliver the Interim NI Business Start Up Programme (business plan element) for period October 2016 – March 2017 with a possible extension to cover any gap until the new NI Business Start Programme commences.

Northern Ireland Business Start Programme (NIBSP)
(New Programme 2017 – 2020)

The Council proceed with the collaborative Council NI Business Start Programme application on the basis of the preferred Option 1, received from Invest NI on 12 September 2016, subject to clarification on the following points:

- Sensitivity in first year

- **Duration of programme**
- **Daily financial rate for delivery**
- **Job creation targets and flexibility within the programme**

Noted: This is an 11 Council programme.
 Delivery of the Business Plan and Training will be implemented locally via the LEA (Local Enterprise Agency) network in the interim phase.
 The new Programme will be tendered in line with EU procurement rules.
 Lisburn & Castlereagh Borough Council's role is an administrative co-ordinating role for the procurement and final management on behalf of the 11 Councils.
 Updates on targets will be reported back to Council via the ERT Committee.

**ERT/152/2016: COLLABORATIVE AGREEMENT
LOCAL ENTERPRISE AGENCIES**

Read: Report dated 10 October 2016 from Mr J McGilly, Assistant Director of Enterprise, Regeneration and Tourism regarding a collaborative Agreement with Newry & Mourne Enterprise Agency and Down Business Centre.
(Copy circulated)

AGREED: **On the proposal of Councillor Stokes seconded by Councillor Andrews it was agreed as follows as per Report dated 10 October 2016 from Mr J McGilly Assistant Director of ERT:**

- (i) Newry Mourne & Down District Council enter into a Collaborative Agreement with Newry & Mourne Enterprise Agency (NMEA) and Down Business Centre (DBC) jointly when it is in Council's interest to engage both parties for the delivery of LED (Local Economic Development) function.**
- (ii) This should be agreed for a one year period and reviewed at the end before any further commitment is entered into.**
- (iii) Council agree the Collaborative Agreement details subject to final legal advice.**
- (iv) No specific value to be included in the Agreement but Council to establish value for money rates for key personnel to complete tasks and agree scope of work based on each individual arrangement.**

Noted: Any decisions regarding budgets will be brought back to the ERT Committee in the first instance.

**ERT/153/2016: SEMINAR:
REVITALISING SMALL TOWNS ACROSS THE ISLAND OF IRELAND**

Read: Report dated 10 October 2016 from Mr J McGilly, Assistant Director of Enterprise, Regeneration and Tourism regarding a seminar on Revitalising Small Towns Across the Island of Ireland on 27 October 2016 in Monaghan at no cost. **(Copy circulated)**

AGREED: On the proposal of Councillor Stokes seconded by Councillor Andrews it was agreed to appoint the following Councillors to attend the Seminar on Revitalising Small Towns Across the Island of Ireland on 27 October 2016 in Monaghan, at no cost:

**Councillor R Burgess (Chair of ERT)
Councillor T Andrews
Councillor D McAteer
Councillor W Clarke
Councillor H Harvey
Councillor D Curran
1 No. Officer**

Any other interested Councillor to inform Democratic Services if they wish to attend.

It was also agreed to notify the Chambers of Commerce of the above event.

ERT/154/2016: ECONOMIC RESEARCH & MODELLING PROGRAMME

Read: Report dated 10 October 2016 from Mr J McGilly, Assistant Director of Enterprise, Regeneration and Tourism regarding the development of an Economic Modelling tool that will give detailed analysis on the local economy. **(Copy circulated)**

AGREED: On the proposal of Councillor Harvey seconded by Councillor McAteer it was agreed the Council enter into an Economic Research and Modelling Agreement with University of Ulster at a cost of £10,000 for a one year period initially, with a review in advance of a decision to renew, as per Report dated 10 October 2016 from Mr J McGilly Assistant Director of ERT.

TOURISM, CULTURE & EVENTS ITEMS**ERT/155/2016: TENDER
ARTS CULTURE HERITAGE STRATEGY & ACTION PLAN**

Read: Report dated 10 October 2016 from Mr J McGilly, Assistant Director of Enterprise, Regeneration and Tourism regarding tendering for the development of an Integrated Culture, Arts & Heritage Strategy 2017 – 2021 and Action Plan 2017 – 2019. **(Copy circulated)**

AGREED: **On the proposal of Councillor Stokes seconded by Councillor Clarke it was agreed the Council tender for the Development of an Integrated Culture Arts & Heritage Strategy 2017–2021 and Action Plan 2017 - 2019 for Newry Mourne & Down District Council, as recommended in Report dated 10 October 2016 from Mr J McGilly Assistant Director ERT.**

Noted: The Tender will also clearly reflect those facilities which the Council hold a Service Level Agreement with.

ERT/156/2016: MOORING LICENCE – NEWCASTLE HARBOUR

Read: Report dated 10 October 2016 from Ms M McKeown, Assistant Tourism Development Officer regarding the allocation of Mooring at Newcastle Harbour for a 3 year period. **(Copy circulated)**

AGREED: **On the proposal of Councillor Clarke seconded by Councillor Andrews it was agreed as follows:**

- (a) Allocation of mooring at Newcastle Harbour will be done on a 3 yearly basis in future.**
- (b) A report to be submitted to the next Meeting of the ERT Committee meeting regarding the following:**
 - (i) Options on what process can be used to allocate mooring at Newcastle Harbour.**
 - (ii) Details of mooring charges for Newcastle Harbour.**
 - (iii) Provision of moorings, float and pontoon during summer months to facilitate disabled people as per request from Disability Sailing.**

ERT/157/2016: UPDATE: TOURISM STRATEGY DEVELOPMENT

Read: Report dated 4 October 2016 from Mrs M Boyle, Tourism Development Officer regarding an update on the Tourism Development Strategy.
(Copy circulated)

A number of Councillors referred to workshops they had attended and felt they were poorly run and were not well attended by representatives from the business sector. Other Members who had attended workshops felt they had been well attended although there was a general consensus that more collaboration was needed to energise businesses to become engaged with the Council on tourism development.

AGREED: The Council's Tourism Development Strategy will be completed on the following timeline:

Draft Tourism Development Strategy will be issued in November 2016 via the Tourism Task & Finish Group and any interested Councillors.

Following the inclusion of any necessary revisions, the Draft Tourism Development Strategy to be circulated to key industry bodies for consultation during November/December 2016.

Following Council approval, the final Tourism Development Strategy to be launched early 2017.

Noted: Mr A Patterson Tourism NI will be running a series of workshops to engage businesses on how to put together tourism packages.

ERT/158/2016: YOUTH GOLF COMPETITION

Read: Report dated 10 October 2016 from Tracey Mooney Assistant Tourism Development Officer, regarding a Youth Golf Competition in April 2017.
(Copy enclosed)

Several Members welcomed the forthcoming Youth Golf Competition and questioned if this competition would have the potential to develop into an international event. It was suggested the Council contact local golf clubs to find out if they have players who compete on the professional circuit and ask if these players could be involved in the PR for this event. It was also suggested to include a geographical spread of golf clubs across the District.

Noted: The Youth Golf Competition event will involve local golf clubs and although final costs have not yet been confirmed the Council will be seeking sponsorship for the event.

This will be the first year for this event and will be held over a number of days. The Council will endeavour to spread the event across golf courses in the District as much as possible.

Mr A Patterson Tourism NI will be working with the smaller golf courses regarding golf packages.

AGREED: **On the proposal of Councillor Bailie seconded by Councillor Andrews it was agreed to hold a Youth Golf Competition in April 2017 on the championship course at Royal County Down with a qualifier competition to be held at Ardglass Golf Club, as per Report dated 10 October 2016 from Ms T Mooney Assistant Tourism Development Officer.**

ERT/159/2016: UPDATE: TOURISM STAKEHOLDER WORKSHOPS STUDY VISIT – SCOTLAND

Read: Report dated 10 October 2016 from Mr A Patterson, Tourism NI Regional Manager regarding tourism development opportunities arising from the recent Council led study visit to Inverness, Loch Ness and Speyside. **(Copy circulated)**

Agreed: **On the proposal of Councillor Clarke seconded by Councillor Andrews it was agreed to note contents of Report dated 10 October 2016 from Mr A Patterson Tourism NI and to grant approval to hold a series of targeted workshops to be delivered to the local tourism industry in partnership with Tourism NI.**

ERT/160/2016: LEASE: SLIEVE GULLION FOREST PARK

Read: Report dated 10 October 2016 from Ms M Boyle, Tourism Development Officer regarding draft Lease for Slieve Gullion Forest Park. **(Copy enclosed)**

Agreed: **On the proposal of Councillor Bailie seconded by Councillor McAteer it was agreed to approve the lease of Slieve Gullion Forest Park from the Department of Agriculture and Rural Development to Newry, Mourne & Down District Council, for a 25 year period, subject to the following key issues being addressed, as per Report dated 10 October 2016 from Ms M Boyle Tourism Development Officer:**

- Lease term to be 25 years
- A nil yearly rental figure – Forest Service are to prepare a Business -

Case that determines this rental

- **Prior to signing of Lease, Forest Service are to confirm risk areas in the forest for management.**
- **Forest Service to provide most recent tree survey**
- **Forest Service to confirm Council obligations in relation to the management of woodland under Forest Service Act (NI) 2010.**

FOR NOTING

ERT/161/2016: BREAKFAST SEMINAR

Read: Report dated 10 October 2016 from Mrs M Quinn, Project Development Manager regarding a Breakfast Seminar in Downpatrick on 18 October 2016. **(Copy circulated)**

AGREED: **It was agreed to note a Breakfast Business Event will be held on Tuesday 18 October 2016 in the Down Arts Centre Downpatrick, with a similar event to be held in Kilkeel at a later date, as part of ongoing capacity work with local Chambers across the District.**

ERT/162/2016: THE 2ND ALL IRELAND PINE MARTIN SYMPOSIUM

Read: Report dated 10 October 2016 from Ms T Hamill, Ring of Gullion AONB Officer regarding the 2nd All Ireland Pine Martin Symposium on 14/15 October 2016. **(Copy circulated)**

AGREED: **It was agreed to note Report dated 10 October 2016 from Ms T Hamill Ring of Gullion AONB Officer regarding the 2nd All Ireland Pine Martin Symposium on 14/15 October 2016.**

ITEMS TAKEN IN CLOSED SESSION

**ERT/163/2016: SERVICE LEVEL AGREEMENT
KILKEEL DEVELOPMENT ASSOCIATION**

Agreed: **On the proposal of Councillor McAteer seconded by Councillor Curran it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of Paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – information relating to**

the financial or business affairs of any particular person (including the Council holding that information).

Read: Report dated 6 October 2016 from Mrs M Boyle, Tourism Development Officer regarding a Service Level Agreement with Kilkeel Development Association for the period of 2016/2017. **(Copy circulated)**

Agreed: **On the proposal of Councillor McAteer seconded by Councillor Hanna it was agreed the Committee come out of closed session.**

Agreed: **When the Committee come out of closed session the Chairperson reported it was agreed on the proposal of Councillor Hanna seconded by Councillor Harvey it was agreed to approve the Service Level Agreement with Kilkeel Development Association, as per Report dated 6 October 2016 from Ms M Boyle Tourism Development Officer.**

The Meeting concluded at 5.20pm.

For consideration at the Council Meeting to be held on Monday 7 November 2016.

Signed: **Councillor R Burgess**
Chairperson

Signed: **Ms M Ward**
Director of Enterprise Regeneration & Tourism

NEWRY MOURNE AND DOWN DISTRICT COUNCIL

**Minutes of Strategy Policy & Resources Committee Meeting held on Thursday
13 October 2016 at 5.00pm in the Mourne Room, Downshire Civic Centre,
Downpatrick.**

In the Chair:	Councillor P Brown	
In Attendance:	Councillor T Andrews	Councillor R Burgess
	Councillor P Byrne	Councillor M Carr
	Councillor C Enright	Councillor M Murnin
	Councillor B Ó'Múiri	Councillor B Quinn
	Councillor M Ruane	Councillor G Sharvin
	Councillor W Walker	
Officials in Attendance:	Mr E Curtis, Director of Strategic Policy and Performance	
	Mrs D Carville, Director of Corporate Services	
	Mr J McBride, Assistant Director, Transformation, Innovation & Performance	
	Ms H McKee, Assistant Director Community Planning	
	Mrs R Mackin, Assistant Director, Corporate Planning and Policy	
	Mr K Montgomery, Assistant Director, Corporate Services (Finance)	
	Mrs S Burns, Programme Manager	
	Mr C Moffett, Equality Officer	
	Mr E McManus, Capital Projects	
	Mrs E McParland, Democratic Services Manager	
	Mrs C Taylor, Democratic Services Officer	

SPR/212/2016 APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Bailie, W Clarke, Craig, Doran and Mr L Hannaway, Chief Executive.

Councillor Carr extended sympathies to the family of Cos Barnes, a well-known writer in Southern Pines, North Carolina and asked that a wreath be sent on behalf of the Sister Cities Committee and the Chairperson of Council.

Councillor Carr asked that a letter of congratulations be sent from the Sister Cities Committee and the Chairperson of Council to Carol Heaney, the wife of Mike Heaney, former Mayor of Southern Pines, who had recently been co-opted onto the Southern Pines Council.

Councillor Andrews extended congratulations to all involved in the Local Democracy Week event.

SPR/213/2016 DECLARATIONS OF INTEREST

Councillor Byrne declared an interest in SPR/237/2016 – Carnbane League.

SPR/214/2016:- ACTION SHEET OF THE STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 15 SEPTEMBER 2016

Read: Action Sheet of the Strategy, Policy and Resources (SPR) Committee Meeting held on 15 September 2016 (circulated).

SPR/200/2016 – Report on Brexit

In response to questions from Councillor Andrews regarding the progress of Brexit, Councillor Brown advised that a report was being written about the recent meetings held in Brussels by the Council delegation.

Mr Curtis said that Terms of Reference, in association with the Strategic Programmes Unit in Council and East Border Region, had been drawn up and circulated to all CEO's on both sides of the border and the majority of Councils had signed up. This had now been put out to tender and would be reported on in the next few months. This would provide a report on the scenarios of Brexit relating to Council. He further advised the proposal for a conference on Brexit had been agreed.

SPR/192/2016 – Former Kindle Primary School – Business Case

In response to a query from Councillor Sharvin, Mr Curtis advised Council had agreed to purchase the site subject to a full business case and economic appraisal.

SPR/207/2016 & SPR/208/2016 – Ballynahinch Community Centre Department of Education Youth Capital Fund: Ballynahinch Community Hub

Mr Curtis advised Members that an application for a grant in the region of £1m had been applied for, progress on which would be reported back as soon as there was any feedback.

Agreed: **The Action Sheet of the Strategy, Policy and Resources Committee held on 15 September 2016, was agreed.**

SPR/215/2016:- REPORT OF NARROW WATER BRIDGE STAKEHOLDER GROUP MEETING HELD ON 3 OCTOBER 2016

Mr Curtis advised as the Report of the Narrow Water Bridge Stakeholder Group meeting held on 3 October 2016 was not available, it would be deferred to the November Strategy, Policy and Resources Committee.

COMMUNITY PLANNING AND WELL-BEING

SPR/216/2016 REPORT FROM COMMUNITY PLANNING PROJECT BOARD MEETING – 15 SEPTEMBER 2016

Read: Report from Community Planning Project Board Meeting – 15 September 2016 (copy circulated).

Agreed: It was agreed to note the report from the Community Planning Project Board Meeting held on 15 September 2016.

SPR/217/2016 STRATEGIC ENVIRONMENTAL SCREENING AND DETERMINATION FROM NIEA

Read: Report from Mrs H McKee, Assistant Director Community Planning, dated 13 October 2016, regarding the Strategic Environmental Assessment Screening Report and Determination from NIEA. (copy circulated).

Agreed: It was agreed to note the Screening Report and the Determination from NIEA.

EQUALITY AND POLICY

SPR/218/2016:- TERMS OF REFERENCE FOR THE IRISH LANGUAGE STRATEGY CROSS PARTY WORKIN GROUP

Read: Report from Mrs R Mackin, Assistant Director of Corporate Planning and Policy, dated 13 October 2016, regarding Terms of Reference: Irish Language Strategy Cross Party Working Group (copy circulated).

Agreed: It was agreed on the proposal of Councillor Andrews, seconded by Councillor Enright, to approve the Terms of Reference for the Irish Language Strategy Cross Party Working Group.

Councillor Walker stated that his Party would not be involved in the Strategy, saying the time was not right.

SPR/219/2016 SECTION 75 POLICY SCREENING REPORT – QUARTERLY REPORT JULY – SEPTEMBER 2016

Read: Report from Mr C Moffett, Equality Officer, dated 13 October 2016, regarding the Section 75 Policy Screening Report – Quarterly Report for period July – September 2016.

Agreed: **It was agreed to note the Section 75 Policy Screening Report – Quarterly Report July – September 2016.**

SPR/220/2016 **CONSULTATION: EDUCATION AUTHORITY DRAFT DEVELOPMENT PROPOSAL 478 – KILLYLEAGH INTEGRATED PRIMARY SCHOOL**

Read: Report from Mr C Moffett, Equality Officer, dated 13 October 2016, regarding the Consultation: Education Authority Draft Development proposal 478 – Killyleagh Integrated Primary School (copy circulated).

Councillor Walker suggested sending a letter to the Education Authority advising that Council supported their aspirations of Killyleagh Integrated Primary School having a nursery with integrated status. This was seconded by Councillor Burgess.

Councillor Ruane said consultation should be responded to on an individual Party basis.

Agreed: **It was agreed on the proposal of Councillor Walker, seconded by Councillor Burgess, that a letter of support be sent to the Education Authority regarding the nursery unit at Killyleagh Integrated Primary School.**

CORPORATE SERVICES – FINANCE

SPR/221/2016 **MANAGEMENT ACCOUNTS TO 31 AUGUST 2016**

Read: Report from Mrs D Carville, Director of Corporate Services, dated 13 October 2016, regarding Management Accounts to 31 August 2016 (copy circulated).

Mrs Carville advised that the accounts were showing an adverse variance of £239k, but the figures had not yet been reviewed by the Senior Management Team and further scrutiny and an action plan would be undertaken to mitigate the risk of a year deficit position.

Councillor Shavin said some departments had underspent and some dramatically overspent and if all departments spent what was budgeted for and the overspend was included, the overspend figure would be higher. He said the figures did not show why there was an over-spend, which was unacceptable.

In response, Mrs Carville explained there had been issues with the amalgamation of Council's coding structures which were not aligned yet, but

there was an exercise underway to ensure all coding was attributable to the correct department. She added that staffing costs had been overspent but the Senior Management Team would be scrutinising this issue and putting in place an action plan.

In response to Councillor Sharvin's query regarding redundancy, Mr Montgomery explained redundancy costs were funded through Minimum Revenue Provision (MRP) and were not allocated to cost centres.

Councillor Enright welcomed the fact that management accounts were brought to the Committee and requested further explanatory information be provided in the future.

In response to Members' concerns, Mr Curtis advised Members that a report would be brought back to the next SPR Committee meeting with a full explanation.

Agreed: It was agreed to note the Management Accounts to 31 August 2016.

Councillor Ó'Múiri joined the meeting – 5:36pm.

CORPORATE SERVICES – DEMOCRATIC SERVICES

SPR/220/2016 REPORT OF PROPOSED ARRANGEMENTS FOR COUNCIL'S ANNUAL MEETINGS 2017 - 2018

Read: Report from Mr L Hannaway, Chief Executive, dated 13 October 2016, regarding the dates for Annual Meetings of Council (copy circulated).

Agreed: It was agreed on the proposal of Councillor Ruane, seconded by Councillor Walker, to approve the following dates:

Annual Meetings to be held on the following dates:

- Thursday 1 June 2017
- Thursday 31 May 2018

Mock Annual Meetings to be held prior to the Annual Meetings – dates being:

- Thursday 25 May 2017
- Thursday 24 May 2018

SPR/221/2016 REPORT ON FORMER CHAIRPERSON'S PORTRAITS

Read: Report from Mrs A Robb, Assistant Director Corporate Services (Administration), dated 13 October 2016, regarding the disposal of legacy Down District Council's Chairman's Portraits.

In response to a query from Councillor Burgess regarding the old Down and Down Rural Councillors portraits, Mrs Carville undertook to investigate where these were situated and revert to Councillor Burgess.

Agreed: It was agreed on the proposal of Councillor Ruane, seconded by Councillor Walker, that the former Chairperson's portraits be disposed of as follows:

- If the subjects of the original portraits are still alive, the portraits should be offered to them at nil consideration. If an individual does not respond or does not wish to accept his/her portrait the Council will hold it for a period of 3 months and then arrange for appropriate disposal.
- If the subject of a portrait is deceased the original portrait should be offered to his/her personal representatives in line with the distribution of estates priority list as set out in the Administration of Estates Act (NI) 1955 at nil consideration.
- If there is more than one eligible person in an entitled group eg. if the deceased has no surviving married or civil partner and there are children and more than one child wishes to obtain the original portrait then the matter will be resolved by the drawing of lots.
- Either the original portrait subject or any person claiming a portrait on his/her behalf will be responsible for collection of the portrait from Down County Museum and its care and maintenance thereafter, and will accept the portrait as seen i.e. in its existing condition.
- If there was no interested party in obtaining a portrait the Council will hold same for a period of 3 months and then arrange for appropriate disposal.
- The above process will be facilitated by Down County Museum.

SPR/222/2016 **REQUEST FROM UNITED NATIONS ASSOCIATION NI FOR COUNCIL TO RECEIVE A COPY OF THE UNITED NATIONS CHARTER**

Read: Report from Mr L Hannaway, Chief Executive, dated 13 October 2016, regarding the United Nations Charter (copy circulated).

Agreed: It was agreed on the proposal of Councillor Andrews, seconded by Councillor Walker, to:

- Agree in principle to receive the Charter, subject to agreement by Committee and Council.

- **Agree that a presentation event be organised for both Downpatrick and Newry, with local schools/s being invited by the United Nations Association NI, in line with their original letter to Council dated 22 July 2016.**

SPR/223/2016**REQUEST FROM THE NI HUMAN RIGHTS COMMISSION**

Read: Report from Mr L Hannaway, Chief Executive, dated 13 October 2016, regarding the NI Human Rights Commission (copy circulated).

Agreed: **It was agreed on the proposal of Councillor Sharvin, seconded by Councillor Andrews, that the NI Human Rights Commission be invited to make a presentation to Special Council Meeting on 23 January 2017 and offered use of Council facilities to enable them to organise sessions for external organisations and the public.**

SPR/224/2016**REPORT ON STREAMING/VIDEO CONFERENCING**

Read: Report from Mr K Scullion, Assistant Director, Facility Management & Maintenance, dated 13 October 2016, regarding video conferencing facility between Council Chambers for Full Council Meetings and Streaming of Full Council Meetings (copy circulated).

Mr Scullion advised he had investigated the ability to hold Council meetings using video conferencing technology with attendees at Newry and Downpatrick Council chambers and the ability to record Council meetings at the council chamber in Downpatrick and make these available to the public.

Members asked the following questions:

- Were the proposals included in the IT Strategy?
- Were the costs included in the IT Strategy?
- Was there a business case to justify the cost?
- Did officers check the viewing figures of live streaming of Belfast City Council's Council meetings?

Questions from Members were answered as follows:

- A business case had not been carried out on either of the proposals.
- A project had been included in the IT Strategy around enabling optimum working between sites, which had not yet been scoped in detail but could be included in a future business case as part of the IT Strategy.

Councillors Andrews and Carr gave their support in principle to the proposals. Councillor Quinn queried the proposal for video conferencing due to bad weather, saying it would not be possible for Mourne and South Armagh Councillors to travel to Newry or Downpatrick at all in bad weather.

Councillor Sharvin said he would be reluctant to move forward with the proposals until a business case had been carried out.

Agreed: **It was agreed on the proposal of Councillor Shavin, seconded by Councillor Andrews, that the IT Strategy takes into consideration the contents of the report and that the proposals be carried through as part of the IT Strategy.**

SPR/225/2016 **ELECTED MEMBER TO UNDERTAKE ACCREDITED TRAINING**

Read: Report from Mrs C Miskelly, Assistant Director Corporate Services (Human Resources), dated 13 October 2016, regarding Elected Member Application to undertake Accredited Training (copy circulated).

Councillor Sharvin noted that the application form attached did not fully answer the questions required regarding the objectives of the course.

In response Mr Curtis advised Council officials could assist with the application process for any Member wishing to undertake training.

Agreed: **It was agreed on the proposal of Councillor Andrews, seconded by Councillor Enright, that the application from a Councillor to undertake accredited training as detailed in the report, be approved.**

SPR/226/2016 **CORPORATE SERVICES AND SPP BUSINESS PLANS**

Read: Corporate Services Directorate Business Plan 2016-17
SPP Directorate Business Plan 2016-17.

Corporate Services Business Plan 2016-17

In response to queries from Councillor Enright, Mr Curtis advised that a report would be brought back to a future Committee meeting regarding the disposal of Council's assets. He said a complete review of all land in Council's ownership had recently been undertaken which had included legacy areas and which would identify surplus to requirement land. He further advised that a report would be brought to the November Committee meeting regarding energy efficiency at the community centres.

Agreed: It was agreed on the proposal of Councillor Enright, seconded by Councillor Ruane, that approval be given to the Corporate Services Business Plan 2016-2017.

Strategic Planning & Performance Business Plan 2016-17

Mr Curtis outlined the SPP Business Plan 2016-2017, highlighting the Strategic Programmes Unit, which had been successful in drawing down funding, applications had been made through SIF for 3g football pitches, the new Down Leisure Centre and Newry Leisure Centres had commenced and were moving forward and the Saintfield Community Centre project was out for full appraisal, a report on which would be brought to the December Committee meeting.

Agreed: It was agreed on the proposal of Councillor Andrews, seconded by Councillor Burgess, that approval be given to the Strategic Planning & Performance Business Plan 2016-2017.

ESTATE

SPR/227/2016 CORRESPONDENCE RECEIVED FROM THE DEPARTMENT FOR COMMUNITIES RE ROCK POOL, NEWCASTLE

Read: Correspondence from the Department for Communities dated 16 September 2016, regarding the Notice of Listing of Buildings of Special Architectural of Historic Interest – Rock Pool, Newcastle.

Agreed: It was agreed to note the correspondence from the Department for Communities dated 16 September 2016, regarding the Notice of Listing of Buildings of Special Architectural of Historic Interest – Rock Pool, Newcastle.

SPR/228/2016 CORRESPONDENCE RECEIVED FROM LAND & PROPERTY SERVICES RE DISPOSAL OF LAND AT SUGAR ISLAND, NEWRY

Read: Correspondence from Land & Property Services dated 21 September 2016, giving details of the disposal of land at Sugar Island, Newry.

Agreed: It was agreed to note the correspondence from Land & Property Services re the disposal of land at Sugar Island, Newry.

SPR/229/2016 DISPOSAL OF LAND AT CARNBANE, NEWRY

Read: Correspondence from Land & Property Services dated 22 September 2016, giving details of the disposal of land at Carnbane Road, Newry.

Agreed: It was agreed to note the correspondence from Land & Property Services re the disposal of land at Carnbane Road, Newry.

FOR CONSIDERATION AND/OR DECISION

SPR/230/2016 **LETTER FROM MAYOR OF KIROVSK RE CITY 85TH ANNIVERSARY**

Read: Letter from the Mayor of Kirovsk dated 20 September 2016 regarding the 85th Anniversary of Kirovsk city and inviting Council to participate in the celebration from 28 to 30 October 2016.

Agreed: It was agreed on the proposal of Councillor Burgess, seconded by Councillor Ó'Múiri, that Council accepts the invitation to attend the 85th Anniversary of Kirovsk city with a delegation comprising 2 Elected Members and 1 Council official.

SPR/231/2016 **SCHEME OF DELEGATION**

Read: Report from Mr E Curtis, Director of Strategic Planning and Performance, dated 13 October 2016, regarding Scheme of Delegation (copy circulated).

Agreed: It was agreed on the proposal of Councillor Burgess, seconded by Councillor Byrne, the Schedule of Decision and Authorisations delegated to the Director of Strategic Planning and Performance for the period April 2016 to October 2016.

GRANT AIDED PROGRAMMES

SPR/232/2016 **THE AGE FACTOR PROJECT**

Read: Report from Mr E Curtis, Director of Strategic Planning and Performance, dated 13 October 2016, regarding the Age Factor Project (copy circulated).

It was highlighted that there was no cost to Council for their participation in this project.

Agreed: It was agreed on the proposal of Councillor Quinn, seconded by Councillor Enright, that the relevant Council officers attend the project kick-off meeting and subsequent meetings/events as required.

SPR/233/2016 **THE PEACE IV SUBMISSION**

Read: Report from Mrs S Burns, Programmes Manager, dated 13 October 2016, regarding the Peace IV Submission (copy circulated).

Agreed: It was agreed on the proposal of Councillor Burgess, seconded by Councillor Enright to note the submission of the Peace IV plan.

ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE LOCAL GOVERNMENT ACT (NI) 2015

SPR/234/2016 RIGHT OF WAY PROPOSAL AT BALLYEDMOND, KILLOWEN, ROSTREVOR

Agreed: On the proposal of Councillor Burgess, seconded by Councillor Enright, it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of Paragraph 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information in relation to which a claim to legal professional privilege could be maintained in legal proceedings.

Read: Report from Mr E Curtis, Director of Strategic Planning and Performance, dated 13 October 2016, regarding proposals for Killowen Coastal Path around the Big Moat, Ballyedmond (copy circulated).

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

Agreed: When the Committee came out of closed session, the Chairperson advised that it had been agreed on the proposal of Councillor Murnin, seconded by Councillor Brown to accept the officer's recommendations as follows:

- Approval of the details of the proposed Killowen Coastal Path around the Big Moat at Ballyedmond as per the presentation at the meeting, ie. the design drawings and technical specification.
- A joint application for Planning Permission will be submitted by the Ballyedmond Estate and the Council for the creation of the proposed Coastal Path as per the approved details.

SPR/235/2016: REPORT OF EFFICIENCIES WORKING GROUP

Agreed: On the proposal of Councillor Burgess, seconded by Councillor Enright, it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of Paragraph 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

Read: Report of Efficiencies Working Group held on 26 September 2016 (copy circulated).

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

Agreed: When the Committee came out of closed session, the Chairperson advised that it had been agreed on the proposal of Councillor Ruane, seconded by Councillor Burgess to accept the report of the Efficiencies Working Group held on 26 September 2016.

Councillor Brown departed from the meeting – 6:50pm and Councillor Enright assumed the Chair.

SPR/236/2016 **FUTURE USE OF THE FORMER WARRENPOINT BOAT HOUSE, MARINE PARADE, WARRENPOINT**

Agreed: On the proposal of Councillor Burgess, seconded by Councillor Enright, it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of Paragraph 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

Read: Report from Mr E Curtis, Director of Strategic Planning and Performance, dated 13 October 2016, regarding the future use of the former Warrenpoint Boat House, Marine Parade, Warrenpoint (copy circulated).

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

Agreed: When the Committee came out of closed session, the Chairperson advised that it had been agreed on the proposal of Councillor Ruane, seconded by Councillor Carr to agree the following:

- Subject to an agreement between the Lessor and the Council's Valuer on an annual rent, the Council continue to lease the building.
- If the rent is agreed, to then sub-lease with permission of the owner, to the Currach Club (the only organisation which responded to Expression of Interest)

Councillor Byrne declared an interest in the following item, being a member of the Carnbane League.

SPR/237/2016 ADDITIONAL ITEM – CARNBANE LEAGUE

Agreed: On the proposal of Councillor Burgess, seconded by Councillor Enright, it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of Paragraph 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information in relation to which a claim to legal professional privilege could be maintained in

Mr Curtis provided Members with a verbal report on the lease of land at Carnbane Road to the Carnbane League.

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

Agreed: When the Committee came out of closed session, the Chairperson advised that it had been agreed on the proposal of Councillor Ó'Múiri, seconded by Councillor Carr that Council offers the lease of the land at Carnbane Road to the Carnbane League in the first instance.

The meeting concluded at 7:00pm.

For consideration at the Council Meeting to be held on 7 November 2016.

Signed: **Councillor Patrick Brown**
Chairperson

Signed: **Eddy Curtis**

Director of Strategic Policy and Performance

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

Ref: AHC/2016

**Minutes of Active and Healthy Communities Committee Meeting held on
Monday 17 September 2016 at 6.00pm in the Mourne Room,
Downshire Civic Centre, Downpatrick**

Chairperson: Councillor M Carr**In attendance:****(Councillors)**

Councillor P Brown	Councillor S Burns
Councillor P Byrne	Councillor V Harte
Councillor L Kimmins	Councillor K Loughran
Councillor B Ó'Muiri	Councillor D Taylor
Councillor J Trainor	Councillor W Walker

Non-Committee Members:

Councillor T Andrews Councillor R Burgess

Officials in attendance:

Mr L Hannaway, Chief Executive
 Mr M Lipsett, Director of Active and Healthy Communities
 Mr E Devlin, Assistant Director of Active and Healthy Communities (Health and Wellbeing)
 Mr R Moore, Assistant Director of Active and Healthy Communities (Leisure and Sport)
 Ms J Hillen, Assistant Director of Community Engagement
 Mr D Brannigan, Head of Service for Community Engagement
 Ms J McCann, Head of Service for Community Services
 Ms S Burns, Programmes Manager
 Mrs M Rodgers, p/t PA to Director
 Mrs C Toman, p/t PA to Director
 Miss S Taggart, Democratic Services Officer

Also in attendance:

Mr N McCrickard, County Down Rural Community Network
 Ms B Jennings, County Down Rural Community Network
 Ms C Shiels, County Down Rural Community Network

AHC/128/2016: APOLOGIES AND CHAIRPERSON'S REMARKS

Councillor Harvey was in attendance at the beginning of the meeting, however had to leave due to another engagement.

- The Chairperson congratulated Mr Damien Brannigan on his appointment as Head of Service for Community Engagement and Ms Julie McCann on her appointment as Head of Service for Community Services.
- The Chairperson advised a letter had been received from Newry City AFC inviting Council to sit on the Project Steering Group for the development of their showgrounds.

Mr Lipsett advised that the Council were still finalising the Sports Facilities Strategy and should not be seen to favour certain clubs over others. He stated officers could meet with the Football Club to discuss their needs and bring a report back to the Committee in due course.

AHC/129/2016: DECLARATIONS OF INTEREST

There were no declarations of interest.

AHC/130/2016: ACTION SHEET OF THE ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 19 SEPTEMBER 2016

Read: Action Sheet of the Active & Healthy Communities Committee Meeting held on Monday 19 September 2016. **(Copy circulated)**

Agreed: **It was agreed to note Action Sheet arising from the Active & Healthy Communities Committee Meeting held on Monday 19 September 2016.**

AHC/131/2016 PRESENTATION – COUNTY DOWN RURAL COMMUNITY NETWORK – COMMUNITY CENTRE EFFECTIVENESS REVIEW

The Chairperson welcomed Mr Nicholas McCrickard from County Down Rural Community Network (CDRCN) and invited him to make his presentation to the Committee.

Mr McCrickard thanked the Chairperson and stated that CDRCN working across the Council area and had been tasked with undertaking a review of community centres across the whole District. He advised there were 16 community halls all within the

Newry and Mourne legacy Council area that are directly or indirectly supported by Council.

Mr McCrickard reported the findings of the review undertaken and a copy of these are appended to these minutes. (copy enclosed)

The Chairperson thanked Mr McCrickard for his presentation and invited questions from the Members.

Members asked the following questions:

- Where there any discussions with community groups about taking on energy schemes?
- Solar panels were delivered to a community centre, however, no one knew where they had come from.

Mr McCrickard responded to the queries as follows:

- Some groups had panels delivered and installed however they were unsure whether it would be of any benefit to the group. Other groups stated they would welcome energy saving schemes to be installed.
- One centre had solar panels delivered however the community group had concerns whether it would benefit the group or the Council.

Mr Lipsett advised that the plan would be to make the buildings as sustainable as possible and it was not the Council's intention to continue to fund groups in energy savings schemes.

COMMUNITY ENGAGEMENT

AHC/132/2016 COMMUNITY CENTRE EFFECTIVENESS REVIEW – STAGE 1 UPDATE

Read: Report from Mrs J Hillen, Assistant Director of Active and Healthy Communities, Community Engagement, dated 17 October 2016 regarding Community Centre Review (Copy circulated).

Agreed: **It was agreed on the proposal of Councillor Ó'Muíri, seconded by Councillor Burns, that the officer's recommendation to approve to accept the findings of Stage 1 of the Community Centre Review and proceed with implementation of Stage 2.**

AHC/133/2016 DEA UPDATE

Read: Report from Mrs J Hillen, Assistant Director of Active and Healthy Communities, Community Engagement, dated 17 October 2016 regarding Dea Update (Copy circulated).

Agreed: **The report regarding the DEA Update was noted and it was agreed that the actions outlined in the action sheets from Slieve Gullion, Rowallane and Crotlieve DEA Forum Meetings in August and September 2016.**

AHC/134/2016 REPORT ON ADDITIONAL FUNDING FROM DEPARTMENT FOR COMMUNITIES (DfC) FOR WELFARE REFORM READINESS PROGRAMME AND WELFARE REFORM TRAINING PROGRAMME

Read: Report from Mrs J Hillen, Assistant Director, Community Engagement, dated 17 October 2016 regarding Additional Funding from Department for Communities (DfC) for Welfare Reform Readiness Programme and Welfare Reform Training Programme (Copy circulated).

Mrs Hillen advised Council had received a Letter of Variance to its original Letter of Offer of funding for the Council's Community Support Programme for 1 April 2016-31 March 2017. She stated the funding had been ring-fenced for the delivery of the specific objectives outlined and should be issued to advice organisations currently funded in each Council area to provide advice services to the public.

Mrs Hillen stated that as the Council is the primary funder of Citizens Advice Newry, Mourne and Down, this funding should be awarded to that organisation.

Agreed: **It was agreed on the proposal of Councillor Ó'Muiri, seconded by Councillor Burns, that the officer's recommendation to approve the awarding of the additional DfC funding to Citizens Advice Newry, Mourne and Down.**

AHC/135/2016 CONSULTATION LAUNCHED ON STRATEGIC SUPPORT TO THE VOLUNTARY AND COMMUNITY SECTOR

Read: Report from Mrs J Hillen, Assistant Director, Community Engagement, dated 17 October 2016 regarding consultation launched on strategic support to the Voluntary and Community Sector (Copy circulated).

Agreed: **It was agreed that approval on the proposal of Councillor Ó'Muiri, seconded by Councillor Trainor to approve the draft response to the consultation on strategic support to the Voluntary and Community Sector.**

AHC/136/2016 NEIGHBOURHOOD RENEWAL REVENUE PROGRAMME

Read: Report from Mrs J Hillen, Assistant Director, Community Engagement dated 17 October 2016 regarding Neighbourhood Renewal Revenue Programme (Newry) (Copy circulated).

Agreed: **It was agreed on the proposal of Councillor Harte, seconded by Councillor Kimmins to approve to proceed with an application to Department for Communities for funding under the Neighbourhood Renewal Programme and subject to securing necessary funding from Department for Communities, Neighbourhood Renewal Programme providing project management throughout.**

AHC/137/2016 PCSP UPDATE

Read: Report from Mrs J Hillen, Assistant Director, Community Engagement, dated 17 October 2016 regarding Policing and Community Safety Partnership (Copy circulated).

Agreed: **It was agreed on the proposal of Councillor Taylor, seconded by Councillor Burns to note the update on the ongoing work of PCSP.**

LEISURE AND SPORTS**AHC/138/2016 PLAY STRATEGY UPDATE**

Read: Report from Mr R Moore, Assistant Director, Leisure & Sport, dated 17 October 2016 regarding the Play Strategy Update (Copy circulated).

Mr R Moore advised Members that the Consultation Plan for the Play Strategy had been developed and detailed the conduits and events that would be used to ensure the Public's views are heard on the Strategy.

Agreed: **It was agreed on the proposal of Councillor Kimmins, seconded by Councillor Brown to note the update on the Play Strategy.**

AHC/139/2016 SPORTS FACILITY STRATEGY UPDATE

Read: Report from Mr R Moore, Assistant Director, Leisure & Sport, dated 17 October 2016 regarding the Sports Facility Strategy Update (Copy circulated).

Mr R Moore advised Members that the Sports Facility Strategy Consultation Plan had been developed and detailed the conduits and events that would be used to ensure the Public's views are heard in the final round of consultation. He stated the final consultation would be undertaken using 3 workshops covering the 7 DEAs across the District.

Agreed: It was agreed on the proposal of Councillor Taylor, seconded by Councillor Trainor to note the update on the Sports Facility Strategy.

AHC/140/2016 IFA BID FOR UEFA YOUTH TOURNAMENT

Read: Report from Mr R Moore, Assistant Director, Leisure & Sport, dated 17 October 2016 regarding the Irish Football Association's bid for UEFA Youth Tournament (Copy circulated).

Mr R Moore advised Members the Irish Football Association are bidding to host either a boys Under 17 with 16 teams, or a boys Under 19 with 8 teams UEFA Youth Finals in May 2019 or May 2020.

Agreed: It was agreed on the proposal of Councillor Taylor, seconded by Councillor Trainor to offer a letter of support to the Irish Football Association's bid for UEFA Youth Tournament, but also highlight the benefits that our Council area can offer to their bid.

AHC/141/2016 MACMILLAN CANCER SUPPORT PROJECT

Read: Report from Mr R Moore, Assistant Director, Leisure & Sport, dated 17 October 2016 regarding the Macmillan Cancer Support Project (Copy circulated).

Mr R Moore advised that Macmillan Cancer Support have developed 'Move More Northern Ireland', a physical activity service designed to provide people affected by cancer with the opportunities, support and motivation they may require to initiate and sustain an active lifestyle.

Agreed: It was agreed on the proposal of Councillor Ó'Muiri, seconded by Councillor Kimmins to agree, in principle, to a partnership programme with Macmillan Cancer Support for Newry, Mourne and Down and officers should develop this further reporting back to Committee once the details of the project are known.

HEALTH AND WELL-BEING**AHC/142/2016 CARAVAN SITE, FORKHILL ROAD, NEWRY**

Read: Report from Mr E Devlin, Assistant Director, Health & Well-being, dated 17 October 2016 regarding Caravan site at Forkhill Road, Newry (Copy circulated).

Mr Devlin advised Members that there had been a number of complaints received alleging that the residents of the above mentioned caravan site were using the toilet facilities at a nearby sporting facility and subsequent concerns that there were not adequate waste disposal facilities at the caravan site.

Mr Devlin outlined the next steps in this process namely:

- AHC Department would write to the owner advising him that he is required to have a caravan site license for the above mentioned lands.
- AHC Department continue to liaise with the NIHE on approaching the land owner to sell the land and examine the feasibility of providing temporary accommodation at that location.
- AHC Department continue to monitor the site in relation to fire safety and public health.

Noted: **It was agreed to note the update on the ongoing position at the caravan site on the Forkhill Road in Newry.**

AHC/143/2016 CONSULTATION ON PROTECT LIFE 2 STRATEGY

Read: Report from Mr E Devlin, Assistant Director, Health & Well-being, dated 17 October 2016 regarding Consultation on Protect Life 2 Strategy (Copy circulated).

Mr Devlin advised that Council had been involved in an ongoing basis in the support of the Protect Life Strategy which was strongly focused on a collaborative approach across the sectors. He stated a response to the consultation document had been circulated with the papers and recommended that Council respond as per response questionnaire.

Agreed: **It was agreed on the proposal of Councillor Ó'Muírí, seconded by Councillor Burns that Council respond to the consultation on Protect Life 2 Strategy as per response questionnaire.**

AHC/144/2016 FINANCIAL ASSISTANCE UPDATE

Read: Report from Mr S Burns, Programmes Manager dated 17 October 2016 regarding Financial Assistance Update (Copy circulated).

Ms Burns advised the third call for Financial Assistance for Down Youth Street/Live Here, Love Here and Christmas Illuminations opened on 12 September and closed on 30 September with a total of 61 applications being received.

The report recommended approval be granted to fund applications in call three for Christmas Illuminations & Events and Down Your Street/Live Here, Love Here and the provision of up to 50% advances on a needs led basis.

In response to a query from Councillor Ó'Muírí, Ms Burns advised the community associations would be made aware of their success or otherwise by letter being sent on Tuesday 8th November, following Council meeting and call-in period.

Agreed: It was agreed on the proposal of Councillor Ó'Muírí, seconded by Councillor Burns to approve to fund applications in call three for Christmas Illuminations & Events and Down Your Street/Live Here, Love Here and the provision of up to 50% advances on a needs led basis.

There being no further business the meeting ended at 6.40pm.

For consideration at Meeting of Newry, Mourne and Down District Council to be held on Monday 7 November 2016.

Signed: Councillor M Carr
Chairperson

Signed: Mr M Lipsett
Director of Active and Healthy Communities

NEWRY, MOURNE AND DOWN DISTRICT COUNCIL

RTS/M

Minutes of the Regulatory and Technical Services Committee Meeting held on Wednesday 19 October 2016 at 5.00 pm in the Boardroom, District Council Offices, Monaghan Row, Newry

Chairperson: Councillor R Mulgrew

Members:

Councillor T Andrews	Councillor C Casey
Councillor G Craig	Councillor D Curran
Councillor V Harte	Councillor D Hyland
Councillor D Taylor	Councillor J Macauley
Councillor J Trainor	

Officials in Attendance: Mr C O'Rourke, Director of Regulatory and Technical Services
 Mr J Parkes, Assistant Director of Waste Management
 Mr K Scullion, Assistant Director Facilities Management and Maintenance
 Mr C Jackson, Assistant Director of Building Control and Regulations
 Mr A McKay, Chief Planning Officer
 Mr J McBride, Assistant Director Transformation, Innovation and Performance
 Ms C McAteer, Democratic Services Officer

RTS/157/2016: APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Fitzpatrick; Stokes; Tinnelly and Burns.

Councillor Mulgrew said she had received requests from Members asking that specific issues be put on the agenda for the R&TS Meeting. She said in her view this was not the right way for the Committee to go forward and asked that the list of staff contacts would again be issued to all Councillors so that they could raise issues directly with the relevant officer.

On behalf of the Members of the Committee Councillor Mulgrew extended congratulations to the Council's Grounds Maintenance staff who were responsible for maintaining Newcastle which had won the Silver Gilt Award in the Britain in Bloom Competition. Councillor Mulgrew said this was a fantastic achievement and the hard work of the staff throughout the whole District was very much appreciated.

Councillor Andrews concurred with the Chairperson's remarks and also referred to two further awards from the Northern Ireland Amenity Council, with Newcastle being awarded "Runner Up" for the Best Kept Small Town and Rooney Park in Kilkeel being awarded "Best Kept Small Housing Area".

Agreed: **On the proposal of Councillor Casey, seconded by Councillor Taylor, it was agreed relevant officials investigate how much it would cost a business to sponsor a planting/improvement scheme on the NI Transport owned roundabout at Carnbane Garden, Newry.**

RTS/158/2016: DECLARATIONS OF CONFLICTS OF INTEREST

Councillor Casey declared an interest in item No. 11 – report re: provision of mains water supply to Newry Felons Community Garden at Loanda Community Centre, Newry. Councillor Casey indicated he was a member of the Newry Felons Association and would be withdrawing from the discussion on this item.

COMMITTEE BUSINESS

RTS/159/2016: ACTION SHEET OF THE REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON WEDNESDAY 21 SEPTEMBER 2016

Read: Action Sheet of the Regulatory and Technical Services Committee Meeting held on Wednesday 21 September 2016. (*Copy circulated*).

Agreed: **It was unanimously agreed to note the Action Sheet.**

Noted: Mr O'Rourke referred to the revised format of the Action Sheet and asked Members to note that an additional column had been added "Remove from Action Sheet Y/N". He advised that if an item was considered to be completed a "Y" would appear in the column and this item would then be removed from the next action sheet. If there was "N" against an item it would remain on the Historic Action Sheet until all actions on it were complete.

BUILDING CONTROL

RTS/160/2016: REPORT RE: IMPLEMENTATION OF THE LICENSING OF PAVEMENT CAFES ACT (NI) 2014 POLICY AND PROCEDURE

Read: Report dated 19 October 2016 from Mr Colum Jackson, Assistant Director of Regulatory and Technical Services regarding the

implementation of the Licensing of Pavement Cafes Act (NI) 2014 Policy and Procedure. *(Copy circulated)*.

Agreed: **On the proposal of Councillor Casey, seconded by Councillor Craig, it was agreed to approve the amendment to the Pavement Cafes Designation Policy and Procedure for the implementation of the Pavement Café legislation, (Amended 10 October 2016) as set out in Appendix 1 circulated at the meeting (including the increased width of available footpath appropriate screening and powers of enforcement).**

Councillor Hyland joined the meeting 5.20 pm.

PLANNING

RTS/161/2016: SIX MONTH UPDATE ON PLANNING REVIEW

Read: Newry, Mourne and Down District Council Planning Committee Six Month Update Report, 19 October 2016. *(Copy circulated)*.

Agreed: **On the proposal of Councillor Curran, seconded by Councillor Andrews, it was agreed to approve the recommendations as follows:-**

- **The changes initiated since the January/February 2016 review be endorsed, no changes are made to the Scheme of Delegation or the Operating Protocol for Planning Committee and that a further review be carried out in March 2017**
- **That the present additional staff complement be retained with a view to a subsequent recommendation being brought to the SP&R Committee to make these posts permanent, and in so doing allow the costs of such a move to be included in the upcoming Budget/Rates Setting Exercise.**

In response to queries from Members regarding the retention of permanent staff in the Planning Department, Mr O'Rourke advised that when the planning function was transferred to the Council it was severely underfunded. He said when the backlog of planning applications was dealt with there would still be a full workload for the planning staff including a greater emphasis on the Area Plan and enforcement. It was anticipated that the retention of the additional staff would be self-funding.

Members welcomed the progress that had been made in reducing the backlog of applications but said it was important that a system be put in place to deal with legacy applications which were having an adverse impact on the efficiency and performance of the Department.

RTS/162/2016: REPORT ON ANALYSIS OF AVERAGE PROCESSING TIMES (LOCAL APPLICATIONS)

Read: Report dated 19 October 2016 from Mr J McBride, Assistant Director: Transformation, Innovation & Performance on an analysis of average processing times (Local Applications) 19 October 2016. (*Copy circulated*).

Agreed: It was unanimously agreed to note the Report on Analysis of Average Processing Times (Local Applications).

RTS/163/2016: SEPTEMBER 2016 PLANNING COMMITTEE PERFORMANCE REPORT

Read: September 2016 Planning Committee Performance Report. (*Copy circulated*)

Agreed: It was unanimously agreed to note the September 2016 Planning Committee Performance Report.

RTS/164/2016: SEPTEMBER 2016 APPEALS AND DECISIONS

Read: Newry, Mourne and Down District Council Planning Committee appeals and decisions September 2016. (*Copy circulated*)

Agreed: It was unanimously agreed to note the September 2016 Planning Committee Appeals and Decisions.

RTS/165/2016: RECORD OF MEETINGS BETWEEN PLANNING OFFICERS AND PUBLIC REPRESENTATIVES

Read: Record of Meetings between Planning Officers and Public Representatives. (*Copy circulated*)

Agreed: It was unanimously agreed to note the Record of Meetings between Planning Officers and Public Representatives.

RTS/166/2016: REGISTER OF CONTACT Q2 JULY-SEPTEMBER 2016

Read: Register of Contact Q2 July- September 2016 (*Copy circulated*)

Agreed: It was unanimously agreed to note the Register of Contact Q2 July-September 2016.

FACILITIES MANAGEMENT AND MAINTENANCE

Councillor Casey declared an interest in this item and withdrew from the meeting – 5.40 pm.

RTS/167/2016: REPORT ON PROVISION OF MAINS WATER SUPPLY TO NEWRY FELONS COMMUNITY GARDEN AT LOANDA COMMUNITY CENTRE, NEWRY

Read: Report dated 19 October 2016 from Mr K Scullion, Assistant Director, Facilities Management and Maintenance re: provision of mains waters supply to Newry Felons Community Garden at Loanda Community Centre. *(Copy circulated)*.

Agreed: **On the proposal of Councillor Andrews, seconded by Councillor Harte, it was agreed to approve the works and expenditure required to provide a mains water supply to Newry Felons Community Garden at Loanda Community Centre, Dorans Hill, Newry.**

Noted: It was noted there was no specific budget for this and the cost of the work would be assigned as an overspend to Loanda Community Centre (estimated cost £775).

Councillor Casey rejoined the meeting – 5.43 pm.

RTS/168/2016: REPORT ON PERMISSIBLE HEADSTONES WITHIN COUNCIL CEMETERIES

Read: Report dated 19 October 2016 from Mr K Scullion re: permissible headstones within Council Cemeteries. *(Copy circulated)*.

Agreed: **On the proposal of Councillor Andrews, seconded by Councillor Trainor, it was agreed the Council should harmonise the rules and regulations for permissible headstones across all five Council operated Municipal Cemeteries.**

Agreed: **It was further unanimously agreed to grant approval to a request to erect a headstone in Lough Inch Cemetery on the basis that it would comply with legacy NMDC rules and regulations, although it did not, in the opinion of Officers, comply with legacy DDC rules and regulations.**

WASTE MANAGEMENT**RTS/169/2016: DISTRICT WIDE FOOD WASTE COLLECTION SERVICE**

Read: Report dated 19 October 2016 from Mr J Parkes, Assistant Director, Waste Management, on District Wide Food Waste Collection Service. *(Copy circulated)*.

Mr O'Rourke advised that the Council was legally required to implement a domestic food waste collection service to every household in the district with effect from 1 April 2017. The aim was to increase resource efficiency, recycling and stop food waste going to landfill and it was proposed to extend the Council's existing brown bin collection service to meet this requirement.

Mr O'Rourke indicated that some of the figures/numbers/costs in the report had now been updated and he was seeking approval for the following:-

- **put £295K in the rates setting process to cover increased revenue spend next year**
- **retain 5 old refuse vehicles when the new vehicles are delivered later this financial year**
- **hire 10 additional refuse staff on temporary contracts**
- **spend £450K out of this year's capital budget, between now and the end of this financial year**

Agreed: On the proposal of Councillor Trainor, seconded by Councillor Craig it was agreed to approve the above recommendations.

FOR NOTING**RTS/170/2016: FINALISATION OF THE LANDFILL ALLOWANCE SCHEME (NI) REGULATIONS 2004 (AS AMENDED) 11 SCHEME YEAR 2015/2016**

Read: Letter dated 12 September 2016 re: The Landfill Allowance Scheme (NI) Regulations 2004 (As amended) 11th Scheme Year 2015/16 *(Copy circulated)*

Agreed: It was unanimously agreed to note the above correspondence.

RTS/171/2016: ARC 21 JOINT COMMITTEE MEMBERS' MONTHLY BULLETIN - 29 SEPTEMBER 2016

- Read:** Arc 21 Joint Committee Members' Monthly Bulletin 29 September 2016. (*Copy circulated*)
- Agreed:** It was unanimously agreed to note the Arc 21 Joint Committee Members' Bulletin dated 29 September 2016.
- RTS/172/2016:** **ARC 21 JOINT COMMITTEE MEETING – MINUTES OF THE MEETING HELD ON THURSDAY 8 SEPTEMBER 2016.**
- Read:** Arc 21 Joint Committee Meeting Minutes dated Thursday 8 September 2016. (*Copy circulated*)
- Agreed:** It was unanimously agreed to note the Arc 21 Joint Committee Meeting Minutes dated Thursday 8 September 2016.
- RTS/173/2016:** **HISTORIC ACTION TRACKING UPDATE**
- Read:** Report re: Regulatory & Technical Services Committee Action Tracking Update. (*Copy circulated*).
- Noted:** Mr O'Rourke referred to the revised format of the historic actions tracking sheet and asked Members to note that an additional column had been added "Remove from Action Sheet Y/N". He advised that if an item was considered to be completed a "Y" would appear in the column and this item would then be removed from the next historic actions sheet. If there was "N" against an item it would remain on the historic actions sheet until all actions on it were complete.
- Agreed:** It was unanimously agreed to note the above Report.

There being no further business the meeting ended at 6.05 pm.

For consideration at the Council Meeting to be held on Monday 7 November 2016.

Signed: Councillor Roisin Mulgrew
Chairperson of Regulatory & Technical Services Committee

Signed: Mr C O Rourke
Director Regulatory & Technical Services

Report to:	Council
Date of Meeting:	7 November 2016
Subject:	Terms of Reference – Council Committees
Reporting Officer (Including Job Title):	Liam Hannaway Chief Executive
Contact Officer (Including Job Title):	Eileen McParland Democratic Services Manager

Decisions required:	
1.0	Purpose and Background:
1.1	To seek approval to amend the Terms of Reference (ToF) for the following 5 Standing Committees of Council (Planning Committee is not being reviewed under this update): <ol style="list-style-type: none"> 1. Active and Healthy Communities 2. Audit 3. Enterprise, Regeneration and Tourism 4. Regulatory and Technical Services 5. Strategy, Policy and Resources
2.0	Key issues:
2.1	The Council agreed Terms of Reference for the above Committees which have been operating since each Committee's Inaugural Meeting in April 2015.
2.2	In its Audit fieldwork report of Corporate governance for 2015/16, ASM stated that "The terms of reference for each of the Committees could benefit from a review at the end of the 2015/16 year to ensure that they remain appropriate, given that the Committees will have had one full year of operation. The terms of reference should be dated to indicate when they were approved and provide an appropriate date for future review. The terms of reference should make reference to any guiding principles followed. For example, we would expect that the guidance applicable to Audit Committees provided in the 2013 CIPFA publication, 'Audit Committees: Practical Guidance for Local Authorities and Police' would be referenced within that terms of reference."
3.0	Recommendations:
3.1	Council to agree the attached updated Terms of Reference for Committees.
4.0	Resource implications
4.1	None
5.0	Equality and good relations implications:
5.1	None anticipated.
6.0	Appendices
	Drafts of updated ToR

ACTIVE AND HEALTHY COMMUNITIES COMMITTEE

-TERMS OF REFERENCE-

Scope

The **Active and Healthy Communities Committee** ("the Committee") will be responsible for improving the health, wellbeing and social cohesiveness of the District's communities.

Responsibilities

- Lead on the improvement of health outcomes and the facilitation of healthy lifestyles through leisure and sporting provision and through health promotion and prevention policies.
- Lead on the development and implementation of suitable strategies, policies and programmes for environmental protection; sustainability; energy management and education, and for biodiversity.
- Provision of environmental health services, including public health and safety.
- Tackle disadvantage and building active, engaged and responsible citizenship through the provision and support of community services, facilities and events.
- Implementation of the Council's Good Relations programmes.
- Improving social and community cohesion through effective community relations and development of the financial outcome programme.
- Managing and overseeing local structures for Policing and Community Safety (PCSP).
- Lead the development, implementation and ongoing management of the 7 DEA Fora.
- Lead on the development and implementation of suitable strategies, policies and programmes for community health, wellbeing and social cohesiveness, youth and age friendly.
- Ensure the design and delivery of Council functions and services are accessible to all citizens.
- Responsible for sports development, including leisure and sporting programmes and facilities.
- Responsible for parks and open spaces, including playing fields and playgrounds.
- The effective stewardship of delegated responsibilities for the District's resources and assets (financial, people and property based) for environmental protection and services, well-being, social cohesiveness and community engagement, and leisure and sport.

[Approved by Council on -----]
 [ToR to be reviewed on -----]

Membership

The Committee is comprised of fifteen (15) Elected Members appointed to the Committee at the Council's Annual Meeting.

Quorum

No business shall be transacted unless at least 4 Members are present.

Chairperson

The Committee Chairperson and Deputy Chairperson shall be appointed at the Council's Annual Meeting in accordance with The Local Government Act (NI) 2014.

Meetings

All meetings of the Committee shall be governed by the Council's Standing Order and the Northern Ireland Code of Conduct for Councillors. A timetable of Meetings shall be agreed annually by the Council.

Sub-Committee and Working Groups

The Committee has the power to establish and appoint any number of Sub-Committees, Task and Finish Working Groups, Projects Boards and Forums, as are necessary to consider in more detail the work of the Committee.

Communications and Reporting

The Minutes of the Committee shall be tabled at each meeting of the Council, in accordance with the Council's Standing Orders.

Declarations of Interest

A Declaration of Interests Register will be kept for all Committee Members. Each Member should take responsibility to declare proactively any potential conflict of interest arising out of business undertaken by the Council.

APPENDIX 1

Council Task and Finish Working Groups/Project Boards/Forums

Reporting Arrangements

	Task & Finish	Committees			
		AHC	ERT	RTS	SPR
Anti-Litter Working Group				√	
Camlough Lake Task and Finish Board	√		√		
Castlewellan Forest Park Task and Finish Project Board	√		√		
Chief Executive Appraisal Group					√
Councillors Website Reference Group	√				√
DEA Fora		√			
Decade of Centenaries Working Group					√
Economic Forum			√		
Efficiency Working Group					√
Elected Member Development Working Group					√
Equality and Good Relations Reference Group					
Health Forum	√	√			
Implementation of Irish Language Strategy Working Group	√				√
Marine Task Force				√	
Newry and Mourne Travellers Forum		√			
Strategic Waste Issues Working Group				√	
St Patrick's Day Cross Party Working Group	√				√
Strategic Projects Forum					√
Sustainability and Climate Change Task Force		√			
Tourism Strategy Task and Finish Project Board	√		√		

Community Planning Thematic Partnerships – report to Community Planning Partnership Board

Community Planning Partnership Board – report to Council

ENTERPRISE, REGENERATION & TOURISM COMMITTEE

-TERMS OF REFERENCE-

Scope

The **Enterprise, Regeneration & Tourism Committee** ("the Committee") will be responsible for clustering enterprise, regeneration and tourism activity across the District in order to drive and support the local economy.

Responsibilities

- Developing and implementing an integrated enterprise, regeneration and tourism product for the District.
- Maximising and securing opportunities for regional, national and international investment for enterprise, regeneration and tourism.
- Leading on the promotion and marketing of the District, and the engagement of key stakeholders for enterprise, regeneration and tourism.
- Contributing to the delivery of both Corporate and Community Plan objectives as advocate of the economic strand.
- Developing the District as a notable premier tourism destination on the island of Ireland.
- Leading on the renewal, regeneration and development of the District's city, towns, villages and rural settlements, and maximising and securing opportunities for job creation and retention throughout the District.
- Developing and implementing a vibrant cultural, arts and events programme for the District.
- Leading on issues relating to outdoor recreation, countryside access and Rights of Way.
- The effective stewardship of delegated responsibilities for the District's resources and assets (physical, financial, people and property based) for enterprise, regeneration and tourism.

Membership

[Approved by Council on -----]
[ToR to be reviewed on -----]

The Committee is comprised of the fifteen (15) Elected Members appointed to the Committee at the Council's Annual Meeting.

Quorum

No business shall be transacted unless at least 4 Members are present.

Chairperson

The Committee Chairperson and Deputy Chairperson shall be appointed at the Council's Annual Meeting in accordance with the Local Government Act (NI) 2014.

Meetings

All meetings of the Committee shall be governed by the Council's Standing Orders and the Northern Ireland Code of Conduct for Councillors.

A timetable of meetings shall be agreed annually by the Council.

Sub-Committees and Working Groups

The Committee has the power to establish and appoint any number of Sub-Committees, Task and Finish Working Groups, Project Boards and Forums as are necessary, to consider in more detail the work of the Committee, (see appendix 1 attached).

Communication and Reporting

The Minutes of the Committee shall be tabled at each meeting of the Council in accordance with the Council Standing Orders.

Declarations of Interest

A Declaration of Interests Register will be kept for all Committee Members. Each Member shall take responsibility to declare proactively any potential conflict of interest arising out of business undertaken by the Council.

APPENDIX 1

Council Task and Finish Working Groups/Project Boards/Forums

Reporting Arrangements

	Task & Finish	Committees			
		AHC	ERT	RTS	SPR
Anti-Litter Working Group				√	
Camlough Lake Task and Finish Board	√		√		
Castlewellan Forest Park Task and Finish Project Board	√		√		
Chief Executive Appraisal Group					√
Councillors Website Reference Group	√				√
DEA Fora		√			
Decade of Centenaries Working Group					√
Economic Forum			√		
Efficiency Working Group					√
Elected Member Development Working Group					√
Equality and Good Relations Reference Group					
Health Forum	√	√			
Implementation of Irish Language Strategy Working Group	√				√
Marine Task Force				√	
Newry and Mourne Travellers Forum		√			
Strategic Waste Issues Working Group				√	
St Patrick's Day Cross Party Working Group	√				√
Strategic Projects Forum					√
Sustainability and Climate Change Task Force		√			
Tourism Strategy Task and Finish Project Board	√		√		

Community Planning Thematic Partnerships – report to Community Planning Partnership Board

Community Planning Partnership Board – report to Council

REGULATORY AND TECHNICAL SERVICES COMMITTEE

-TERMS OF REFERENCE-

Scope

The **Regulatory and Technical Services Committee** (“the Committee”) will be responsible for protecting both the natural and built environment of the District in accordance with the discharge of specified statutory functions and services, including planning development management and control.

Responsibilities

- Responsible for the provision of the waste management function, including waste management; waste disposal; recycling and environmental cleansing.
- Responsible for facilities management and maintenance, including grounds maintenance; facilities and buildings maintenance; cemeteries and public conveniences.
- Responsible for fleet management, including garage and operators licences.
- Responsible for the Council’s domestic services function.
- Responsible for the provision the building control function, including building regulations; safety in the build environment; licensing; postal numbering.
- Responsible for corporate car parks.
- The effective stewardship of delegated responsibilities for the District’s resources and assets (physical, financial, people and property based) for waste management; building control and regulation; and facilities management and maintenance.

Membership

The Committee is comprised of the fifteen (15) Elected Members appointed to the Committee at the Council’s Annual Meeting.

Quorum

No business shall be transacted unless at least 4 Members are present.

Chairperson

The Committee Chairperson and Deputy Chairperson shall be appointed at the Council's Annual Meeting in accordance with the Local Government Act (NI) 2014.

Meetings

All meetings of the Committee shall be governed by the Council's Standing Orders and the NI Local Government Code of Conduct for Councillors.

A timetable of meetings shall be agreed annually by the Council.

Sub-Committees and Working Groups

The Committee has the power to establish and appoint any number of Sub-Committees; Task and Finish Working Groups; Project Boards and Forums, as are necessary, to consider in more detail the work of the Committee. (See appendix 1 attached).

Communication and Reporting

The Minutes of the Committee shall be tabled at each meeting of the Council in accordance with the Council's Standing Orders.

Declarations of Interest

A Declarations of Interest Register will be kept for all Committee Members. Each Member should take responsibility to declare proactively any potential conflict of interest arising out of business undertaken by the Council.

APPENDIX 1

Council Task and Finish Working Groups/Project Boards/Forums

Reporting Arrangements

	Task & Finish	Committees			
		AHC	ERT	RTS	SPR
Anti-Litter Working Group				√	
Camlough Lake Task and Finish Board	√		√		
Castlewellan Forest Park Task and Finish Project Board	√		√		
Chief Executive Appraisal Group					√
Councillors Website Reference Group	√				√
DEA Fora		√			
Decade of Centenaries Working Group					√
Economic Forum			√		
Efficiency Working Group					√
Elected Member Development Working Group					√
Equality and Good Relations Reference Group					
Health Forum	√	√			
Implementation of Irish Language Strategy Working Group	√				√
Marine Task Force				√	
Newry and Mourne Travellers Forum		√			
Strategic Waste Issues Working Group				√	
St Patrick's Day Cross Party Working Group	√				√
Strategic Projects Forum					√
Sustainability and Climate Change Task Force		√			
Tourism Strategy Task and Finish Project Board	√		√		

Community Planning Thematic Partnerships – report to Community Planning Partnership Board

Community Planning Partnership Board – report to Council

STRATEGY POLICY & RESOURCES COMMITTEE

-TERMS OF REFERENCE-

Scope

The **Strategy Policy & Resources Committee** ("the Committee") will be responsible for the effective and efficient operation of the Council, as well as setting its future strategic direction.

- Responsibilities for the development, and monitoring implementation, of the key strategic plans of the Council, including the Community Plan, Area Development Plan, Equality Scheme, Disability Action Plan, Corporate Plan, Performance Improvement Plan.
- Responsible for the effective planning and stewardship of the Council's entire resources and assets (financial, employees, information technology and land/property assets).
- Responsible for the management of the Council's policy development framework, including the statutory duties of equality and disability, and development of policy on matters including the Irish Language, disability and safe guarding strategies.
- Responsible for the development of an equality action measures plan to address corporate key inequalities identified under the audit of inequalities.
- Responsible for the Council's corporate performance management framework, including the setting and monitoring of performance targets and the oversight of performance across the organisation.
- Responsible for leading on the development and implementation of future organisational change in support of the Council's strategic objectives
- Responsible for the development and delivery of key corporate projects.
- Responsible for the Council's corporate communications and policy, including public consultation; public relations and media; marketing and publications.
- Leading on the development and implementation of suitable strategies, policies and programmes to assist with the effective and efficient operation of the Council, to include matters relating to finance and systems; grants administration; human resources; estates and project management; administration and registration.
- Responsible for the management of Peace IV European Commission Project and other European Projects including linked to Social Inclusion, Social Investment Fund projects and Implementation of same.

[Approved at Council Meeting on.....]
 [To be reviewed on.....]

Membership

The Committee is comprised of the fifteen (15) Elected Members appointed to the Committee at the Council's Annual Meeting.

Quorum

No business shall be transacted unless at least 4 Members are present.

Chairperson

The Committee Chairperson and Deputy Chairperson shall be appointed at the Council's Annual Meeting in accordance with the Local Government Act (NI) 2014.

Meetings

All meetings of the Committee shall be governed by the Council's Standing Orders and the NI Local Government Code of Conduct for Councillors.

A timetable of meetings shall be agreed annually by the Council.

Sub-Committees and Working Groups

The Committee has the power to establish and appoint any number of Sub-Committees, Task and Finish Working Groups, Project Boards and Forums, as are necessary, to consider in more detail the work of the Committee, (see appendix 1).

Communication & Reporting

The Minutes of the Committee shall be tabled at each meeting of the Council in accordance with the Council's Standing Orders.

[Approved at Council Meeting on.....]
[To be reviewed on.....]

Declarations of Interest

A Declaration of Interests Register will be kept for all Committee Members. Each Member shall take responsibility to declare proactively any potential conflict of interest arising out of business undertaken by the Council.

APPENDIX 1

Council Task and Finish Working Groups/Project Boards/Forums

Reporting Arrangements

	Task & Finish	Committees			
		AHC	ERT	RTS	SPR
Anti-Litter Working Group				√	
Camlough Lake Task and Finish Board	√		√		
Castlewellan Forest Park Task and Finish Project Board	√		√		
Chief Executive Appraisal Group					√
Councillors Website Reference Group	√				√
DEA Fora		√			
Decade of Centenaries Working Group					√
Economic Forum			√		
Efficiency Working Group					√
Elected Member Development Working Group					√
Equality and Good Relations Reference Group					
Health Forum	√	√			
Implementation of Irish Language Strategy Working Group	√				√
Marine Task Force				√	
Newry and Mourne Travellers Forum		√			
Strategic Waste Issues Working Group				√	
St Patrick's Day Cross Party Working Group	√				√
Strategic Projects Forum					√
Sustainability and Climate Change Task Force		√			
Tourism Strategy Task and Finish Project Board	√		√		

Community Planning Thematic Partnerships – report to Community Planning Partnership Board

Community Planning Partnership Board – report to Council

AUDIT COMMITTEE

-TERMS OF REFERENCE –

Scope

The Audit Committee (“the Committee”) will be responsible for assisting the Council in fulfilling its responsibilities for the integrity of the Council’s financial and operational results, compliance with legal and regulatory requirements and monitoring performance of internal and external audit.

Responsibilities

- To consider the effectiveness of the Council’s risk management arrangements, the control environment and governance arrangements including anti-fraud policies, whistleblowing processes and arrangements for special investigations.
- To be satisfied that the Council’s assurance statements, including the Governance Statement, properly reflects the risk environment and any actions required to improve it.
- To approve (but not direct) the planned activity, performance and results of internal and external audit.
- To review internal audit reports and the main issues arising and monitor and ensure management responses have been actioned.
- To review the financial statements and accounting policies, the external auditor’s opinion and reports to those charged with Governance, and seek assurance that action has been taken where necessary.
- To consider any reports of external and/or inspection agencies.
- To monitor management responses and actions in response to the issues raised by external audit.

Membership

The Committee is comprised of the ten (10) Elected Members appointed to the Committee at the Council’s Annual Meeting, plus one independent suitability qualified person, who will be recruited for the 4-year term of the Council.

Quorum

No business shall be transacted unless at least 4 members are present.

Chairperson

The Chairperson shall be the independent Member of the Committee and they shall serve as Chairperson for the 4-year term of the Committee.

The head of Internal Audit and the representative from External Audit will have free and confidential access to the Chair of the Committee.

Meetings

The frequency of the meetings will be driven by the scale and nature of the business with the Committee meeting at least four times per year to enable it to discharge its duties adequately and effectively. The Chair of the Audit Committee may convene additional meetings, as they deem necessary.

All meetings of the Committee will be governed by the Council's Standing Orders and the Northern Ireland Code of Conduct for Councillors.

The Chief Executive and Internal Audit will attend all meetings. The Northern Ireland Audit office will be invited to attend all meetings. The Director of Corporate Services and Audit Risk Manager will also be invited to attend. The Committee may also ask any other officials of the Council to attend to assist it with its discussions on any particular matter.

Communications and Reporting

The Committee will provide the Council and Chief Executive with an Annual Report, timed to support the finalisation of the Accounts and the Governance Statement, summarising its conclusions from the work it has done during the year.

The Minutes of the Committee will be reported at a Meeting of the Council by the Director of Corporate Services or, in their absence, by an alternative official (of Council).

Declarations of Interest

A Declaration of Interests Register will be kept for all Committee Members. Each Member should take personal responsibility to declare proactively any potential conflict of interest arising out of business undertaken by the Council.

Council Task and Finish Working Groups/Project Boards/Forums

Reporting Arrangements

	Task & Finish	Committees			
		AHC	ERT	RTS	SPR
Anti-Litter Working Group				√	
Camlough Lake Task and Finish Board	√		√		
Castlewellan Forest Park Task and Finish Project Board	√		√		
Chief Executive Appraisal Group					√
Councillors Website Reference Group	√				√
DEA Fora		√			
Decade of Centenaries Working Group					√
Economic Forum			√		
Efficiency Working Group					√
Elected Member Development Working Group					√
Equality and Good Relations Reference Group					
Health Forum	√	√			
Implementation of Irish Language Strategy Working Group	√				√
Marine Task Force				√	
Newry and Mourne Travellers Forum		√			
Strategic Waste Issues Working Group				√	
St Patrick's Day Cross Party Working Group	√				√
Strategic Projects Forum					√
Sustainability and Climate Change Task Force		√			
Tourism Strategy Task and Finish Project Board	√		√		

Community Planning Thematic Partnerships – report to Community Planning Partnership Board

Community Planning Partnership Board – report to Council

Report to:	Council
Date of Meeting:	7 November 2016
Subject:	Amendment to Council's Standing Orders
Reporting Officer (Including Job Title):	Liam Hannaway, Chief Executive
Contact Officer (Including Job Title):	Eileen McParland Democratic Services Manager

Decisions required:	
1.0	Purpose and Background:
1.1	At Council meeting on 3 May 2016 it was agreed, in principle, that a review of Standing Orders be undertaken, taking account of changing needs since the Council came into full operation on 1 April 2015.
2.0	Key issues:
2.1	Standing Order 27.2 requires that "any motion to, add to, vary or revoke Standing Orders will, when proposed and seconded, stand adjourned without discussion to the next ordinary Meeting of the Council. The mandatory Standing Orders may not be added to, varied or revoked by the Council".
3.0	Recommendations:
3.1	It is recommended that a motion to amend Standing Orders be proposed and seconded, and subsequently adjourned without discussion to Council Meeting on Monday 5 December 2016. This is in accordance with Council's SO 27.2
4.0	Resource implications
	None
5.0	Equality and good relations implications:
	None anticipated
6.0	Appendices
	Copy of Standing Orders with proposed amendments shown in red font.

Comhairle Ceantair an Iúir, Mhúrn agus an Dúin

Newry, Mourne and Down District Council

2016



Comhairle Ceantair
**an Iúir, Mhúrn
agus an Dúin**

**Newry, Mourne
and Down**
District Council

Standing Orders

**Revised
December 2016**

DRAFT

Newry, Mourne and Down District Council

STANDING ORDERS

Definitions

“2014 Act” means the Local Government Act (Northern Ireland) 2014;

“budget” means the expenditure authorised by a Council under section 3 of the Local Government Finance Act (Northern Ireland) 2011;

“call-in” means a requisition for the reconsideration of a decision as provided for in section 41(1) of the 2014 Act;

“Clerk” means the Clerk of a Council appointed under section 41 of the Local Government Act (Northern Ireland) 1972;

“Committee” means a Committee appointed under section 7 of the 2014 Act;

“delegated authority” means the discharge of a function under authority fixed by a Council under section 7 of the 2014 Act;

“decision maker” means the body or person making an executive decision, a decision under delegated authority or a key decision;

“Member” means a Councillor on that Council;

“nominating officer” means

- (a) the person registered under the Political Parties, Elections and Referendums Act 2000 as the party’s nominating officer; or
- (b) a Member of the Council nominated by that person for the purposes of Schedule 1 to the 2014 Act;

“party” means a party registered under the Political Parties, Elections and Referendums Act 2000 in the Northern Ireland register (within the meaning of that Act);

“policy framework” means the policies and procedures agreed by the council in relation to the delivery of a function or functions of the Council;

“published” means made available for inspection by Members of the Council;

“Register of Decisions” means a register of decisions maintained by the Council of those decisions agreed by the council;

“section of the inhabitants of the district” means any section of the inhabitants that is clearly identifiable by location, interest or other category;

“special resolution” means a resolution of a Council as defined in section 148 of the Local Government Act (Northern Ireland) 1972; and

“Standing Orders Regulations” means the Local Government (Standing Orders) Regulations (Northern Ireland) 2015.

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1. Annual and Monthly Meetings

- (1) In every year that is not a local election year the Council shall hold an Annual Meeting in the month of **May** or June.
- (2) In any year which is a local election year, the Annual Meeting shall be held within twenty-one days immediately following the election, at such time as the Council may fix, at the offices of the Council or at such other place as the Department may direct.
- (3) A meeting of the Council for the transaction of general business of the Council shall, subject to any deviation which special circumstances may render desirable, be held on the first Monday of every month, except a summer month as determined by the Council. Other meetings of the Council for the transaction of general business shall be held as the Council considers necessary.
- (4) Meetings of the Council shall not take place on a Public or Bank Holiday, a Saturday or a Sunday. Where the day of a meeting falls on one of these days, the meeting shall instead be held on the next following weekday, or such other day as might be agreed by the Council for that meeting.

2. Time and place of meetings

The Annual Meeting and other meetings of the Council shall be held at 6pm in the Council Chamber, except where otherwise fixed by statute or by special summons.

3. Convening Special Meetings

- (1) The Chairperson of the Council may call a meeting of the Council at any time.
- (2) The Chairperson of the Council must call a meeting of the Council if a requisition for such a meeting, signed by not less than five Members of the Council is presented to him/her; and, if he/she refuses to call a meeting on such a requisition or if, without so refusing, he/she does not call such a meeting within the period of seven days from the date of service of the requisition on him/her, not less than five Members may, on that refusal or on the expiration of that period, forthwith call a meeting of the Council.

Notice and Summons of Meetings

- (1) Five days at least before a meeting of the Council, a Committee or Sub-Committee, notice of the time and place of the intended meeting shall be published at the offices of the Council. Where the meeting is called by

Members, the notice shall be signed by them and shall specify the business proposed to be transacted thereat.

- (2) A summons to attend the meeting, specifying the business proposed to be transacted thereat and signed by the Clerk shall be served on every Member at least three days before the meeting. Failure to serve this summons within the correct time shall not affect the validity of a meeting.
- (3) Except in the case of business required by statute or, where in the opinion of the Chairperson at the meeting the business should be considered by the meeting as a matter of urgency, no business shall be transacted at a meeting of the Council, a Committee or Sub-Committee other than that specified in the summons relating thereto.

4. Chair to be taken

At each meeting of the Council, the Chair shall be taken at the time for which the meeting is convened, and business immediately proceeded with.

5. Chairperson of Meeting

- (1) At a Meeting of the Council, the Chairperson of the Council, if present, must preside.
- (2) If the Chairperson of the Council is absent from a Meeting of the Council, the Deputy Chairperson of the Council, if present, shall preside.
- (3) If neither the Chairperson nor Deputy Chairperson are present at a Meeting of the Council, a Member of the Council chosen by the Members who are present must preside.
- (4) If discussion arises on the allocation of the position of Chairperson, the Clerk shall exercise the powers of the Chairperson to assist in the regulation of that discussion.
- (5) Any power of the Chairperson of the Council in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

6. Quorum

- (1) Subject to sub- paragraph (7), no business shall be transacted at a Meeting of the Council unless at least one-quarter of the whole number of Members are present.

- (2) No business shall be transacted at a Committee Meeting of the Council unless at least one-quarter of the whole number of Members of the specific Committee are present, subject to paragraph (3) and paragraph (4).
- (3) No business shall be transacted at an Audit Committee Meeting unless at least one-third of the elected Members of the Committee are present.
- (4) No business shall be transacted at a Planning Committee Meeting unless at least one half of the Members of the Committee are present.
- (5) If during a meeting, the person presiding, after the number of Members present is counted, declares that a meeting is inquorate and it is unlikely that there will be a quorum present within a reasonable time, he/she shall declare the meeting adjourned.
- (6) Any uncompleted business on the agenda of a meeting adjourned under Standing Order 7(5) above, shall be tabled for discussion at the reconvened meeting. No business, other than the uncompleted business on the agenda of the meeting adjourned, may be discussed at the reconvened meeting.
- (7) Where more than one-quarter of the Members become disqualified at the same time then, until the number of Members in office is increased to not less than three-quarters of the whole number of Members, the quorum of the Council shall be determined by reference to the number of Members remaining qualified instead of by reference to the whole number of Members.

7. Admission to meetings

- (1) Subject to the provisions of this Standing Order, every Meeting of the Council shall be open to the public, in accordance with section 42 of the 2014 Act.
- (2) The public and press may attend only in those parts of the Council Chamber provided for their accommodation at meetings of the Council, unless specifically excluded in accordance with the provisions of Standing Order 10; or as required by the Council to comply with provisions in relation to Fire Safety and Health & Safety.
- (3) The admission of the public is upon the understanding that they must continue at all times to be seated, and that no expression of opinion or noise of any kind be allowed from them.
- (4) At all times during which a Meeting of the Council is open to the public, the Council must, so far as is practicable, cause to be made available to duly accredited representatives of newspapers, attending for the purpose of reporting proceedings at the meeting, reasonable facilities for taking reports of

these proceedings and, on payment by those representatives or their newspapers of any expenses which may be incurred, for transmitting such reports to their newspapers.

- (5) Taking photographs of proceedings or the use of any other means by members of the public to enable persons not present to see or hear any proceedings (whether at that time or later) or making of any oral report of any proceedings as they take place shall be prohibited unless expressly permitted by the Council.
- (6) The use of social media by Members of the Council, members of the public or journalists shall be permitted during those proceedings that are open to the public, to the extent that its use does not disrupt proceedings.

8. Record of attendances at meetings

The names of the Members present at a Meeting of the Council must be recorded.

9. Exclusion of the public

- (1) The public shall be excluded from a Meeting of the Council whenever it is likely that, during the transaction of an item of business, confidential information would be disclosed to them in breach of an obligation of confidence.
- (2) The Council may by resolution exclude the public from a Meeting of the Council (whether during the whole or part of the proceedings at the meeting) for such special reasons as may be specified in the resolution being reasons arising from the nature of the business to be transacted or of the proceedings at the Meeting.
- (3) The Chairperson may at any time during the proceedings, if he/she thinks it necessary to secure order, direct the removal of any individual or group of individuals from the Council Chamber, or order the Council Chamber to be wholly cleared of members of the public.
- (4) The Council, having excluded the public, shall only consider the matter referred to it by the resolution. If it should be deemed necessary to consider any matter not included in the resolution, the public shall be re-admitted and the Chairperson may ask leave of the Council to take up the consideration of such additional matters as may be deemed desirable.
- (5) The Council, having excluded the public, shall not have the power to adjourn its own sittings or to adjourn a debate to a future sitting. If the business referred to in the resolution is not transacted, the Council may be resumed and a Member of the Council may move that the Council again exclude the public on a future

day to deal with the business specified in the resolution which was not transacted.

- (6) If the Council, with the public excluded, has transacted part of the business referred to it, without being able to reach a decision on all the business so referred, a Member of the Council may, with leave of the Council, report on the progress to that point and ask the Council's permission to sit again.
- (7) When the Council, having transacted business with the public excluded, submits its report to the Council, a motion for its adoption shall then be moved and put. No questions or discussion shall be permitted on the report or the motion for its adoption.

10. Deputations

- (1) Deputations, from any source, shall only be considered to address the Council or Committee of Council provided the Clerk has received ten clear days notice of the intended deputation and a statement of its objective. The Chairperson shall have the discretion, in cases of emergency, to reduce this period of notice.
- (2) The deputation shall be confined to the presentation of a statement, or copy of resolutions, and shall not make more than two short addresses by any two members of the deputation. The totality of the address shall not exceed ten minutes for the total presentation.
- (3) Deputations should not be repetitive and, where possible, issues of a similar or linked nature should be contained in one deputation. Where a deputation has made a presentation to the Council, the Council may decline to accept another deputation on the same issue from the same individual or group for a period of six months.
- (4) Arrangements for Deputations to Planning Committee are detailed in the Council's Planning Committee Operating Protocol.

11. Order of Business

- (1) Subject to any statutory requirements to the contrary, the order of business at every meeting of the Council shall be as follows:
 - a) apologies;
 - b) declaration of Members' interests;
 - c) confirmation of the Minutes of the last stated Meeting and of all adjourned meetings and special meetings held since the last stated Meeting;
 - d) deputations;
 - e) business required by statute to be transacted at the Meeting;

- f) adoption of the Minutes of the proceedings of any Committees and consideration of reports, if any, from such Committees;
 - g) reports of officers, public bodies, agencies etc. if any, may be considered and such orders given thereon as may be deemed necessary;
 - h) reports on decisions/recommendations subject to the reconsideration process;
 - i) other reports;
 - j) correspondence and matters not already dealt with;
 - k) sealing of documents;
 - l) consideration of motions of which due notice has been given, in the order in which they have been received.
- (2) Any Member who wishes to have a particular matter included on the agenda for a meeting of a Committee shall make such request in writing to the appropriate Chief Officer. If the subject matter of the request falls within the remit of the Committee and the action proposed to be taken is lawful, the Chief Officer shall, after informing the appropriate Chairperson, arrange for that matter to be included on the agenda for the next available monthly meeting of the Committee, indicating the name of the Member who will be speaking to the issue at the meeting.

The issue in question will either simply appear on the agenda against an individual Member's name or, if the appropriate Chief Officer considers that it would be helpful to the Committee in considering the matter, a short covering report may be prepared which highlights that a named Member, has asked that the issue is raised and give some important factual information. No significant resources, including officer time, will be committed to such preparatory work. Resources will only be committed once the Council has decided to take action.

12. Minutes of the Council

12.1 Keeping of; as evidence; etc

- (1) Minutes of the proceedings of a Meeting of the Council, or of a Committee or Sub-Committee, shall be drawn up and entered in a bound book kept for that purpose.
- (2) No discussion shall take place upon the Minutes except upon their accuracy.
- (3) Any minute purporting to be signed as mentioned in sub- paragraph (1) shall be received in evidence without further proof.
- (4) Until the contrary is proved, a Meeting of the Council or of a Committee or Sub-Committee thereof in respect of the proceedings of which a minute has been so made and signed shall be deemed to have been duly convened and held, and

all the Members present at the meeting shall be deemed to have been duly qualified, and where the proceedings are proceedings of a Committee or Sub-Committee, the Committee or Sub-Committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the Minutes.

12.2 Signing of

The Minutes of a Meeting of the Council shall be signed at the next ensuing Meeting of the Council by the Chairperson presiding, if approved by the meeting at which they fall to be signed.

13. Submission of Minutes

- (1) In order to give sufficient time for the printing of the Minutes and for their perusal by the Members of the Council, Minutes of meetings of a Committee held later than seven clear days before the meeting of the Council shall not be submitted to that meeting for approval. This may be disapplied where a Committee considers the matter to be of extreme urgency and records such a decision in its Minutes.
- (2) It shall be the duty of a Committee, through the Chairperson or his/her representative, when its Minutes are submitted for approval, to call the attention of the Council to any resolution or matter of an unusual or special character contained therein.

14. Minutes of Committees

- (1) A motion or amendment shall not be made or proposed, or any discussion allowed on the proceedings of Committees with reference to any matter within the remit of a Committee which does not appear on the Minutes submitted to the Meeting of the Council.
- (2) Any Member wishing to raise an issue regarding any matters appearing in the Minutes submitted to the Council for approval and who states his/her request in writing to the Chairperson of the Committee twenty-four hours before the commencement of the Meeting of the Council shall be entitled to a reply when the proceedings of the particular Committee are submitted for approval.
- (3) A reply to an issue raised at the Meeting regarding any matter in the Minutes, without written notice, shall be at the discretion of the Chairperson of the Committee.
- (4) Any matter in the Minutes of a Committee on which a request for reconsideration, under section 41 of the 2014 Act, has been lodged with the

Clerk of the Council shall be identified, and may not be the subject of discussion at that Meeting.

15. Motions

- (1) Every motion shall be relevant to some matter:
 - i) in relation to which the Council:
 - a) has power or duties;
 - b) is not prevented from taking action on by other legislation;
 - ii) which directly affects the local government district or its residents; and
 - iii) for which the Council is legally competent.

15.1 On notice

- (1) Notice of every motion, other than a motion which under Standing Order 16.2 may be moved without notice, shall be given in writing, signed by the Member or Members of the Council giving the notice, to the Clerk not later than at least ten clear days before the next Meeting of the Council. The motion must be clear in meaning otherwise it shall be rejected until such time as it is resubmitted in clear language, and not later than ten clear days before the meeting. **Motions shall be accepted by email and a hard copy shall then require to be signed prior to the Meeting taking place.**
- (2) A motion shall be rejected if the wording or nature of the motion is considered unlawful or improper.
- (3) All notices shall be dated and numbered as received, and entered in a register to be kept for that purpose. This register shall be open to inspection by every Member of the Council.
- (4) Notices of motion shall be entered by the Clerk in their proper place on the summons paper in the order in which they are received.
If a motion set out in the summons is not moved either by a Member who gave notice, or by some other Member on his behalf, it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (5) If the subject matter of any motion of which notice has been properly given comes within the remit of any Committee it shall, upon being moved and seconded, stand referred without discussion to that Committee, or to such other Committee, working group or forum as the Council may determine, for consideration and report. The Chairperson presiding may, if he/she considers it urgent and necessary to the dispatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.

- (6) If a notice of motion fails to be considered at a Meeting of the Council, such notice of motion will only be included on the agenda for the following meeting if submitted in writing to the Clerk by the Member concerned not later than ten clear days, at least, before the Council meeting.
- (7) Any notice of motion which fails to be considered at two consecutive meetings will not be accepted for inclusion on the summons paper for a period of six months from the date of the second meeting at which the matter has failed to be considered.

15.2 Without notice

The following motions may be moved without notice:

- a) to appoint a Chairperson of the meeting at which the motion is moved;
- b) in relation to the accuracy of the Minutes;
- c) to change the order of business in the agenda;
- d) to refer something to an appropriate body or individual;
- e) to appoint a Committee or Members thereof arising from an item on the summons for the meeting;
- f) to receive reports or adoption of recommendations of Committees or officers and any resolutions flowing from them;
- g) to withdraw a motion;
- h) to amend a motion;
- i) to proceed to the next business;
- j) that the question be now put;
- k) to adjourn a debate;
- l) to adjourn a meeting;
- m) to suspend Standing Orders, in accordance with Standing Order 29.1;
- n) to exclude the public and press in accordance with section 42 of the 2014 Act;
- o) to not hear further a Member named under Standing Order 25.3 or to exclude them from the meeting under Standing Order 25.4.

16. Amendments

- (1) When a motion is under debate at any meeting of the Council, an amendment or further motion shall not be received, with the exception of the following:
 - a) to amend the proposal; or
 - b) that the Council do now adjourn; or
 - c) that the debate be adjourned; or
 - d) that the question be now put; or
 - e) that the Council do proceed to the next business.

16.1 To amend the Proposal

- (1) An amendment must be legitimate and within the scope of the notice convening the meeting. It must not be a direct negative; must be relevant to the proposal which it seeks to amend, and not inconsistent with anything already agreed upon at the same meeting. An amendment must relate solely to the proposal which it seeks to amend, and not be, in effect, a new proposition on a different matter, and must not place a greater responsibility on the meeting than the original proposal.
- (2) An amendment to a motion shall be either:
 - a) to refer a subject of debate to a Committee or to an officer for consideration or re-consideration;
 - b) to leave out words;
 - c) to leave out words and insert or add others; or
 - d) to insert or add words

but such omission, insertion or addition of words shall not have the effect of directly negating the motion before the Council.
- (3) When an amendment upon an original proposal has been moved, the question to be put shall be "That the amendment be made". Where any amendment is agreed, the question to be put shall be "That the proposal, as amended, be agreed". Where any amendment is rejected the question of the substantive proposal shall be put.

16.2 That the Council Do Now Adjourn

- (1) Any Member of the Council who has not already spoken to the proposal or amendment then under debate may move "that the Council do now adjourn". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal, which shall be put to the vote without debate.
- (2) In the event of the proposal for the adjournment being carried, the Chairperson shall (unless stated in the proposal) fix the date for the adjourned meeting for the continuation of the debate on the proposal or amendment under discussion at the time of the adjournment, and for the transaction of the remaining business (if any) on the Agenda for the meeting so adjourned.
- (3) A second proposal "that the Council do now adjourn" shall not be made within half-an-hour unless, in the opinion of the Chairperson, the circumstances are materially altered.

16.3 That the Debate be Adjourned

- (1) Any Member of the Council who has not already spoken to the proposal or amendment then under debate may move “that the debate be adjourned”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.
- (2) Before putting to the meeting a proposal “that the debate be adjourned”, the Chairperson presiding shall call on the mover of the proposal or amendment under discussion to reply on the question of adjournment and, after such reply, which will not prejudice the right of the mover of a proposal to reply on the original question, shall put the proposal for adjournment of the debate to the vote without further debate.
- (3) If the proposal be carried, the Council shall proceed to the next business on the agenda, and the discussion of the adjourned debate shall be resumed at the next meeting of the Council unless a special meeting of the Council shall be called for the purpose.
- (4) On resuming an adjourned debate, the Member who moved its adjournment shall be entitled to speak first. A second proposal “that the debate be adjourned” shall not be made within half-an-hour. A Member shall not move or second more than one proposal for the adjournment of the same debate.

16.4 That the Question Be Now Put

- (1) Any Member who has not already spoken to the proposal or amendment then under debate may move “that the question be now put”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.
- (2) If the Chairperson is of the opinion that the subject before the Council has been sufficiently discussed, he/she shall put the proposal “that the question be now put” to the vote without debate and if same is carried, the proposal or amendment under discussion shall be put to the Council.
- (3) A second proposal “that the question be now put” shall not be made on the discussion of the same question within half-an-hour.
- (4) A Member shall not move or second more than one proposal “that the question be now put” on the discussion of the same question.

16.5 That the Council Do Now Proceed to the Next Business

- (1) Any Member of the Council who has not already spoken to any proposal or amendment then under debate may move, “that the Council do proceed to the next business”. Such a proposal must be seconded, but it need not be reduced to writing.

The mover and seconder shall not speak beyond formally moving and seconding the proposal which shall be put to the vote without debate.

- (2) If the Chairperson is of the opinion that the subject before the Council has been sufficiently discussed, he/she shall put the proposal "that the Council do proceed to the next business" to the vote without debate and if same is carried the proposal or amendment under discussion shall be put to the Council.
- (3) When a proposal is carried "that the Council do proceed to the next business", the question under discussion shall be considered as dropped.
- (4) A second proposal "that the Council do proceed to the next business" shall not be made on the same question within half-an-hour.
- (5) A Member shall not move or second more than one proposal "that the Council do proceed to the next business" on the discussion of the same question.

17. Amendments to Regulatory Decisions

- (1) No amendment may be moved to a minute which is a Regulatory Decision.
- (2) For the purposes of these Standing Orders, a Regulatory Decision is a determination of an application for planning permission or any decision, determination, action, direction, order, approval, refusal, or enforcement action in exercise of powers of the Council as the local planning authority or any application for which the Council is the licensing authority.

18. Rules of Debate

18.1 Motions and amendments to be reduced to writing and seconded

- (1) A motion or amendment shall not be discussed unless it has been proposed and seconded and, unless notice has already been given in accordance with Standing Order 16.1, it shall, if required by the Chairperson presiding, be put into writing and handed to the Chairperson presiding before it is further discussed or put to the meeting.
- (2) A Member when seconding a motion or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate.

18.2 Alteration of motion

- (1) A Member may alter a motion of which he/she has given notice as proposed with the consent of the meeting. The meeting's consent will be signified without discussion.
- (2) A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (3) Only alterations which could be made as an amendment may be made.

18.3 Withdrawal of motion

- (1) A Member may withdraw a motion of which he/she has given notice under Standing Order 16.1 at any time after the meeting has commenced provided that he/she has not moved the motion or spoken on it and has the consent of the meeting. The meeting's consent will be signified without discussion.
- (2) A Member may withdraw any other motions which he/she has moved with the consent of both the meeting and seconder. The meeting's consent will be signified without discussion.
- (3) No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

18.4 Mode of address

The established mode of address is through the Chairperson, by raising a hand or by use of electronic device, if available. While a Member is speaking, he/she shall not be interrupted by the other Members unless they are speaking to a point of order or in personal explanation. A Member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order.

18.5 Precedence in speaking

Whenever two or more Members indicate to speak at the same time, the Chairperson shall decide who has precedence.

18.6 Place of Member speaking

A Member, when addressing the Chairperson, shall remain in the place allocated to him/her in the Council Chamber.

18.7 Member called to order

If any Member, while speaking, be called to order, he/she shall cease speaking and shall not again address the Council until the Chairperson has disposed of the question of order.

18.8 Definition of point of order

A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the Member shall specify the Standing Order or provision and the way in which he/she considers it has been broken.

19.9 Member may raise a point of order

A Member may raise a point of order and shall be entitled to be heard immediately.

19.10 Ruling of Chairperson on point of order

The ruling of the Chairperson on a point of order shall not be open to discussion.

19.11 Member to speak to motion

A Member who speaks shall direct his/her speech strictly to the motion under discussion, or an amendment thereof.

19.12 Member shall not speak more than once

A Member who has spoken on any motion shall not speak again whilst it is the subject of debate until Members who have not previously spoken have done so.

19.13 Duration of speeches

Except with the permission of the Council, a Member, in introducing a motion, shall not speak for more than ten minutes and in replying, for more than five minutes.

19.14 Addressing the Council

The Council during its sitting, shall not, unless with the consent of the Council, be addressed by any person who is not a Member of the Council.

19.15 Only one motion / amendment may be moved and discussed at a time

(1) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.

(2) If an amendment is not carried, other amendments to the original motion may

be moved.

- (3) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

19.16 When a motion is under debate no other motion shall be moved

When a motion is under debate no other motion shall be moved except the following:

- a) to amend the motion;
- b) to adjourn the meeting;
- c) to adjourn the debate;
- d) to proceed to the next business;
- e) that the question be now put;
- f) that a Member be not further heard;
- g) by the Chairperson under Standing Order 25.4, that a Member do leave the meeting.

19.17 Chairperson rising during debate

Whenever the Chairperson rises or otherwise calls the meeting to order during a debate, a Member then speaking shall cease and the Council shall be silent.

19.18 Chairperson not to receive motion for direct negative

The Chairperson shall not receive a motion for a direct negative to a question but, on the conclusion of the debate, the question shall be put and resolved in the affirmative or negative.

19.19 Mover's right of reply

The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on his amendment.

19.20 Councillors attending Committee meetings of which they are not a Member

Where a Member attends a meeting of a Council Committee of which they are not a Member, that Member shall not have any right to speak at the meeting unless so permitted by the Chairperson.

19. Voting

20.1 Majority

Subject to any statutory provisions to the contrary, any matter will be decided by a simple majority of those Members present and voting.

20.2 Chairperson's casting vote

If there are equal numbers of votes for and against, the Chairperson will have a second or casting vote.

20.3 External appointments

If agreement cannot be reached by Members when voting on appointments to external appointments where there is more than one post to be filled and the number of nominations exceeds the number of vacancies, there shall be a ballot of the Members present at the meeting in which each Member of the Council shall vote for as many candidates as there are vacancies to be filled. Vacancies shall then be filled using the single transferable vote system.

This arrangement does not apply to positions which must be filled in accordance with the 2014 Act.

20.4 Qualified majority [MANDATORY]

A qualified majority (not less than 80% of the Members present and voting) shall be required in relation to Council's decision on—

- (a) the adoption of executive arrangements or prescribed arrangements as the Council's form of governance, as provided for in section 19 of the 2014 Act;
- (b) the adoption of paragraph 3(2) of Schedule 1 to the 2014 Act as the method for filling positions of responsibility;
- (c) the adoption of Part 2 of Schedule 1 to the 2014 Act as the method for filling positions of responsibility;
- (d) the adoption of paragraph 3(3) of Schedule 2 to the 2014 Act as the method for appointing councillors to Committees;
- (e) a call-in made in accordance with section 41(1)(b) of the 2014 Act; and
- (f) the suspension of standing orders, other than Standing Orders 20.4, 21, 22 and 23, which cannot be suspended.
- (g) any vote on a matter where a qualified majority is required, shall be by way of a recorded vote where the names of the Members voting for and against the question or abstaining from voting shall be taken down in writing and recorded in the Minutes.

20.5 Show of hands

Unless a ballot or recorded vote is demanded under Standing Order 20.4, the Chairperson will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

20.6 Recorded vote

If, before a vote is called, any Member present at the meeting demands it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the Minutes. A demand for a recorded vote will override a demand for a ballot.

20.7 Voting at Planning Committee

Unless a Member has been present at a Planning Committee for an entire item, including officer/s' introduction and update they must not take part in the debate or vote on that item. However the Chairperson of the Planning Committee can use his/her discretion in exceptional circumstances.

21 'Call-in' Process [MANDATORY]

21.1 Decisions subject to call-in

- (1) The following decisions may be subject to call-in in such manner as is specified in these standing orders—
 - (a) a decision of the Council;
 - (b) a key decision taken by an officer of the Council
 - (c) a decision taken by a Committee under delegated authority in accordance with section 7 of the 2014 Act; and
 - (d) a decision taken by a Committee to make a recommendation for ratification by the Council.
- (2) The following decisions shall not be subject to call-in—
 - (a) a decision on a regulatory or quasi-judicial function which is subject to a separate appeal mechanism;
 - (b) a decision where an unreasonable delay could be prejudicial to the Council's or the public's interests;
 - (c) a decision taken by an officer which is not a key decision;
 - (d) a decision which is required to be taken by a special resolution.
- (3) No decision may be subject to call-in more than once for each of the grounds specified in section 41(1) of the 2014 Act.

21.2 Call-in procedure

- (1) A call-in must be submitted in writing to the Clerk by 10am on the fifth working day following:
 - (a) in the case of a decision of the Council, the date of the Council meeting at which the decision was taken; and
 - (b) in the case of a decision of a Committee, the date on which the decision to which the call-in relates was published.
- (2) If a call-in is received after the relevant period specified in paragraph (1), it must be deemed inadmissible.
- (3) A call-in shall—
 - (a) specify the reasons why a decision should be reconsidered; and
 - (b) subject to paragraph (6), be deemed to be inadmissible if the reasons are not specified.
- (4) In the case of a call-in submitted under section 41(1)(b) of the 2014 Act, Members must in the reasons specified under paragraph (3)(a) specify—
 - (a) the section of the inhabitants of the district that would be affected by the decision; and
 - (b) the nature and extent of the disproportionate adverse impact.
- (5) Within one working day of receipt of a call-in, the Clerk must confirm that—
 - (a) it has the support of 15 per cent of the Members of the Council; and
 - (b) the reasons for the call-in have been specified.
- (6) Where the reasons have not been specified on the requisition, the Clerk must notify the Members making the requisition that it must be considered inadmissible if reasons are not specified in writing within the specified period.
- (7) Within two working days of receipt of an admissible call-in submitted under section 41(1)(b) of the 2014 Act, the Clerk must seek the opinion of a practising solicitor or barrister in accordance with section 41(2) of the 2014 Act.
- (8) Where the legal opinion obtained in accordance with section 41(2) of the 2014 Act confirms that the call-in has merit, the Clerk must—
 - (a) furnish the opinion to Members; and
 - (b) include the decision on the agenda for the next available meeting of the Council, at which it will be taken by a qualified majority.

- (9) Where the legal opinion obtained in accordance with section 41(2) of the 2014 Act indicates that the call-in does not have merit, the Clerk must-
- (a) furnish the opinion to Members; and
 - (b) make arrangements for the decision to be implemented or tabled for ratification by the Council, as appropriate.

21.3 The call-in process: Committee arrangements

- (1) For the purposes of reconsideration of a decision pursuant to a call-in, the Minutes of a Committee which record a decision:
- (a) taken under delegated authority; or
 - (b) for referral for ratification by the Council
- must be published within five working days of the conclusion of the meeting. The date on which the Minutes were published must be regarded as the relevant date for the purposes of a call-in.
- (2) If a call-in is not received within the period specified in Standing Order 21.2 paragraph (1):
- (a) a decision to which paragraph (1)(a) applies must be implemented; or
 - (b) a decision to which paragraph (1)(b) applies must be tabled for ratification by the Council.
- (3) The tabling for ratification of a decision to which paragraph (1)(b) applies, or the implementation of a decision to which paragraph (1)(a) applies, must be postponed until the decision has been reconsidered. The decision maker may rescind the decision at any time prior to the decision being reconsidered.
- (4) 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 Council must appoint an ad hoc Committee of the Council, the membership of which will be:
- the Chairpersons and Deputy Chairpersons of the following Council Committees:
- (i) Enterprise, Regeneration and Tourism Committee
 - (ii) Active and Healthy Communities Committee
 - (iii) Regulatory and Technical Services Committee
 - (iv) Strategy, Policy and Resources Committee
 - (v) Planning Committee
- to consider the process adopted by the decision-making Committee.
- (5) The Chairperson and Deputy Chairperson of the Committee which was responsible for the decision which is the subject of the call-in must not have voting rights at a meeting of the Committee appointed in accordance with paragraph (4).

- (6) The Members of the ad hoc Committee who are present shall choose a Member to preside at the meeting.
- (7) The Members who submitted the call-in, or a Member on their behalf, must be invited to attend the meeting at which the decision subject to the call-in is considered and may, upon the request of the Chairperson, address the meeting, but must not have voting rights, unless they are voting Members of the ad hoc Committee.
- (8) A Committee appointed in accordance with paragraph (4) may:
 - (a) refer the decision back to the decision maker;
 - (b) in the case of a decision taken under delegated authority, support the decision; or
 - (c) in the case of a decision for ratification by the Council, refer the decision to the Council.
- (9) Where a decision has been supported in accordance with paragraph (8), that decision must:
 - (a) be approved;
 - (b) be inserted in the Register of Decisions; and
 - (c) become operative from the date of the meeting at which the Committee appointed in accordance with paragraph (4) confirmed support for the decision.

21.4 The call-in process: Council decisions

- (1) If a call-in is not received within the period specified in Standing Order 21.2 paragraph (1) in respect of a decision, that decision may be implemented after that period expires.
- (2) The implementation of a decision must be postponed until the decision has been reconsidered.
- (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.
- (4) If a call-in is made in accordance with Standing Order 21.2 paragraph (4) and section 41(1)(b) of the 2014 Act, the Clerk must proceed in line with the procedures set out in Standing Orders 21.2 (4 – 9).

22 Positions of responsibility, etc. – Time Limits [mandatory]

- (1) Subject to paragraph (2), in relation to positions of responsibility selected in accordance with paragraphs 2(1) and 2(2) or paragraph 4(1) or paragraphs 6(1) and 6(2) of Schedule 1 to the 2014 Act, the period specified for:
 - (a) the nominating officer to select a position of responsibility and the term for which it shall be held; and
 - (b) the person nominated to accept the selected position is 15 minutes.
- (2) An extension to the period specified in paragraph (1) may be granted subject to the approval of the Council. Such an extension may be requested by:
 - (a) the nominating officer;
 - (b) the person nominated to hold the selected position; or
 - (c) another Member.

23 Appointment of more than one Committee [MANDATORY]

- (1) Where the Council appoints more than one Committee at the same meeting in accordance with paragraph 5 of Schedule 2 to the 2014 Act, for the purposes of determining the number of places that must be allocated across the parties and independent Members of the Council, it must agree:
 - (a) the number of Committees to be appointed; and
 - (b) the number of Councillors that shall constitute the membership of each Committee.
- (2) The total number of places to which a nominating officer of a party may nominate Members who stood in the name of that party when elected must be calculated in accordance with paragraphs 2 to 4 of Schedule 2 to the 2014 Act and any resolution of the Council made thereunder.
- (3) A nominating officer's function under paragraph 2(1)(b) of Schedule 2 to the 2014 Act must be exercised in such manner as to ensure that:
 - (a) all the Members of a Committee are not nominated by the same nominating officer;
 - (b) a nominating officer of a party may nominate Members who stood in the name of that party to fill the majority of places on a Committee, if the majority of Members stood in the name of that party; and
 - (c) subject to (a) and (b), the number of Members which each nominating officer of a party may nominate, in so far as is practicable, bears the same proportion to the number of places on that Committee as is borne by the number of Members on the Council who stood in the name of that party.
- (4) Nominations made in accordance with paragraph (3) must take into account any positions of responsibility on a Committee held by a Member who stood in the name of a party.

24 Rescission of a preceding resolution

- (1) No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed by a Member unless the notice thereof given in pursuance of Standing Order 16.1 bears the names of at least 15% of the Members of the Council.
- (2) When any such motion or amendment has been disposed of by the Council, it shall not be open to any Member to propose a similar motion within a further period of six months.
- (3) This Standing Order shall not apply to motions moved in pursuance of a recommendation of a Committee or a call-in.

25 Members conduct

25.1 Requesting to speak

When a Member speaks at the Council he/she must address the meeting through the Chairperson. If more than one Member requests to speak, the Chairperson will ask one to speak and the others must remain silent.

25.2 Chairperson addressing the meeting

When the Chairperson addresses the meeting, any Member speaking at the time must stop. The meeting must be silent.

25.3 Member not to be heard further

If at a meeting any Member of the Council, misconducts himself/herself by persistently disregarding the ruling of the chair, or by behaving irregularly, improperly or offensively or by willfully obstructing the business of the Council, the Chairperson or any other Member may move "that the Member named be not further heard". The motion, if seconded, shall be put and determined without discussion.

25.4 Member to leave the meeting

If the Member named continues to behave improperly after such a motion is carried, the Chairperson or any other Member may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

25.5 General disturbance

When the Chairperson is of the opinion that the due and orderly dispatch of business is impossible, he/she in addition to any other powers vested in him/her may, without question put, adjourn the meeting of the Council for such period as he/she in his/her discretion shall consider expedient.

26 Disturbance by public

26.1 Removal of member of the public

If a member of the public interrupts proceedings, the Chairperson will warn the person concerned. If they continue to interrupt, the Chairperson will order their removal from the meeting room.

26.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Chairperson may call for that part to be cleared.

27 Common Seal

The Common Seal of the Council shall be kept in a safe place at all times when not in use.

- (a) Every document sealed shall be attested and a record kept in a book containing particulars of the documents sealed.
- (b) The Common Seal shall not be set to any document unless a resolution of the Council shall be passed in that behalf or unless the Council shall have passed a resolution authorising any particular Committee to affix the Common Seal to any particular documents; but a resolution of the Council (or of a Committee approved by the Council) authorising the acceptance of any tender, the purchase, sale, letting, or taking of any property, the issue of any stock, the presentation of any petition, memorial or address, the making of any contract, or any other matter or thing, shall be sufficient authority for the Chairperson or his/her deputy or Clerk to affix the Common Seal to any document necessary to give effect to such resolution.

28 Contracts

In these Standing Orders –

- (a) The expression 'the Council' shall include where appropriate a Committee or person acting in accordance with delegated authority on behalf of the Council.
- (b) 'Chief Officer' shall mean the Director of any Department concerned with any particular contract
- (c) 'the statutory amount' shall mean £30,000 (exclusive of VAT) or such other amount as shall be determined from time to time by the Department of the Environment for Northern Ireland under Section 100 (1) of the Local Government Act (Northern Ireland) 1972.

28.1 Compliance

Every contract governed by these Standing Orders shall comply with the relevant requirements of national and European Community legislation and the Council's policy and procedures in relation to contracts.

28.2 Tendering

Every contract for the supply of services, goods or materials, or the execution of work, and which is likely to exceed the statutory amount in value shall, subject to permitted exceptions, be made subject to tender in accordance with the Council's policy and procedures in relation to procurement.

28.3 Sealing, Damages and Bonds

- (a) Every contract which exceeds the statutory amount in value shall be made under the Common Seal.
- (b) Every written contract shall specify –
 - (i) The work to be done, or the services to be provided, or the goods or materials to be supplied;
 - (ii) The price to be paid, with a statement of discounts or other deductions; and
 - (iii) The time or times within which the contract is to be carried out.
- (c) Every contract which exceeds the statutory amount in value and which is for the execution of works (or the supply of goods or materials by a particular date or series of dates) shall provide for liquidated damages or the making good by the contractor of any loss incurred by the Council in case the contract is not duly performed.
- (d) Where a contract is estimated to exceed a statutory amount in value and is for the execution of works (or for the supply of goods and materials by a particular date or series of dates), a Performance Bond or other adequate security shall not be required unless there are sound commercial reasons for their use.

29 Suspension and amendment of Standing Orders

29.1 Suspension

A Member may move a motion for the suspension of one or more of these Council Standing Orders excluding Standing Orders 20.4, 21, 22 and 23 which cannot be suspended. A motion under this Standing Order shall require the support of a qualified majority within the meaning of section 40 of the 2014 Act. Suspension can only be for the duration of the meeting. The Minutes of the Meeting must record the reason for the suspension. Mandatory standing orders, specified in the Standing Orders Regulations, may not be suspended by the Council.

29.2 Amendment

Any motion to, add to, vary or revoke these Standing Orders will, when proposed and seconded, stand adjourned without discussion to the next ordinary Meeting of the Council. The mandatory standing orders may not be added to, varied or revoked by the Council.

30 Interpretation of Standing Orders

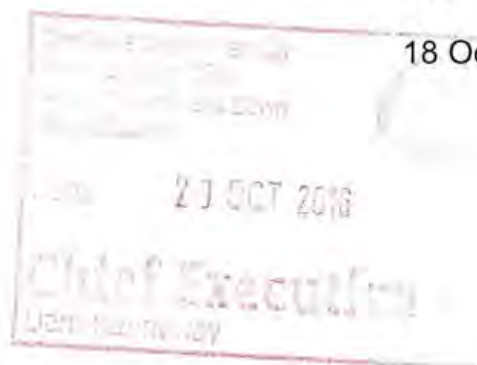
The ruling of the Chairperson as to the interpretation, construction or application of any of these Standing Orders or as to any proceedings of the Council, shall not be challenged at any Meeting of the Council.

Our Ref: PP/CL/12

Your Ref: G/12/3

18 October 2016

Mr Liam Hannaway
Chief Executive
Newry, Mourne & Down District Council
O'Hagan House
Monaghan Row
NEWRY
BT35 8DJ



Dear Mr Hannaway

2018 Review of Parliamentary Constituencies: Publication of Provisional Proposals Report

Thank you for your letter dated 12 October 2016, which was received by this office on 17 October 2016.

As you know the Boundary Commission are required by legislation to redraw the Parliamentary constituency boundaries for Northern Ireland every 5 years. The first step in this process is the publication of the Boundary Commission's Provisional Proposals which set out a possible arrangement of constituencies for Northern Ireland that comply with the legislative requirements. The legislation requires the Commission to "take such steps as they see fit" to inform the general public in Northern Ireland about the Provisional Proposals.

For the 2018 Review the Commission has sought to increase the public's engagement and access to the Provisional Proposals within the resources available to it. To that end the Commission has introduced an online consultation portal through which submissions can be sent. In addition, the Commission has set up a Twitter account to distribute details about the Review wider than ever before.

With regard to public hearings, the Commission has taken on board feedback received during the previous Review with regard to ease of access to venues, particularly from areas west of Lough Neagh, and accordingly added Omagh as a venue for the 2018 Review. The venues for the public hearings are decided at an early stage in the Review process due to the associated logistics and planning required so it is not feasible to add additional venues at a later stage.

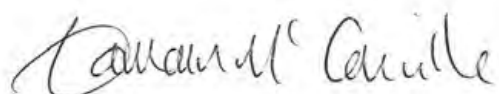
The Commission is conscious that regardless of where public hearings are located there will be a need for some people to travel should they wish to attend. In deciding on locations for the 2018 Review, the Commission has sought to establish public hearings at venues that equalise travelling times across Northern Ireland, as far as possible.

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However, if anyone wishing to make a representation is unable to attend a public hearing in person, a written representation can be sent to the Commission by letter, email or via our online consultation portal before the public consultation closes on 28 November 2016. The Commission will consider all representations received in writing and orally equally when deciding whether to revise the Provisional proposals.

Yours sincerely



Eamonn McConville
Secretary to the Boundary Commission

Boundary Commission for Northern Ireland



Mr Liam Hannaway

Chief Executive

Newry

Mourne and Down District Council

Monaghan Row

NEWRY

BT35 8DJ

Dear Mr

Liam Hannaway

Comhairle Ceartair an Íúir
Mhúrn agus an Dúin
District Council



Date 07 SEP 2016

Chief Executive

Liam Hannaway

Boundary Commission for

Northern Ireland

The Bungalow

Stormont House

Stormont Estate

Belfast

BT4 3SH

5 September 2016

Our Ref: PP/CL/12

2018 REVIEW OF PARLIAMENTARY CONSTITUENCIES PUBLICATION OF PROVISIONAL PROPOSALS REPORT

I enclose a copy of the Provisional Proposals Report of the Boundary Commission for Northern Ireland which sets out for public consultation the boundaries and names of the proposed new Parliamentary constituencies for Northern Ireland. The report is accompanied by a map of the 17 proposed constituencies.

The Commission's report has been prepared in accordance with the provisions of the Parliamentary Constituencies Act 1986 as amended by the Boundary Commissions Act 1992 and the Parliamentary Voting System and Constituencies Act 2011.

The consultation process begins on Tuesday 6 September 2016. Information on how to respond to the consultation and the locations for public hearings can be found in the Report. The closing date for the receipt of representations is **Monday 28 November 2016**. The Report and accompanying map can also be viewed online at www.boundarycommission.org.uk.

If you require any further information please do not hesitate to contact the Commission's secretariat at 028 9052 3505 or contact@boundarycommission.org.uk.

Yours sincerely

Eamonn McConville
Secretary to the Boundary Commission

Liam Hannaway
Chief Executive



Comhairle Ceantair
an Iúir, Mhúir
agus an Dúin
**Newry, Mourne
and Down**
District Council

G/12/3
Your Ref: PP/CL/12
12 October 2016

Mr E McConville
Secretary to the Boundary Commission for Northern Ireland
The Bungalow
Stormont House
Stormont Estate
Belfast
BT4 3SH

Dear Mr McConville

Re: 2018 Review of Parliamentary Constituencies Publication of Provisional Proposals Report

I refer to your correspondence dated 5 September 2016.

At a recent Meeting of Newry, Mourne and Down District Council, Members discussed the provisional proposals for the 2018 Review of Parliamentary Constituencies Publication and will be responding on a political party basis or as independent Members.

As part of the discussion, the Council have asked that Newry be considered as a location for a public hearing and have asked that you give serious consideration to this request.

I look forward to hearing from you in due course.

Yours sincerely

Mr Liam Hannaway
Chief Executive

/ST

**Oifig an Iúir
Newry Office**
O'Hagan House
Monaghan Row
Newry BT35 8DJ

**Oifig Dhún Pádraig
Downpatrick Office**
Downshire Civic Centre
Downshire Estate, Ardglass Road
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Ag freastal ar an Dún
agus Ard Mhacha Theas
**Serving Down
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From: The Private Secretary

Mr Liam Hannaway
 Chief Executive
 Newry, Mourne and Down District Council
 O'Hagan House
 Monaghan Row
 Newry BT35 8DJ

Our ref: INV/1530/2016

30 September 2016

Dear Mr Hannaway,

Thank you for your letter to Minister Givan received on 20 September 2016 requesting a meeting to discuss the proposed closure of Ballynahinch and Newcastle Social Security Offices. Minister has asked that I respond on his behalf.

As you will be aware the implementation of changes to the welfare system as a result of the Welfare Reform (Northern Ireland) Order 2015 and the subsequent publication of the Evason Report will have significant impact on the way that the Department for Communities delivers services to claimants.

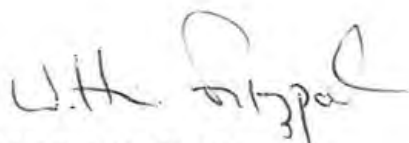
In preparation for the delivery of these changes, including the introduction of Universal Credit in September 2017 the Department for Communities needs to ensure that the local network of Jobs & Benefits, Social Security offices and JobCentres remains 'fit for purpose' for these changes to benefit delivery and the introduction of new ways of working, including the increasing use of telephony and digital services.

The Department is also operating in a challenging financial environment and needs to ensure that service provision is efficient, maximising the delivery of value for money. The challenge facing us is therefore to provide claimants with a quality service and facilities within the reduced budgets available to us.

The Minister understands the concerns expressed in your letter regarding the impact of these proposals and can assure you that the consultation exercise will provide local political representatives, claimants and their representatives and staff the opportunity to comment on the proposals and to raise any issues.

As your concerns are in relation to operational issues and, as the public consultation is already under way, the Minister is content for senior officials to engage with you. Please contact Joanne McCaffrey, personal secretary for Tommy O'Reilly, the Deputy Secretary for the Working Age Group, on 02890 829003 to make suitable arrangements.

Yours sincerely



 **PAMELA BAXTER**
Private Secretary



Adelaide House
39-49 Adelaide Street
Belfast
BT2 8FD

24 October 2016

Dear Stakeholder

CONSULTATION ON PROPOSED CHANGES TO THE LAW APPLYING TO NORTHERN IRELAND CREDIT UNIONS

On 22 April 2016, the Credit Unions and Co-operative and Community Benefit Societies Act (Northern Ireland) 2016 received Royal Assent, with the majority of its provisions coming into operation the following day.

However, two of its provisions (one relating to credit unions) require further legislation before they come into operation. In regard to credit unions, this concerns **section 4** of the Credit Unions and Co-operative and Community Benefit Societies Act (Northern Ireland) 2016 – **attachment of credit union shares**.

Section 4 concerns the withdrawal of credit union shares where the member's paid-up shareholding is, or following withdrawal would be, less than the member's total liability to the credit union. When commenced, section 4 will require credit unions to include in the terms of a loan a statement of whether, for the duration of the loan, the borrower may make such a withdrawal. This replaces the current rule that such withdrawals are permitted only at the discretion of the board of directors of the credit union.

Section 4(1)(b) substitutes Article 23(4) of the Credit Unions (Northern Ireland) Order 1985 ('1985 Order'). The new Article 23(4) forbids the withdrawal of shares where a credit union has made a loan to a member which is treated as a secured loan by virtue of Article 28A of the 1985 Order and the member's shareholding is, or following withdrawal would be, less than their total liability.

Section 4(2) inserts into the 1985 Order a new Article 28(1E), which requires the terms of a loan made by a credit union to a member to state whether the borrower can withdraw shares, where the loan is not treated as a secured loan by virtue of Article 28A.

Paragraph 1 of Schedule 2 to the Credit Unions and Co-operative and Community Benefit Societies Act (Northern Ireland) 2016 Act provides that the amendments made by section 4 do not apply in relation to loans made before the coming into operation of that section.

The full text of the Credit Unions and Co-operative and Community Benefit Societies Act (Northern Ireland) 2016 can be viewed at <http://www.legislation.gov.uk/nia/2016/16/enacted> and the key relevant section is reproduced below:

Attachment of shares

4.—(1) In Article 23 of the 1985 Order (shares)—

(a) in paragraph (3) after “paragraph (4)” insert “and Article 28(1E)”;

(b) for paragraph (4) substitute—

“(4) Where a credit union has made a loan to a member which is treated by virtue of Article 28A as a secured loan, the member must not be permitted to withdraw shares if the member’s shareholding is (or following withdrawal would be) less than the member’s total liability.

(5) In paragraph (4)—

(a) the member’s “shareholding” is the member’s paid-up shareholding in the credit union;

(b) the member’s “total liability” is the member’s total liability (including contingent liability) to the credit union whether as borrower, guarantor or otherwise;

(c) where the loan has been made to an individual in his or her capacity as a corporate member, the member’s “shareholding” and “total liability” are any shareholding and total liability in that capacity.”.

(2) In Article 28 of that Order (loans by credit unions) after paragraph (1D) (inserted by paragraph 9 of Schedule 1) insert—

“(1E) The terms of a loan made from a credit union to a member (other than a loan treated by virtue of Article 28A as a secured loan) must state whether, for the duration of the loan, the borrower is permitted to withdraw shares where the borrower’s shareholding is (or following withdrawal would be) less than the borrower’s total liability.

(1F) In paragraph (1E)—

(a) the borrower’s “shareholding” is the borrower’s paid-up shareholding in the credit union;

(b) the borrower’s “total liability” is the borrower’s total liability (including contingent liability) to the credit union whether as borrower, guarantor or otherwise;

(c) where the loan is made to an individual in his or her capacity as a corporate member, the borrower’s “shareholding” and “total liability” are any shareholding and total liability in that capacity.”.

The Department for the Economy proposes to bring section 4 of the Credit Unions and Co-operative and Community Benefit Societies Act 2016 into operation on 1 April 2017.

Questions

Q1 Do you agree that section 4 of the Credit Unions and Co-operative and Community Benefit Societies Act 2016 (concerning the attachment of credit union shares) should be brought into operation on 1 April 2017?

If you **do not agree** that section 4 of the Credit Unions and Co-operative and Community Benefit Societies Act 2016 (concerning the attachment of credit union shares) should be brought into operation on 1 April 2017:

Q2 what date would be more appropriate; and

Q3 what are the reasons for this new date?

Please send responses to the questions by 5 December 2016 to:

Better Regulation, Mutuels & Company Law Branch
Department for the Economy
Adelaide House, 39-49 Adelaide Street
Belfast, BT2 8FD

or via email to

BRMCL@economy-ni.gov.uk



Independent Review of the

State Pension age

Interim Report

October 2016





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Foreword

I am grateful to the many organisations and individuals who have already been generous with their time, evidence and data. Such welcome contributions have enabled us to publish this Interim Report, which provides an insight into our developing thinking and poses a number of questions. We hope these will stimulate wider discussion and additional engagement.

An assembled team of civil servants seconded to the Review is providing me with support and assistance and I much appreciate their commitment and hard work. I will make recommendations to the Secretary of State and provide my final findings in 2017. These will reflect the valuable insights and objective analysis gathered throughout the Review period.

Being the first Independent State Pension age review, and benefiting from permissive Terms of Reference, we have considerable flexibility and scope when considering the evidence and analysis presented. The Review will take note of existing arrangements already in law, however it will be forward looking and keen to consider the changing demographic, economic and behavioural landscape of the future. These changes, rather than the present context, will be at the heart of my recommendations on setting the right State Pension age.

Please take advantage of our additional consultation period which lasts until the end of December 2016. We welcome all contributions and supporting evidence to ensure that we have considered the widest possible range of available information. Thank you.

Any research or insights that may help inform final findings should be emailed to us at: spa.review@dwp.gsi.gov.uk



John Cridland CBE

Independent Reviewer

A handwritten signature in black ink that reads "John Cridland". The signature is written in a cursive, slightly slanted style.

Executive Summary

Purpose:

This report sets out the evidence we have considered thus far and proposes a series of questions which have been identified as key in shaping any recommendations in the future.

Introduction:

The Review is forward looking and takes note of the existing arrangements before April 2028 which are already law.

At that point State Pension age will be two years higher than when it was first set in its current form 80 years ago. Longevity is changing the pensions landscape, with significant increases in life expectancy seen over the past few decades. The choice of State Pension age is not a decision which can be taken lightly, as it affects when people across society decide to retire and has a significant impact on public finances. It follows that any change in State Pension age can only be considered after a close examination of the evidence and the fullest understanding of the impacts any change will have on individuals, government spending and the overall economy.

**Setting the Context:**

First, we explore who the people most affected by this Review are and, in identifying them, we define the three generations that feature throughout our analysis: Baby Boomers (born 1945-65), Generation X (born 1966-1979) and Generation Y (born 1980-2000). All these generations may see their State Pension age affected by this Review. Generation X are most likely to need to take account of any changes to State Pension age in their retirement planning.

The State Pension has recently undergone significant reform with the introduction of the new State Pension, while automatic enrolment is predicted to change the value of savings people are likely to have. State Pension age needs to be considered in light of these developments, as they will impact people's ability to plan effectively for retirement.

Looking at the economics of pensions, we see that spending on pensions and pensioner benefits is influenced by a number of factors, including life expectancy and demographics, migration and uprating policy.

Lessons can be drawn from how other countries are dealing with similar demographic challenges. The UK is set to have the highest retirement age of OECD countries by 2060, but there are various policy options designed to incentivise people to work longer.



The Three Pillars:

Our Terms of Reference require us to consider three key pillars of **Affordability, Fairness** and **Fuller Working Lives**. We set out our approach to these here.

Measuring affordability can be achieved in different ways. We explore changes in the dependency ratio, looking at how the ratio of pensioners to working age people is projected to increase over time from 305 pensioners for every thousand working age people today to 357 per thousand working age people when Generation Y are approaching retirement nearing 2050. We also look at spending as a proportion of GDP, which the OBR forecasts to increase to 7.6% of GDP in 2044/5.

A significant aspect in assessing affordability, is the commitment made during the last two parliaments to uprate the State Pension more generously than legislated currently, through the triple lock

In assessing fairness, we focus on intergenerational fairness - whether outcomes are fair between each generation of pensioners - and intragenerational fairness - whether outcomes are fair within each generation of pensioners now and in the future. The gap between working age incomes and pension incomes has narrowed significantly over recent years. Due to changes such as the decline of defined benefit schemes, the introduction of automatic enrolment and the new State Pension, we see a reduction of inequality amongst individuals as we move through the generations. In the Baby Boomer generation there was a smaller number of individuals with high-value defined benefit pensions, whereas in Generation Y more individuals are saving albeit with a relatively less generous pension.

Supporting Fuller Working Lives is key to supporting any changes in State Pension age by giving people the opportunity to work longer. Recent employment trends have been positive for older workers – the number of workers over 50 has increased by 1.4 million over the past five years, and the employment rate gap between people aged 50-64 and those aged 25-49 has decreased by 7.6 percentage points since 1995. There are currently 1.2 million people aged 65+ who are in employment. This is more than double the rate seen around the turn of the twentieth century. However, a significant proportion of people still drop out of the labour market early, often due to issues such as ill health or disability. This is often described as 'burnout'. We need to explore how the labour market can accommodate this.



Life Expectancy:

Life Expectancy has been improving over time – in particular for older people. Since 1970, there has been a rapid decline in mortality rates at older ages, particularly for men. The Cohort Life Expectancy for men born in the UK in 2016 is 90.6 years, and for women 93.5 years.

Although Life Expectancy is still increasing each year, the 2014-based projections show a slower increase in improvements in mortality rates than the 2012-based ones. This is because mortality rates at some ages were higher in 2012 and 2013 than were projected in the 2012-based projections. Based on this finding, the OBR reported that the latest estimates of average Life Expectancy at State Pension age in the UK imply that State Pension age should rise to 68 by 2041; five years later than estimated on the basis of the 2012 projections.

The above indicates that there is uncertainty: for government, for employers and pension providers and most importantly, for individuals and their families when planning for retirement.

There are variations in life expectancy. The issue of differing life expectancy between nations or regions of the UK has received some attention, but evidence from ONS shows variations within geographical areas are larger than national or regional differences.

For example, men in Greater Manchester have a Life Expectancy at birth that is 2.4 years lower than in Greater London (77.2 vs. 79.6) and for women it is 2.6 years lower (81.2 vs. 83.8). However, the variations of Life Expectancy between different local areas within Greater London and Greater Manchester are even wider.

The socio-economic group that people are in also has a significant impact on Life Expectancy. Differences in Life Expectancy at birth between the lowest socio-economic group (Routine) and the highest (Higher, Managerial & Professional) are 5.9 years for men and 4.4 years for women (England and Wales only).

Healthy life expectancy (the proportion of life someone can expect to spend in "good" or "very good" health) appears to be keeping track with rises in overall life expectancy, but again there are quite substantial geographical variations.

Estimates from the 2011 Census show that men born in the UK between 2010 and 2012 could expect to live 63.2 years in "Very good or good" health (or 80.3% of their lives) and women 64.6 years (or 78.2% of their lives) if they experienced the same mortality patterns and rates of good health observed in that period.

If surviving to age 65 and observing the same mortality patterns and rates of good health, men and women could expect to live a further 18.3 years and 20.8 years respectively, of which around half would be in "Very good or good" health (9.1 years and 9.6 years respectively).



Serious impacts to consider:

If any changes are made to State Pension age, this is likely to have a disproportionate impact on certain groups. We consider potential impacts on the following groups: carers, people with disabilities, the self-employed, ethnic minorities and women.

Across all these groups, a recurring theme is that they have difficulty accruing sufficient private pensions savings to provide them with an adequate income in retirement.

Carers are a significant group in the context of the Review – around 1 in 10 adults have some caring responsibilities and some have suggested this is likely to increase in the future. Carers are more likely to have breaks in their work history, leading to an estimated gap between carers' and non-carers' median income in retirement of 4%.

People with disabilities may also face challenges in building up a private pension, particularly for those who are disabled from a young age. For non-disabled people, projected median income in the first year of retirement is around 7% higher than for those with disabilities. Stakeholders report that individuals working in certain professions have a higher risk of having to drop out of work early due to ill health or disability. This is an important group we will be looking to explore further in our final report.

Self-employed people are a diverse group with hugely different incomes and employment experiences. There is evidence to suggest that there is a downwards trend of self-employed people saving into a private pension, which means this group could become over-reliant on State Pension in retirement. We are looking to understand how the nature of self-employment is likely to change in the future and the impact on pension saving.

Evidence from stakeholders suggests ethnic minorities face disadvantage in the labour market which translates into poorer pension provision. We are keen to understand the challenges this group face.

Men and women across all generations are set to receive very similar amounts of State Pension. The discrepancy in pension outcomes for men and women instead reflects different private pension outcomes. On average across all generations, it is projected that just under 30% of women's total pension is made up of private pension, compared to just over 40% of men's.

State Pension age does not only impact individuals, but also interacts with the welfare system and with private pensions. Eligibility for certain benefits is linked to State Pension age, while certain private pension schemes use it to set their retirement age. The Review's focus is on our three key pillars as set out above, but we welcome opinions on whether these impacts should be considered within the Review.



Smoothing the transition:

The nature of work and retirement is changing, as people move from the old model of a fixed retirement age leading to a defined period of retirement to a more flexible approach where people may wish to work part-time or change career in later life.

The current State Pension has a universal age of access and, there is some value in a clear point in time when the state will offer retirement income.

If any changes are to be made to State Pension age, additional support may be required to mitigate the impact on the seriously affected groups discussed above and smooth their transition between work and retirement. Stakeholders have proposed options such as supporting individuals to work longer or increase their private savings. Others have suggested more direct interventions such as early access after a long working life or, granting early access to a reduced pension or enhanced working age benefits for certain groups.

We welcome evidence on how the Government, business and other organisations can support any changes. Finally, we recognise the importance of effective communications. Individuals need to be able to access the right information so they can plan effectively for their own retirement.

Introduction

Since the State Pension age in its current form was initially set in 1948, the UK has seen some significant increases in Life Expectancy. This is a welcome development which will have significant implications for the State Pension system.

The Chancellor of the Exchequer announced the Government's intention to reflect the changes in longevity at the 2013 Autumn Statement, setting out the principle that people should expect to spend, on average, "up to one third of their adult life in receipt of the State Pension".¹ Following on from this, the Pensions Act 2014 introduced a requirement for the Secretary of State of the Department for Work and Pensions to periodically review the rules on State Pension age and report to Parliament.

There are two key components to the legislative requirements. Firstly, the Government Actuary's Department must prepare a report to assess whether the rules about pensionable age mean that, on average, a person who reaches pensionable age within a specified period can be expected to spend a third of his or her adult life in retirement. Secondly, the Secretary of State must appoint someone to report on other relevant factors that need to be considered as part of the overall Government Review.

John Cridland CBE was appointed on 1st March 2016 to carry out the latter review, supported by a team of civil servants seconded to the independent Review. The Review is tasked with making recommendations on a suitable State Pension age, with the key objectives of supporting affordability, fairness and fuller working lives.² The review is forward looking and takes note of the existing arrangements before April 2028 which are already law. However, any recommendations that will alter the legislated timetable pre-2028 would undermine the important principle of allowing significant notice for any State Pension age changes in the future.

Over the past months, we have been gathering evidence and engaging in informal discussions with a range of stakeholders to draw out the key issues relevant to State Pension age in the future. The purpose of this Interim Report is to set out our initial findings and invite further evidence on key themes, which will inform our final report.

We have set out questions we wish to explore over the course of the report (a full list can be found in Annex B). We welcome submissions from interested stakeholders on the questions and/or other relevant issues to the review.

¹ HM Treasury, 2013, Autumn Statement, TSO

² The full Terms of Reference can be found in Annex A.

01 Setting the context





Introduction

Before considering the future policy and implications of changes to the State Pension age, it is important to clarify the role that the State Pension currently has. In the first Chapter, we will define the different generations who will be most affected by any change in State Pension age and attempt to capture the importance that State Pension has in people's plans for retirement. We also provide some analysis on the economics of pensions as they are today, and some international comparisons.

An evolving landscape

An exciting and challenging task for this Review is to attempt to look into the future and understand the demographic, economic and behavioural changes that are yet to come. Life Expectancy has increased significantly over the past few decades, and is projected to continue to increase into the future. These changes, and not the current context, should be at the heart of any recommendations on setting the right State Pension age post-2028.

State Pension age is currently a subject of national interest and captures public attention both as a good news story, when looking at the improving longevity statistics, and equally as an issue of discontent, for groups that feel disadvantaged by recent policy developments. Women born in the 1950s are currently a significant group in the latter category.

In the report we have tried to separate these current issues from our focus on the future. For the purposes of making our recommendations, the people whose lives we need to understand are not current pensioners or those nearing pension age right now. They are the working age population of today that will start retiring or start considering their retirement mainly in the 2030s. With this in mind, we will not be looking to comment on the pre-2028 State Pension age arrangements unless we expect them to be relevant to our timeframe.

Generations of Pensioners

Given the long-term nature of the Review, we have attempted to define and better understand the generations that our recommendations may impact. The Pensions Act 2014 increased the State Pension age to 67 by April 2028. The next increase to 68 was legislated in the Pensions Act 2007 and is due to commence in April 2044. This was based on a programme of change recommended by the Pensions Commission over 10 years ago.

In this Review we will look at, in particular, State Pension age arrangements from May 2028, including the currently legislated changes to 68 in the mid-40s as far as it is reasonable to project so far into the future.

Given these time periods, this Review is considering three key generations, defined by their birth year:

Baby Boomers	1945-1965
Generation X	1966-1979
Generation Y	1980-2000

This chart shows where the three generations are now:



Baby Boomers are the oldest of the generations considered. Many will now be retired, although the youngest will be reaching their State Pension age in 2032, aged 67. Most older workers in this group will receive a new State Pension based on their pre-2016 National Insurance contributions or credits record.³ The majority of Baby Boomer workers retiring in the 2030s will receive at least the full rate of new State Pension when they get to State Pension age. Only around a quarter of people in the Baby Boomer generation remained in full-time education beyond the age of 18, suggesting many began their working lives before or at 18.

Generation X are now well into their working lives, ranging in age from 36 to 50. Many of them may be already planning for retirement, whilst for others retirement planning may seem too remote. Most will be covered in the system through National Insurance contributions or credits. This period of their lives will be key to building both their entitlement to new State Pension (most will get the full amount when they reach State Pension age) and private pension savings. Around a third of people in Generation X remained in education beyond the age of 18, which represents a slightly higher proportion than the Baby Boomers before them.

³ National Insurance credits are designed to recognise and protect the State Pension position of people who have caring responsibilities or who have interrupted working lives.

Generation Y are the youngest generation we are considering, ranging in age from 15 to 36. As is evident from this age range, some of those in this generation will not have even begun their working lives.⁴ Most are predicted to gain full entitlement to the new State Pension. Many younger members will see the benefit of automatic enrolment across their working lives, but even some of the oldest should see the benefit of automatic enrolment for over 35 years of their working lives. Of those in Generation Y who have begun their working lives, around half remained in full-time education beyond the age of 18.

All the generations may see their State Pension age affected by this Review. However, it is worth noting that Baby Boomers born before April 1961 are not likely to be affected as their arrangements are beyond the scope of this review. There is also the potential for Generations X and Y to be affected by future State Pension age reviews as they are legislated to occur at least once in every Parliament. Generation X are most likely to need to take account of any changes to State Pension age in their retirement planning. For Generation Y the shaping of the State Pension age policy may influence the plans they will need to make and it will set the tone for their key retirement planning decades.

In the context of State Pension age changes it is important to estimate how the generations will prosper across their working lives and what their income in retirement is likely to be.

The new State Pension – design and objectives

The new State Pension was introduced on 6 April 2016. It was designed to deliver a “single flat-rate state pension set above the basic level of the means test for future pensioners [which] will simplify the state pension and better support saving for retirement”.⁵ Maintaining the value of the full new State Pension above the means-test level is fundamental so that individuals, with even a minimal level of private savings for retirement, are less likely to need any means-tested welfare support. Consequently, most recipients of the State Pension will avoid seeing any private pension saving that they have means-tested by the Standard Minimum Guarantee element of Pension Credit.⁶ In this way the new State Pension is intended to provide a foundation for private saving and give people clarity about what they can expect in retirement from the state.

Under 2016/17 rates, the full new State Pension will provide a weekly income of £155.65 per week. In steady state this will be after 35 National Insurance qualifying years whether these are comprised of contributions or credits or, as is often the case, a combination of both. A transitional element will be in place for some years to ensure that the old system National Insurance contributions are recognised.

⁴ Automatic enrolment reforms require employers to automatically enrol eligible workers into a qualifying workplace pension scheme and pay a contribution, in addition to a government contribution in the form of tax relief.

⁵ Department for Work and Pensions, 2013, The single-tier pension: A simple foundation for saving, CM8528, TSO

⁶ The Pension Credit Standard Minimum Guarantee sets out the minimum weekly amount which recipients of Pension Credit are entitled to.

This new system replaced the basic State Pension and additional State Pension. The old system was already in a process of reform to implement the recommendations of the Pensions Commission, who had recognised the crucial role that state pension has in underpinning private pensions.⁷ The April 2016 changes retain the objectives of the Commission but introduce a radically reformed structure designed to be simple and to get as many new pensioners over the means test as possible.

The new State Pension should be seen in partnership with increased coverage of workplace pensions through automatic enrolment. The Government advocates that this arrangement, where the state delivers a basis for retirement while promoting opportunities to save privately, provides better chances for adequacy of income in later life.

The Policy Role of the State Pension

State Pensions policy has changed significantly in the 70 years since the Beveridge scheme was introduced in 1948. The State Pension started as a flat rate pension funded by flat rate National Insurance contributions. The objective was to deliver a weekly income above the poverty level but at a value that for most people meant that further private saving or other provision would be needed to achieve adequacy of income in retirement.

It changed to a two-tier pension with the introduction of the additional State Pension in 1978, where people received an earnings-related pension, based on earnings-related National Insurance contributions. In its original 1978 form it was supported by the basic State Pension which was uprated by earnings, so it would provide a form of an occupational pension for people not covered by employer schemes. This meant the state would take responsibility for their income (and in effect some of the adequacy of that income) in retirement. The adequacy of this new arrangement was quickly pared back. A series of changes to the policy meant that for many, low earners in particular, the additional State Pension did little more than make up for the fact that their basic State Pension was uprated by prices instead of earnings from 1980. A further key feature during this period was reform aimed at protecting the state pension position of women in their own right rather than as dependants of their husbands.

From 2016 the new State Pension delivers a flat rate pension based on earnings-related National Insurance. The value of the full new State Pension has been set just above the weekly means test. At the same time, automatic enrolment should ensure easier access to private saving for many working people. The policy objective appears to have returned to the 1948 model, where individuals take responsibility for adequacy of income in retirement to suit their own needs and aspirations, with the Government providing a basis that intends to protect most from poverty.

⁷ The Pensions Commission, 2005, *A New Pension Settlement for the Twenty-First Century: The Second Report of the Pensions Commission*, TSO

All post-1948 State Pension provision has been supported through the pay-as-you-go National Insurance system, where each generation of workers pays for each generation of pensioners. This is organised through the National Insurance Fund with expenditure smoothed from time to time by Treasury supplements from the consolidated fund.

The system has been regulated over time to ensure that each generation of workers can afford to support each generation of pensioners. Pressures like longer durations of entitlement because of increased Life Expectancy have been met in the past by reducing the value of the basic State Pension. This in turn led to an increase in the number of people who slipped into poverty, became entitled to means-tested benefits and were comparatively penalised financially for any private saving, eroding further the perceived rewards of private saving for retirement.

Despite rapid increases in Life Expectancy from the 1970s onwards, the first change to State Pension age from the 1948 system did not start until 2010, when State Pension age for women was set to equalise with men's at age 65 in 2020.

Further changes proposed by the Pensions Commission were put in place in the Pensions Act 2007 so that State Pension age would increase to ages 66, 67 and 68 starting from 2024, 2034 and 2044 respectively.

Further reforms in the Pensions Act 2011 and Pensions Act 2014 increased the speed of the changes above. The current timetable that sets the context for this Review is:

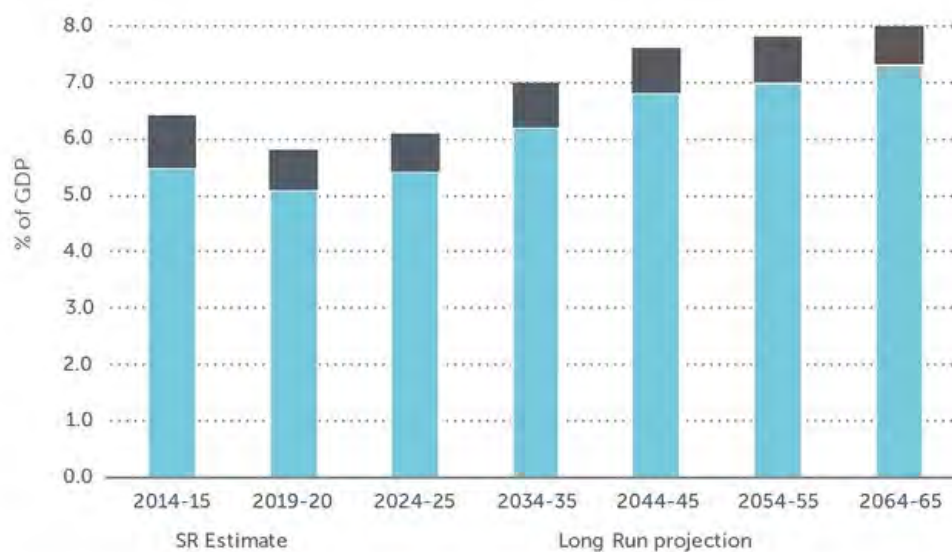
- **Age 66** – from December 2018 – October 2020
- **Age 67** – from April 2026 – April 2028
- **Age 68** – from April 2044 – April 2046⁸

Historically, the overall cost of state pensions has been controlled mainly by favouring a prices uprating policy over earnings, while other scheme design changes were introduced to control the cost of the additional State Pension. These same type of controls would be less effective in controlling expenditure in the new system because of its simplicity of structure and the need to retain the value above the means-testing level. The role of State Pension age is a more significant lever than ever before in maintaining control over the public cost and keeping up with societal changes, such as Life Expectancy. We explore this point in more detail in Chapter 2.

The chart below illustrates long-term pensioner spending as a proportion of Gross Domestic Product (GDP) and shows that this is projected to increase over the coming years.

⁸ Full legislated State Pension age timetable can be found in Annex C.

Figure 1: Long – run projections on pensioner spending (% of GDP) (2014-15 to 2064-65)



● Pensioner benefits ● State pensions

Figure 1: Long – run projections on pensioner spending (% of GDP) (2014/15 to 2064-65)

Question:

Is our interpretation of the policy intent for the State Pension correct?

The economics of pensions

Key concepts

To assess the overall impact of State Pension age changes and the affordability of the state pension system we need to know about the future population (how many people of working age and how many pensioners) and we need to know how much money might be available (the size of the economy). The Office for National Statistics (ONS) produces projections of the UK population and Life Expectancy as far ahead as the 2060s while the Office for Budget Responsibility (OBR) runs its estimates of the UK economy through a similar period. The most recent Fiscal Sustainability report by the OBR was published in June 2015. It is based on the 2012 population projections.

This review covers the period after 2028, and projecting estimates of the population and the economy this far into the future is of course uncertain. Beyond the medium term, estimates of population and the economy become a combination of projecting existing trends and modeling key assumptions (eg Life Expectancy, migration, productivity, earnings growth) based on the best available evidence. Forecasters therefore often present a range of different scenarios, showing the impact of uncertainty around key assumptions, and examine how their forecasts change over time, in order to improve their models.

The State Pension age review will need to make judgments based on a range of projections. We need to assess the impact of changes in those projections, and, given that we know projections will change over time, what contingencies any recommendations should have. A separate section in Chapter 3 looks specifically at changing projections for Life Expectancy and how this might affect what State Pension age should be.

Projections of population and the economy

Obviously there is some uncertainty over the state of the economy in the short term, but this is always the case. In the long term, uncertainty increases. The OBR (like other forecasters) estimates the likely average or trend growth for key economic variables, such as productivity and earnings growth, employment rates and so on. These assumptions determine how we expect the size of the economy as a whole, and the average income each person has, to change in future.

Population projections, economic forecasts, and fiscal sustainability estimates are closely linked. The ONS makes a range of assumptions when making projections of the UK's future population and these are then combined under different scenarios. In the long term, differences in assumptions on Life Expectancy, fertility and migration can have a substantial effect on the size and age of the population. The OBR takes the ONS's "principal" estimate of the UK population to underpin its own "central" projection of the economy and to create a range of economic projections.⁹

The OBR uses a range of economic assumptions, along with those on population, when assessing the sustainability of the UK fiscal position – or in simple terms, how much of the UK's income is being spent by the government and on what. Usually this is shown as government spending as a proportion of GDP.

Probably the most important economic assumptions for State Pension age review purposes are population (working age vs pension age) and productivity growth (which in turn determines growth in average earnings and therefore the triple lock uprating on basic State Pension and new State Pension).¹⁰ Both will affect the size of the economy, spending on pensions, and therefore "affordability" and the government's fiscal position, as measured by spending as a proportion of GDP.

Assumptions about productivity growth (which the OBR assumes matches earnings growth) and prices are important for determining the cost of triple lock uprating, as lower earnings growth increases the relative cost of the triple lock. The link to earnings means that upward changes in (labour) productivity growth in the economy will (at least in OBR projections) automatically feed through to state pensions.

Changes to population, especially the ratio of working age to pension age people (if we ignore those who work past State Pension age for now) can change the measure of spending on state pension as a proportion of GDP. Similarly changes to the proportion of people in work could also affect the fiscal position – if there are more people working and paying taxes that would mean a larger economy to pay a given number of pensioners. We would need to see substantial changes in the number of people working to completely offset the likely increases in number of people living past State Pension age. The section on Fuller Working Lives examines this in more detail.

⁹ For details, see Office for Budget Responsibility, 2015, Fiscal sustainability report – June 2015, TSO, p61, Table 3.3

¹⁰ Under the triple lock, the State Pension is increased each year by the highest of price inflation, growth in earnings or 2.5 per cent.

The chart below shows how the UK population is currently projected to change over time (ONS 2014 based population projections).

Figure 2: UK Population projections by age group, over time (2016 – 2048)



Source: ONS, 2014-based National Population Projections, UK¹¹

OBR Fiscal Sustainability Report

In its annual Fiscal Sustainability Report the OBR produces Pensioner Spending projections which cover the period which the Review is focusing on (2028 onwards). The latest full published projections are from June 2015 using 2012 population estimates.

In 2028, the point at which State Pension age reaches 67, State Pension expenditure is projected to be 5.5% of GDP (roughly the current level). If State Pension age is linked to longevity, spending rises to 6.7% in the early 2040s – or 7.1% if State Pension age follows existing legislated rises. Different assumptions about the cost of the triple lock have an increasing impact over time, while the low and high migration scenarios also affect pension spending as a proportion of GDP. In OBR projections lower net migration has a higher proportion of GDP spent on all pensioner benefits as lower GDP offsets the slightly lower number of pensioners. The reverse is true for high net migration. We discuss costs in more depth in Chapter 2, looking at affordability.

¹¹ The 2014-based national population projections are based on the estimated population at the middle of 2014 and a set of demographic assumptions about future fertility, mortality and migration based on analysis of trends and expert advice.

International Lessons

This Review is keen to look at how the UK compares internationally and whether we can draw on any examples to inform our thinking over the next few months. Of course there are difficulties in drawing direct comparisons – other countries will have different socio-economic conditions, different pension systems, and different demographics – but the commonality of core elements of other systems makes comparisons worthwhile.

What are retirement ages across OECD countries?

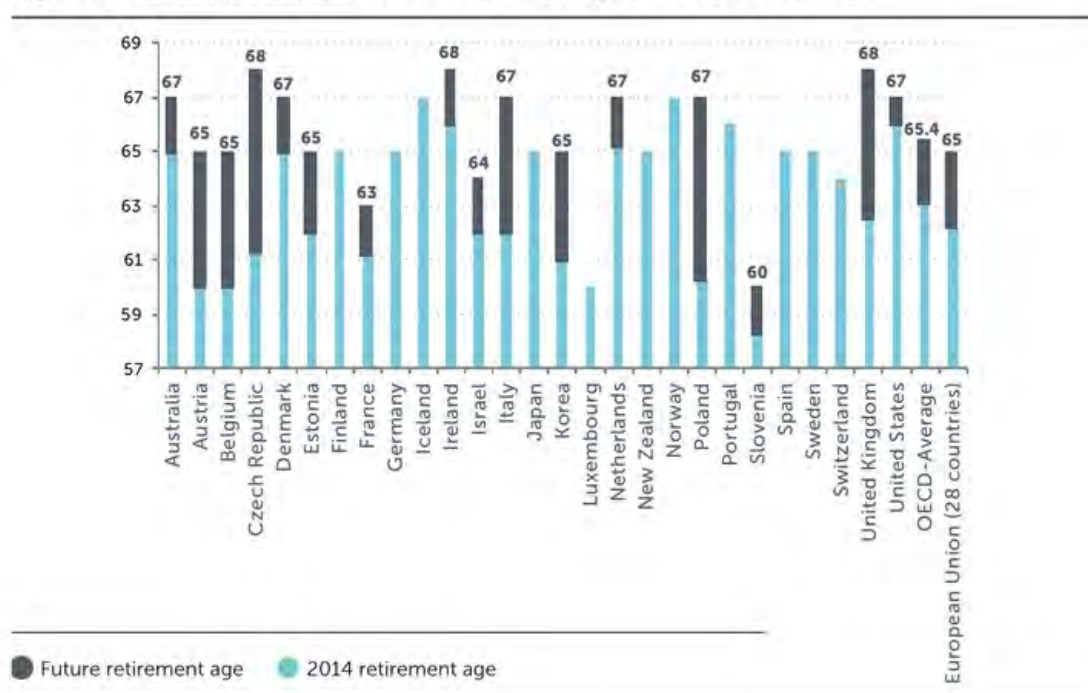
Looking across all OECD countries, the average retirement age¹² is set to rise from 64 years to 65.5 years by 2060¹³.

Currently, Iceland, Israel, and Norway have the highest retirement age set at 67. Examining current legislation, they are set to be overtaken by the UK, Ireland and the Czech Republic whose retirement age will rise to 68.

Slovenia maintains its position at the other end of the scale for the foreseeable future. It has the lowest current retirement age of 58.7 and this will only rise to 60 by the late 2050s. Luxembourg will also have a retirement age of 60 in the late 2050s.

Although the UK will have the highest retirement age of all OECD countries in the late 2050s, it is not the most aggressive rise in age. Italy for instance will increase its retirement age from 62.5 now to 67. Many countries will also have retirement ages near to that of the UK. By 2054, 15 out of 34 OECD countries will have a retirement age above 65.

Figure 3: Current (2014) and future retirement ages in OECD countries



¹² For comparative purposes, taken as of males entering the labour market at age 20.

¹³ OECD, 2015, Pensions at a Glance: 2015 OECD and G20 indicators, OECD Publishing, p13

Gender equalisation of pension age

The vast majority of OECD countries have equalised or are set to equalise their retirement ages. Thirteen countries currently have different retirement ages according to gender but only Chile, Switzerland, and Israel have no legislation to achieve equalisation.¹⁴

Early Retirement

The general trend across OECD countries is to limit the ability to take early retirement. This is being done through a variety of means, but mostly through either increasing the years related to eligibility, increasing the age one can take early retirement from, or a combination of both. Denmark and Spain are both increasing the age at which people can take early retirement. Belgium, Austria and Portugal are doing this as well as increasing the years related to eligibility. Both the Netherlands and Finland are abolishing early retirement, although in Finland this is for private sector workers only.¹⁵

In France and Germany, there are also possibilities for early access to state pension if someone entered the labour market early. In France, if people entered the labour market before age 18 they can access their pension at 60 (provided they worked at least 41.5 years). In Germany currently, those with at least 45 years of contributions can access their pension at 63. However, it is interesting to note that Germany is also limiting this in future and from this year will increase the age of early access by two months every year until it realigns with the standard retirement age of 65.¹⁶



“We have not identified, from the OECD work, any countries operating variable SPAs between different sub-groups of the population, except that some retain sex-based differences and some may allow particular professions (e.g. Army, Police, Fire-fighters, Trawlermen) to retire earlier than others.”

IFoA Submission to the Review



Institute
and Faculty
of Actuaries

Affordability, sustainability, and reforms

The increasing challenge of an ageing society is of concern across the OECD countries. Particular care has been taken to consider balancing adequacy in retirement with financial sustainability. Similarly to many of the policy suggestions we have heard from stakeholders, the key four areas where reforms have been focused are as follows:

1. Increases to retirement age
2. Decreasing the ability to take early retirement, or at least higher penalties for early pension
3. Financial incentives to work beyond normal retirement age

¹⁴ OECD, 2015, Pensions at a Glance: 2015 OECD and G20 indicators, OECD Publishing, p23

¹⁵ OECD, 2015, Pensions at a Glance: 2015 OECD and G20 indicators, OECD Publishing, p25

¹⁶ OECD, 2015, Pensions at a Glance: 2015 OECD and G20 indicators, OECD Publishing, p26

4. Greater ability to combine working and receiving some pension

Points 1 and 2 have been discussed in relation to other countries above, but points 3 and 4 merit some further consideration. Canada and Spain are two of the countries who have been encouraging older citizens to consider taking part of their pension whilst working by increasing the flexibility to access their pension whilst also remaining in employment.

Norway has also increased pension flexibilities to enable longer working by requiring private schemes to allow partial draw-down. Switzerland has focused on this issue but taken a slightly different approach, by increasing the age limits for contributing into a pension so that citizens can continue to benefit from paying into a pension in their later working lives.

Canada, Australia, and Sweden have made some provision of financial incentives to work beyond normal retirement age. In Australia, this has focused on employers who are given financial incentives to employ older workers. In Sweden, the incentives are focused on employees, who from 2014 have been granted more generous earned income tax credits if they are working after 65.

In Canada, financial incentives are also directed at workers, although through retirement income rather than working income. There it is possible to defer both an earnings-related pension and the flat-rate Old Age Security (OAS) pension for increased returns. For the OAS pension, the increment is 7.2% per year and for the earnings-related pension the increment was 8.4% as of 2014. However, there is an age limit to this system, and once a person reaches 70 there is no financial benefit to deferring their pension.

Conclusions

Of the OECD countries the UK is one of the most advanced in policies directed at the pension age. According to planned legislation, it will have the highest retirement age of all OECD countries by 2060. It must however also be recognised that it has one of the smoothest rises in pension age and that many countries may well raise their pension ages with less notice between now and 2060 to join the UK at 68 or go further.

Looking at other OECD countries' approaches to working longer, the trend is clearly to limit support, or in some cases access, to early retirement but instead focus on encouraging working longer through a mixture of financial incentives and pension flexibilities.

Question:

How successful are other international policies? Are there any other policies that we could consider? How should the UK policy on State Pension age take these examples into account?

02 The Three Pillars





Defining the Scope

This Chapter discusses how we will approach our Terms of Reference and how we understand the three pillars of Fairness, Affordability and Fuller Working Lives. We will set out what we understand by the State Pension age arrangements being affordable in the long term, fair to current and future generations of pensioners and consistent with supporting fuller working lives.

In the first part of the chapter we look at affordability. We look at current spending on state pension and estimated expenditure in the future. We also look at how the state pension is funded and the dependency ratio, followed by the main drivers of expenditure - the increasing numbers of pensioners who are living longer and the design of the State Pension itself.

We then consider fairness, asking whether outcomes are fair within each generation of pensioners now and in the future, and also whether they are fair between each generation.

Finally, we consider Fuller Working Lives and, in particular, the importance of the labour market for pension policy and for older workers.



Affordability

The costs of the current system over time

In Chapter 1, we described that the Government's objective for the new State Pension is to deliver a weekly benefit to most people that is set above the limit of the weekly means test. This is achieved by:

- A full amount of new State Pension set at £155.65 compared to the Standard Minimum Guarantee in Pension Credit of £155.60. Both amounts are required by primary legislation to be increased each year to reflect the growth of earnings. This means that the poorest pensioners still share in the prosperity of the nation and people who have a full new State Pension always have an income above the basic means test.
- Setting the conditions for building the new State Pension in such a way that most people can achieve the full amount. The full amount requires 35 National Insurance qualifying years of contributions or credits and by 2028, negating for the effects of contracting-out¹⁷, around 90% of people will reach State Pension age with a full new State Pension.

To achieve the Government's objectives this is the system that must be afforded at any one time. It follows therefore that pensions policy has to be able to respond to an increasing caseload because more people are living longer.

The Pension Commission recognised these dynamics of longer Life Expectancy in an ageing society, saying that it was "essential to keep the increase in public expenditure within limits which are fair within generations and sustainable in the long term"¹⁸ and for this reason recommended at the time that State Pension age should be increased in line with increases in Life Expectancy.

Furthermore, the Government announced the principle that State Pension age should be set in such a way that people could expect to receive the State Pension for, on average, "up to a third" of their adult lives.¹⁹

Meeting the costs of the state pension

As we mention in Chapter 1, the State Pension depends on "pay as you go" funding which is organised through National Insurance contributions, meaning that pensioners depend directly on working age people to achieve a retirement income. So for all pension systems, affordability is first determined by the number of people capable of work who can support those not in work. One way of measuring this is the dependency ratio: defined as the number of pension age people per thousand working age people.

¹⁷ Including the effects of contracting-out, by 2028 83% of people will reach State Pension age with a full new State Pension, increasing to around 85% by the mid-2040's (after the last contracted out people have reached SPa).

¹⁸ The Pensions Commission, 2005, A New Pension Settlement for the Twenty-First Century: The Second Report of the Pensions Commission, TSO

¹⁹ HM Treasury, 2013, Autumn Statement, TSO

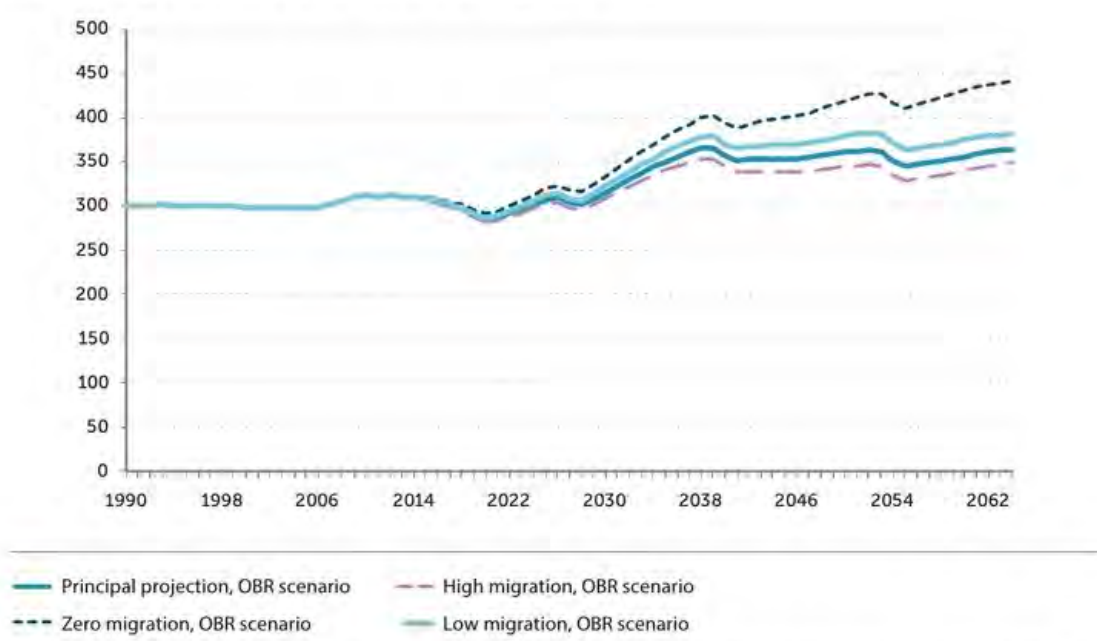
The ONS population estimates allow us to look at projections of the dependency ratio over the next 50 years. The ONS use a range of assumptions on life expectancy, fertility, and migration, so we can see what happens under different scenarios.

The chart below shows how the dependency ratio changes over time. The estimates, like those for future spending, assume that State Pension age changes in line with the Government objective that people spend up to one third of their adult life with entitlement to state pension.

The ratio of people at State Pension age and above to those of "working age" rises over time, although increases to State Pension age have the effect of delaying when this rise happens. This means, other things being equal, as a nation we will be asking a progressively smaller number of people to pay for an increasing number of pensions in payment. The chart also shows the impact of migration. Clearly the higher the working age population (either through migration or higher birth rates) the easier it is for those workers to meet the costs of the pension population.

This is a challenge the UK shares with most developed countries which are facing significant rises in the dependency ratio.

Figure 4: Old age dependency ratio projections under different migration scenarios, 1990 -2062, People above SPa per 1000 working age

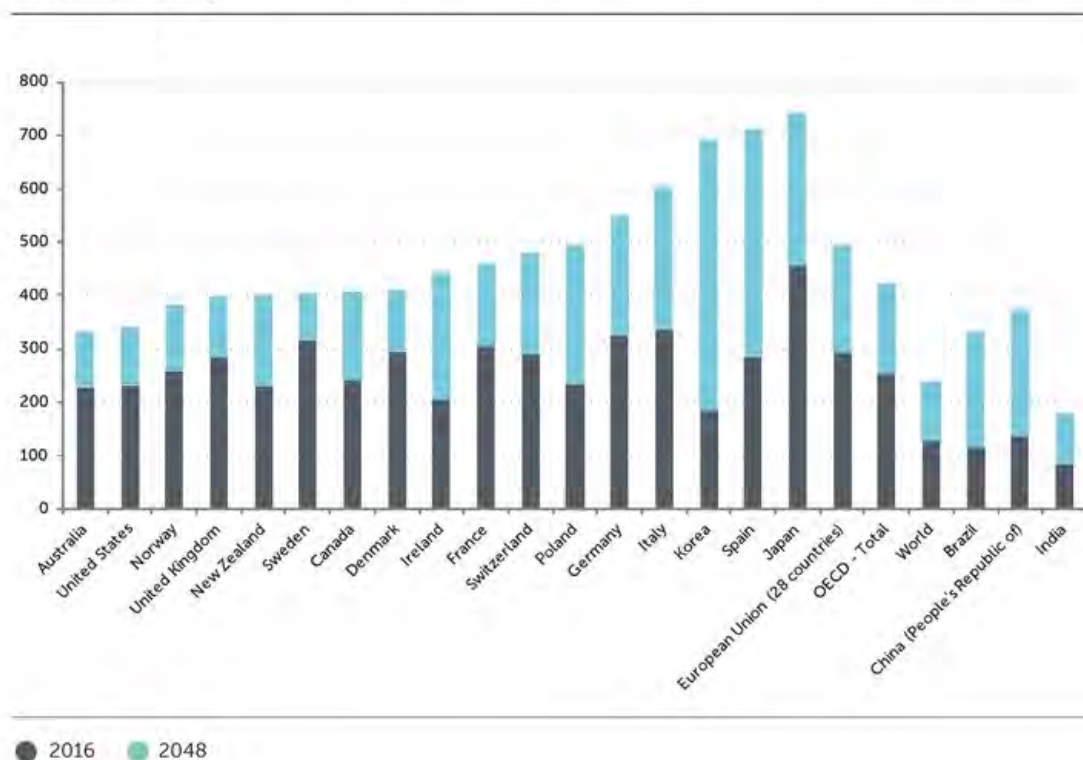


Source: ONS Old – age Dependency ratio data based on 2014 Population Projections and OBR Scenarios

Migration (and fertility) don't affect SPa – but do affect dependency ratio, and affordability as a % of GDP

2014 Population projections see a slightly slower rise in Life Expectancy – this pushes back rise in SPa to 68 based on the "1/3 rule"

Figure 5: Old age dependency ratio projections (2016 vs. 2048) - People aged 65+ per 1000 working-age



Source: OECD statistics

Other Drivers of Affordability

We have shown that to a large extent the costs of the system are pre-determined by: 1) the policy intention for the State Pension to provide an income above the means-tested level; 2) the increase in Life Expectancy; and 3) the principle that people should spend up to a third of their adult life receiving the State Pension.

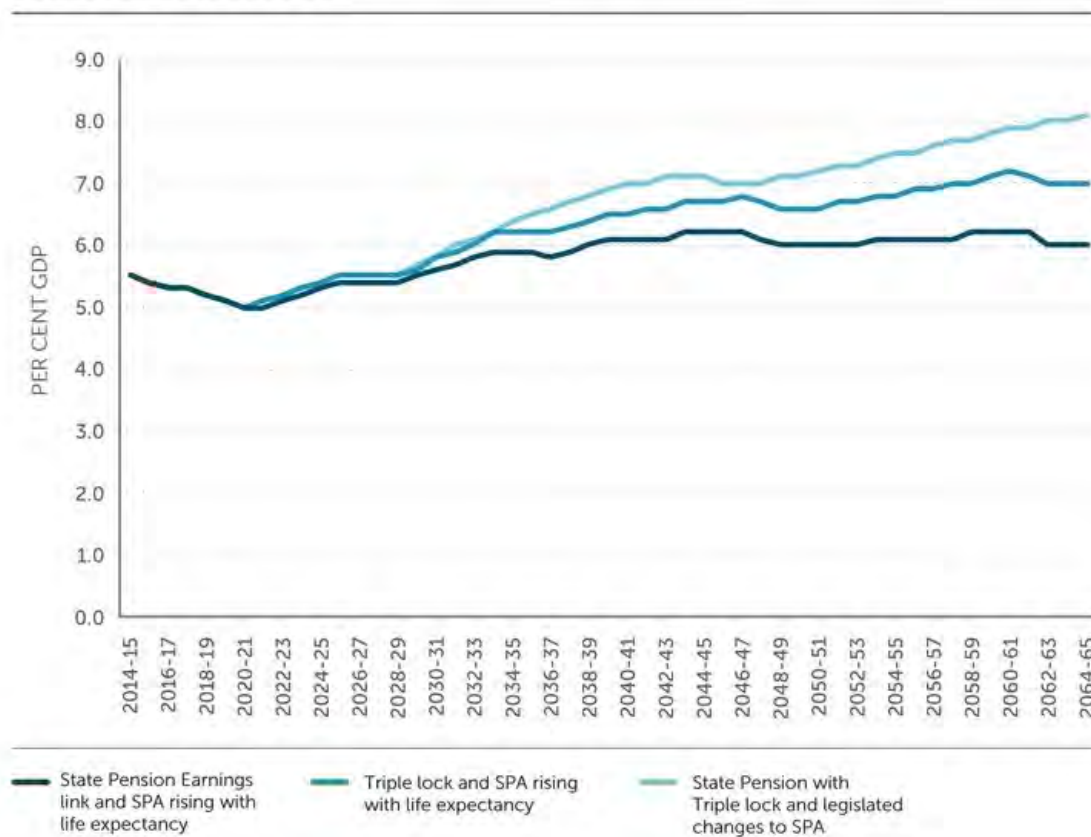
A significant aspect in assessing affordability is the commitment made during the last two Parliaments to uprate the State Pension more generously than legislated currently, through the triple lock.

The triple lock was introduced in the last Parliament and provides that the basic State Pension and new State Pension is increased each year by the higher of prices or earnings, but if prices and earnings growth are less than 2.5% then the State Pension will increase by 2.5%. The triple lock is not a legal requirement (the legal requirement is to increase basic State Pension and new State Pension by earnings growth) but the OBR includes the triple lock in its estimates of long-term state pension spending.

The triple lock uprating has meant that the basic State Pension recovers some of the value it lost in the last two to three decades when uprating did not keep up with the growth of the UK economy. The triple lock benefits better off pensioners who have had poor returns on their savings over recent years. It also means that the income of some less well-off pensioners has been lifted over the Standard Minimum Guarantee.

On the other hand, the impact of the triple lock over time is significant. Each time it is activated, pension payments increase by the highest of the triple lock factors, adding more each time to the consolidated amount to be uprated in the future. The chart below shows the costs of the system using alternative policy scenarios.

Figure 6: State Pension spending projections under different uprating scenarios (% of GDP), 2014-15 to 2064-65



Source: Office of Budget Responsibility, Fiscal Sustainability Report 2015

There appears to be a consensus on the Government's objectives that the new State Pension should be a robust and durable underpin for private saving. However, we have repeatedly heard that ending the triple lock uprating of the State Pension from 2028 could delay further increases in State Pension age; so that pensioners in the future could receive less weekly income but have it paid from an earlier date. So the overall proposition is trading how much pension an individual can get with when they are eligible to get it.

Under the scenario above, where state pension is linked to earnings, the policy objective of delivering a pension above the means test would be met – in earnings terms the new State Pension will still be the equivalent of £155.65 when Generations X and Y reach State Pension age. It is worth noting that while the triple lock is of benefit to all pensioners, it is particularly important, as described in Chapter 4, to disadvantaged groups.

As mentioned above, withdrawing the triple lock has been identified by some people as a way of mitigating the impact of State Pension age changes. The other lever in play is the number of people who are covered by the full amount of new State Pension.

The coverage arrangements, where people build National Insurance Qualifying Years on both contributions and a range of credits and where full entitlement is achieved in 35 years of a 50 plus years working life, means that by 2028 some 90% of people qualify for the full new State Pension, negating for the effects of contracting out.²⁰ It is possible to reform these arrangements by increasing the number of years required for a full new State Pension so that savings could be reinvested in State Pension age mitigation. However, this may undermine the Government's overall objective, because more people would see less state pension than the Standard Minimum Guarantee at State Pension age.

There are other areas of benefit spending on pensioners, such as Winter Fuel Payments, which do not contribute to the Government's core State Pension objectives. However, these are discretionary amounts and we have discounted them in our considerations.

Question:

Considering the main drivers of State Pension expenditure, which ones are more important to the policy intent, if they were presented as a trade-off? Maintaining early access, a generous increase annually or ensuring that most people can achieve the full rate of the new State Pension? Which of these delivers fairer outcomes?

Conclusions

There are 13 million pensioners now. By the time Generation X get to State Pension age in the mid 2030s there will be 15.5 million people over 67 (17.2 million over 65) and by the time Generation Y gets to the current legislated State Pension age (68) in 2048 there will be around 16.6 million pensioners (19.1 million people will be over 65).

Today there are 305 pensioners for every thousand people of working age. By the time Generation X are approaching retirement in the mid-2030s there will be 350 pensioners aged 67+ per thousand people of working age, and 357 pensioners per thousand people of working age when Generation Y approach retirement nearing 2050 (68+). Over the same time period the state pension itself will become less generous for some pensioners while more generous for others. Overall, spending on the new State Pension is much the same as the scheme implemented in response to the Pensions Commission until the 2040s. After that, the post-2016 system starts to cost less than the old system. However, costs are still increasing due to the increasing number of pensioners.

The Pensions Commission estimated that overall expenditure on State Pension and pensioner benefits would reach 7.6% of GDP in 2050. This is broadly in line with the current OBR projections that State Pension and pensioner benefits expenditure, including the triple-lock and adjusting for Life Expectancy based on the 2012 projections, is going to reach 7.6% of GDP in 2044/45.²² This falls within the Pension Commission's proposed

²⁰ Including the effects of contracting-out, by 2028 83% of people will reach State Pension age with a full new State Pension, increasing to around 85% by the mid-2040's (after the last contracted out people have reached SPa).

²² This includes benefits pensioners receive such as Disability Living Allowance and Housing Benefit.

²³ The Pensions Commission, 2005, A New Pension Settlement for the Twenty-First Century: The Second Report of the Pensions Commission, TSO, p13

“envelope” of 7.5%-8%.^{23[1]} On the position post-2045, the Pensions Commission said of the 7.5% to 8% range that “fairness between the generations suggests that public expenditure on pensions as a percentage of GDP should stay roughly constant. If Life Expectancy goes on rising this will require further rises of State Pension age in proportion to Life Expectancy, allowing each generation to enjoy the same proportion of life contributing and receiving state pensions.”

Question:

Is the Pensions Commission’s assessment of the proportion of GDP expenditure on pensioner benefits, over time, still valid, when considering State Pension age affordability post-2028? Is State Pension age the best tool to maintain a steady GDP proportion for pensioner benefits?



Fairness

All groups have an interest in ensuring the Government’s investment in pensions is fair. If at any point the gain from the state pension is not enough for pensioners or costs too much for workers, there is a danger that the financial and social contract between the two groups will break down.

As many stakeholders have acknowledged, measuring fairness is complex, as there are a range of perspectives on what constitutes fairness in the context of State Pension age. In considering fairness of any changes, we will be looking to explore two main aspects. Firstly, we will explore whether the Government is distributing its investment in pension provision fairly between generations and within generations. Secondly, focusing on groups who are likely to be disadvantaged in terms of pensions outcomes, does the system treat those individuals fairly? Are there specific barriers for certain groups which will significantly affect their opportunity to build an adequate income in retirement?

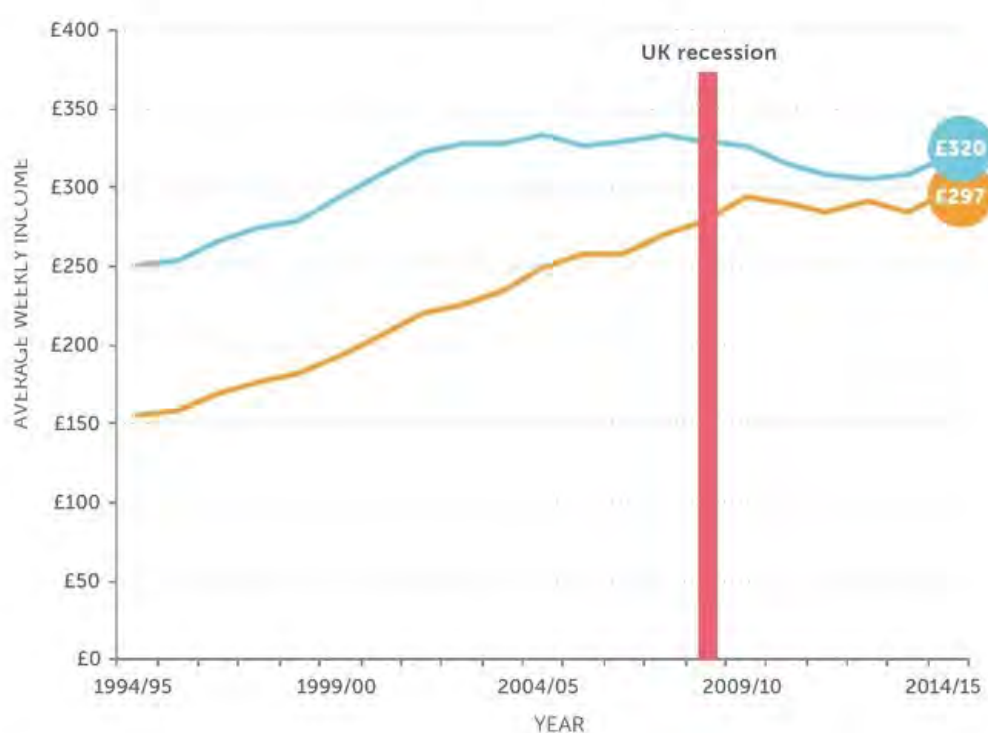
It is inevitable that some people will fare less well than average when it comes to pension access and provision, regardless of how State Pension age is fixed. This happens now and will continue to happen in the future. It may be that their opportunity to save privately, or in some cases their ability to build a full new State Pension, has been restricted because they have had an interrupted working life or have had to restrict their earnings potential through no fault of their own. It may also be that their income is limited immediately before State Pension age and waiting longer for a relatively higher pension will cause them hardship. We discuss disadvantaged groups in more detail in Chapter 4.

Intergenerational fairness

The current balance between generations

In recent years, there has been a considerable levelling of working age and pensioner income, as can be seen in the chart.²⁴ In 2014/15, the average weekly pensioner income was 7% lower (around £23 in 2014/15 prices) than that of working age people. In contrast the position 20 years earlier was that pensioner income was 38% lower (around £96 in 2014/15 prices) than working age income. Research from the Institute of Fiscal Studies shows that the over-60s cohort are the only age group to have become better off since 2007-08²⁵.

Figure 7: Average weekly income of pensioner units and working-age population benefit units (After Housing Costs) in 2014/15 prices (£), using unequivalised income



— Working age population — Pensioners

Source: Pensioners' Incomes Series: An analysis of trends in Pensioner Incomes: 1994/95-2014/15

Working age incomes were flat ahead of the financial crisis, and have declined since then. Combined with relatively strong private pensions (and earnings) for younger pensioners, the gap between the two groups has closed. In addition, the triple lock has meant that those pensioners with a full basic State Pension are around £11 a week better off than if their pensions had been increased by earnings growth. A further consequence of this has been

²⁴ Department for Work and Pensions, 2016, Pensioners' Incomes Series: An analysis of trends in Pensioner Incomes: 1994/95-2014/15

²⁵ C. Belfield et al, 2016, Living standards, poverty and inequality in the UK: 2016, IFS Report (R117)

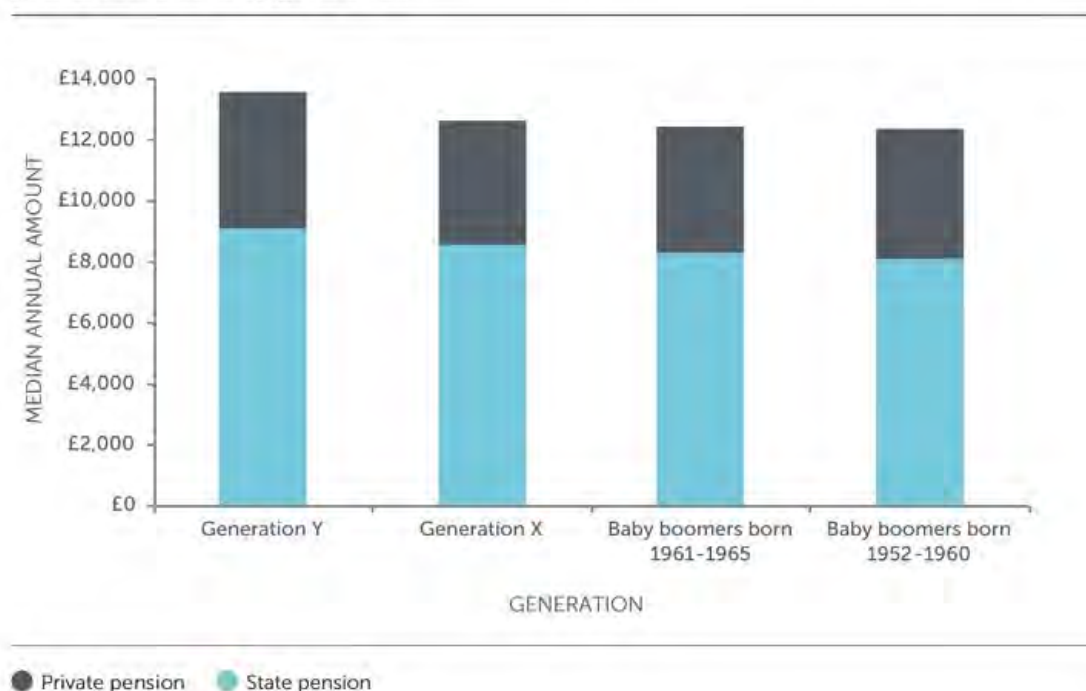
the higher than earnings increase in the Standard Minimum Guarantee, which combined with other factors now means that pensioners are less likely to live in poverty than other groups.

Comparison of pension outcomes

When considering the pension outcomes across generations we will look both at the projected adequacy likely to be achieved by future generations compared to current pensioners and a more direct comparison of what future generations are likely to get out of the State Pension compared to their predecessors. This latter comparison is key when considering the value of State Pension payments in the context of likely longevity for each generation.

Looking forward to pension value across the generations, the chart below shows projected median average state and private pension incomes in a person’s first year of retirement for Baby Boomers, Generation X and Generation Y (note that the median amounts include those with zero pension)²⁶:

Figure 8: Projected median average amounts of State Pension and private pension in 1st year of retirement, by generation



Source: PENSIM2

The chart shows that over time, total median pension values are projected to increase. Median State Pension amounts increase relative to earnings as more people in the future receive the full amount of State Pension and those in the younger age cohorts benefit for longer from the triple locking of the State Pension.

²⁶ All figures are expressed in 2016 earnings terms and the generations shown in the charts are based on current ages as at 2016. Unless stated otherwise, zero amounts are included within the median state and private pension incomes. Median private and state pension amounts should not be added together to gain a median total pension amount.

The chart appears to indicate that the value and widespread coverage of defined contribution incomes for younger generations is replacing the value of defined benefit incomes in older generations. More detailed analysis of the data suggests that over time increasing numbers of pensioners have some defined contribution income from their workplace pension. In the future more people receive a private pension income, but the average pension in payment is relatively lower compared to current levels, which are higher for those who have access to a defined benefit scheme.

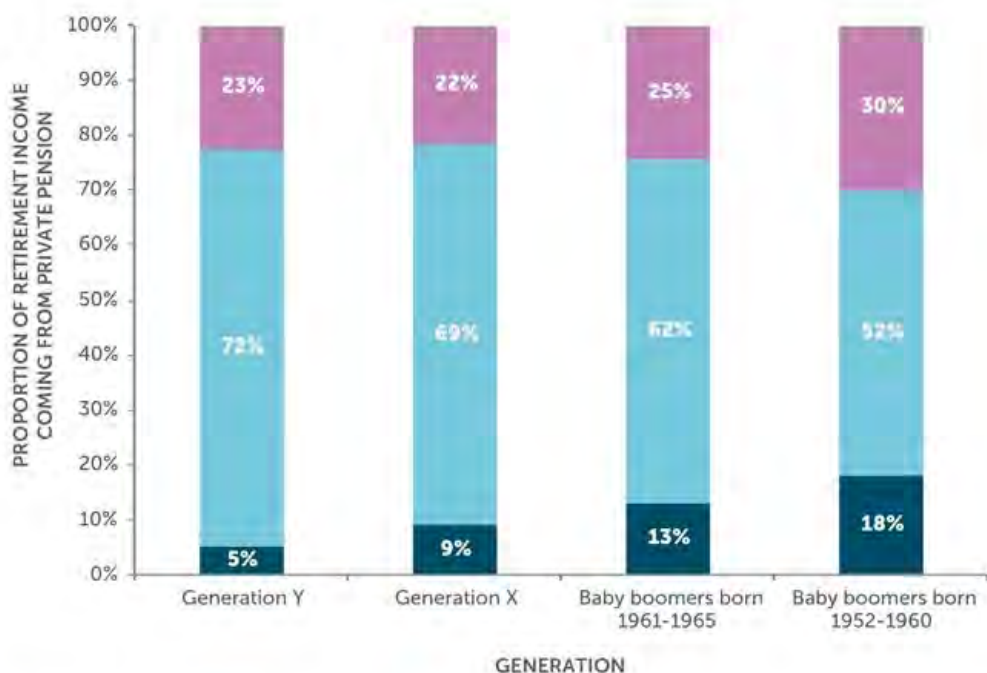
The proportion of people without a private pension in retirement is projected to fall over time. As an example, 95% of those in generation Y are projected to have a private pension income in retirement because of automatic enrolment take-up.

When attempting to compare generational outcomes, it is important to consider not only monetary values but also to what extent individuals are likely to be reliant on their State Pension. Looking at the chart below, the proportion of people with at least 50% of their total pension income coming from private pension is projected to increase between Generations X and Y. However, only around a quarter of Generation Y (equivalent to around 3.9m people) have at least 50% of their total pension income coming from private pension. This is still lower than that of the baby boomer generation (projected to be 28%), reinforcing the value of defined benefit schemes to past generations.

The number of people who will receive income from defined benefit schemes is projected to fall from the baby boomer generation levels. Between Generations X and Y, the proportion of people receiving any defined benefit income is expected to fall from 66% to 39%. At the same time, there is an increasing proportion within each generation receiving income from defined contribution schemes (83% in Generation X up to 91% in Generation Y).

The following chart breaks the figures down further by generation:

Figure 9: Projected proportion of income in 1st year of retirement coming from private pension, by generation



● No Private pension ● Less than 50% ● 50% and over

Source: PENSIM2

The charts reiterate the point made above that private pension income will, over time, cover more people, but with declining access to more generous defined benefit pension income. Many commentators make the point that the 8% statutory minimum investment in automatically enrolled pensions is not enough to deliver people the pension income they aspire to, and some commentators expect a shift upwards of savings levels. However, the prospects for some in the disadvantaged groups discussed in chapter 4 are likely to be limited because of affordability.

Some of the representations which we have received also look at the wider economy in determining fairness, especially across generations. For instance, some look at the distribution of wealth and assets, particularly housing wealth.

Housing costs, and how these have changed and may change over the next 20 years, may affect the adequacy of individuals' pension outcomes. The English Housing Survey shows that the age of first time buyers increased over the past 20 years²⁷. In particular:

- The average age of first time buyers increased from 30 to 33 over the past 20 years. In 2014-15, the majority of first time buyers were aged 25-34 years (61%), similar to 1994-95.

²⁷ Department for Communities and Local Government, 2016, English Housing Survey First Time Buyers and Potential Home Owners Report 2014-15

- Between 1994-95 and 2014-15, the proportion of first time buyers aged 16-24 years declined from 23% to 10%, while the proportion aged 35-44 years increased from 11% to 20%.

We have seen a move to extend mortgages for customers until their 70s or even 80s by a number of high-street banks, so it appears that this trend is not likely to be a temporary occurrence.

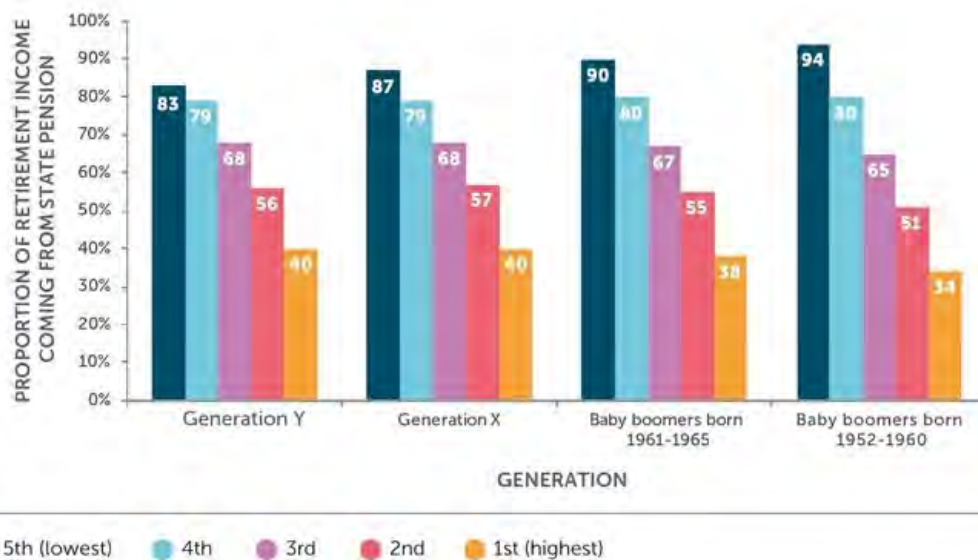
Question:

Are there any other issues around the opportunity to achieve adequacy for future generations that we need to consider? How can we best take into account wider economic impacts, for example, the likelihood of low interest rates in pension outcomes or the changes in housing costs and overall wealth distribution?

The value of the state pension to each generation

In considering intergenerational fairness, we also want to understand the value that the State Pension has for all generations of pensioners. The chart below uses PENSIM2²⁸ to estimate the mean average value of the state pension by income quintile²⁹ as a proportion of overall pension income for each generation.

Figure 10: Projected proportion of income in 1st year of retirement coming from State Pension, by generation and income quintile in 1st year of retirement



Source: PENSIM2

²⁸ PENSIM2 is a micro-simulation model which allows us to project forward using current pension's policy, to estimate future pensioner incomes, based on modelled private pension savings and coverage.

²⁹ Income quintile defined by sorting the population by total pension income, then dividing into five equally sized groups.

In the lowest income quintile, the State Pension makes up the vast majority of a person’s total pension income (over 80%), though this reliance is decreasing with each successive generation (due to the introduction of automatic enrolment).

In the top two income quintiles, the lessening effect over time of higher value defined benefit schemes can be seen, as the State Pension makes up a greater proportion of total pension income for those in Generations X and Y (when compared to Baby Boomers).

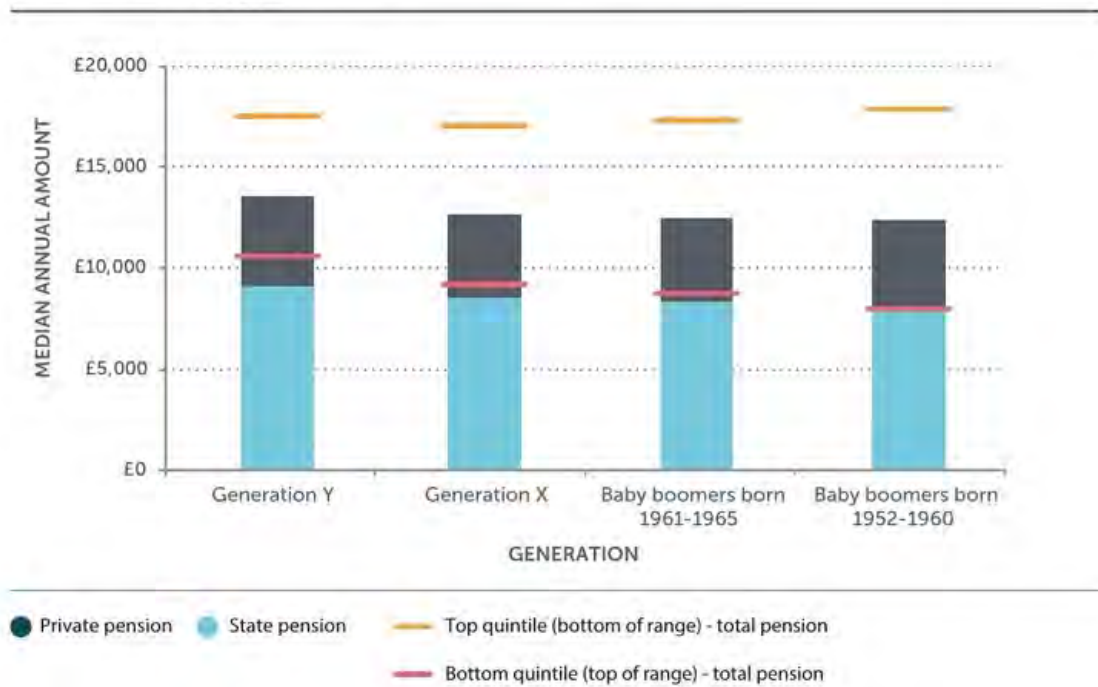
Question:
Are there any other factors that may impact the value of the State Pension for each generation?

Intragenerational adequacy outcomes

Turning to fairness within generations, there can be wide variation in individual pension outcomes which will affect the adequacy of individuals’ retirement income. To fully assess whether any changes are fair, we want to take into account the barriers to adequacy faced by specific groups within the future pensioner cohorts and assess whether these groups will have to shoulder a disproportionate impact from any State Pension age change.

On this measure of income pensioner income inequality is forecast to continue to reduce over time, as seen in the chart below.

Figure 11: Projected median average amounts of State Pension and private pension in 1st year of retirement (also shows upper and lower quintile amounts of projected total pension income), by generation



Source: PENSIM2

In terms of pension outcomes, the analysis here shows that income inequality is narrowing across the pensioner income distribution and that this continues across the generations. This is likely to be due to the flattening in value of the new State Pension. It also shows that workplace pension saving will increasingly give more people on average more pension in retirement, as opposed to a higher defined benefit income for a narrower range of people in the current pensioner generation.

The information here reflects our general findings across Chapter 2 – that the levelling and broadening of the new State Pension delivers a foundation income for Generation X and Y, but that the withdrawal of defined benefit membership, and with it a significant amount of employer subsidy, means that future generations are unlikely to see overall pension outcomes to equal the Baby Boomers.

Our initial analysis of private savings suggests significant reliance on the State Pension as a proportion of retirement income, especially for low earners.

If we work through some simple case studies using the DWP iPen model: low earners, with full or interrupted working lives, get less private saving as a proportion of overall income than other groups. For example, Generation X low earning women receive only 4% of their total income from private pensions (£8 a week after 34 years of saving into a private pension) while Baby Boomers receive around 2% (£3 a week after 16 years of private pension saving). This increases to 6% of overall income for Generation Y (£12 a week after 46 years of saving into a private pension). Generation X low earning females who spend some 35% of their working lives caring will derive less than 2% of their pension income from private saving.

Median earners receive a far higher proportion of their income from private pensions. A Generation X man receives 32% of his pension from private pension compared to the 4% proportion received by a low earning woman of the same age. A Generation Y man, with lower private provision because of the increasing withdrawal of defined benefit coverage, still receives nearly 30% of his income from private provision compared to a woman of the same age on low earnings who sees 6% of her income from private provision. Even if a Generation X median earning man withdrew from private saving at age 50, he would still receive almost 23% of his pension from his private scheme.

Private pensions for low paid workers can only be a small proportion of overall pension outcomes because they have less to invest. However, in contrast the replacement rates of low earners are comparatively high. The iPEN examples show Generation X low earners achieve replacement rates of 130%, Baby Boomers 117% and Generation Y women see replacement rates of over 145% of last earnings. These replacement rates reflect the fact that most workers receive the full rate of the new State Pension (including the benefits of the triple lock) and that most had low working age incomes.

These case studies help explain the projected picture for the whole population. The chart below looks at the projected percentage of total pension income which comes from private pension in the first year of retirement across all current working age people. Note that this analysis looks at income in the first year of retirement, so this will exclude people who

accrued rights to a private pension which they then converted into a lump sum payment:

Figure 12: Projected proportion of income in 1st year of retirement coming from Private Pension



● No private pension ● Less than 50% ● 50% and over

Source: PENSIM2

3.4m (9%)

are projected to have no private pension income

25.0m (67%)

are projected to have less than 50% of their total pension income coming from private pension

8.9m (24%)

are projected to have at least 50% of their total pension income coming from private pension

On average across all generations, just over a third of a person's total pension is made up of private pension. This figure is fairly static across each generation, and shows significant reliance on the State Pension as a source of income.

Looking to the future we see a projected increase in median pension outcomes and a reduction of pension income inequality. As discussed above, more people in lower income brackets can (and are expected to) access private pension savings, while people in higher income brackets see a reduction in private incomes due to the withdrawal of defined benefit schemes. In addition, there has been a narrowing between working age and pensioner incomes in recent years.

In looking at fairness, we need to consider what impact any State Pension age changes would have on different groups. We also need to consider whether our current methods of measuring fairness are still appropriate in a changing labour and housing market.

We discuss the potential impact of State Pension age changes on specific impacted groups in more detail in Chapter 4.

Measuring Adequacy

The Pensions Commission used a tool that is most commonly used and most widely recognised for measuring adequacy for current pensioners. This is based on Replacement Rates that compare an individual's retirement income against their average earnings in the last decade prior to retirement. The Commission then recommended different replacement rates for different earnings bands.

2016/17 income band Target replacement rate	Target replacement rate
Up to £12,600	80%
£12,600-£23,300	70%
£23,300-£33,200	67%
£33,200-£53,200	60%
Over £53,200	50%

30

However, in looking at the relevance of Replacement Rates for pensions policy in the future, a number of issues arise:

- **Pension Flexibilities:** Is it possible to accurately measure the income likely to be generated by a Defined Contribution pension pot when annuities are no longer obligatory?
- **Costs in Retirement:** The Replacement Rates assume that certain costs will no longer be relevant in retirement, such as housing costs or the care of children, and that is how pensioners can scale down their earnings without compromising their household wealth. However, there are increasing suggestions that mortgages and responsibility for children will apply until much later in life for future generations. Is the suggested reduction of income in retirement still a good measure of adequacy when these costs are likely to decrease less proportionately than in the past?
- **Changing retirement behaviours:** using the decade preceding the retirement point as part of the adequacy measure implies that retirement will continue to be treated as a fixed point in time. In the future we may need to disengage more slowly from the labour market so defining pre-retirement income might become more difficult. We may also see different approaches to retirement where more people return to work (for example after a period of caring) around retirement or even post-retirement.

³⁰ Department for Work and Pensions, 2012, Estimates of the number of people facing inadequate retirement incomes, DWP

There are some alternative suggestions to replacement rates as a way of measuring pensions policies. Some research suggests a range of incomes that are linked to achieving happiness in retirement. Other approaches suggest an overall size of pension pot as a measure for retirement. We are keen to understand better how adequacy should be measured for people retiring post-2028.

Question:

Are replacement rates linked to pre-retirement income a good measure of adequacy for the future? What would be the most relevant alternatives?



Fuller Working Lives

Introduction

The labour market affects what happens to individuals' pensions in several ways. Most qualification for State Pension is through National Insurance contributions which are linked to earnings; the type of employment affects the type of private or occupational pension available to an individual; while the level of pay affects how much people feel they can afford to save, and what kind of income they might look to achieve in retirement. National Insurance credits are in place as a contingency when people cannot work.

As discussed in Chapter 1 on the economics of pensions, people working today contribute to State Pension current payments through their National Insurance contributions, and provide the goods and services that pensioners buy with their pensions. Since older people make up a large and increasing share of the population, their decisions on when to retire and whether to take on responsibilities such as caring can have a significant impact on their personal circumstances, as well as to the pension system and wider economy as a whole.

The labour market can influence how people respond to changes in State Pension age. In some circumstances the opportunity to remain or re-enter employment might not be available. If people do keep working it might need to be in a different job and/or a different working pattern.

Looking at the UK labour market now, the overall (age 16-64) employment rate reached a record 73.5% in summer 2016. However, it is worth noting that even Generation Y has already experienced one recession and the younger Baby Boomers have been participating in the labour market through at least three major recessions.

The position of Older Workers

The UK, alongside most developed countries, has an ageing population.

Between 2014 and 2028, the number of people aged between 16 and 49 will rise by 0.5m while the number of people aged between 50 to 67 (SPa) will rise by 1.2 million. By the mid-2030s, people aged over 50 will comprise half the adult population in the UK.³¹

Figures for 2016 (Apr-Jun) show that there are currently 9.8 million workers aged over 50. This represents an increase of 1.4 million over the last 5 years, and an increase of over 2.0 million over the last 10 years. Both the number of people in work and the employment rate of men and women above State Pension age has increased over the past years. There are currently 1.2 million people – 742,000 men and 465,000 women – aged 65+ who are in employment: 14.2% and 7.5% of male and female 65+ population³². This is more than double the rate seen around the turn of the century respectively.

So older people are already playing an increasingly significant role in the labour market. Enabling older workers to remain in or return to the workforce is important as it allows people to supplement or top up their pensions, and manage the transition to retirement. The opposite to this, taking early retirement, can have a significant impact on people's income. Analysis of the English Longitudinal Study of Ageing suggests that around a third of people who stopped work between the age of 50 and State Pension age between 2008 and 2010 saw their household income drop by more than half.³³

Estimates by the National Institute for Economic and Social Research, show that adding 1 year to working lives could increase GDP by 1% per year after 5 years, and adding 3 years would increase GDP by 3.25% per year by the early 2030s³⁴. What this means in practice is that people working longer boosts the whole economy as well as their own financial situation, and this in turn can help make the state pension system more sustainable.

The trends in this area are positive, with a consistent increase in labour market participation for workers over 50 in the last two decades for both men and women. It should be noted however, that employment rates for older men are still lower than in the 1970s -80% of men aged 60–64 were in paid work in 1968, compared to just 43% in 1993³⁵. There are also other countries (such as Sweden and Canada) with higher employment rates for older workers than the UK. It is also worth noting that younger generations appear to start work later overall than their preceding generations. The participation rates by age are provided in the Figure 13.

³¹ Department for Work and Pensions, 2014 Fuller Working Lives: a framework for action

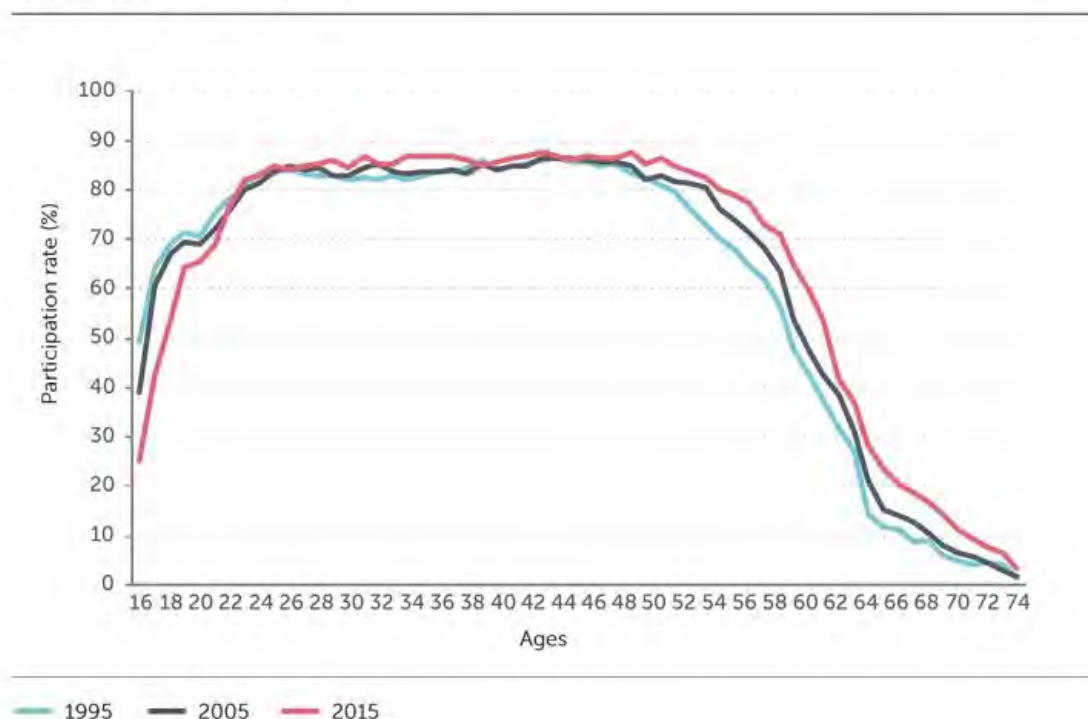
³² ONS August 2016 Labour Market Statistics 2nd Quarter (April-June) 2016

³³ Department for Work and Pensions, 2014, Fuller working lives – background evidence, DWP

³⁴ Department for Work and Pensions, 2011, The macroeconomic impact from extending working lives Working Paper No. 95

³⁵ D. Chandler, G. Tetlow 2014 Retirement in the 21st Century, IFS

Figure 13: Labour market participation rates (%) of people by individual age (4th quarter average 1995, 2005, 2015)



Source: ONS Data from Labour Force Survey

Older workers have also been closing the gap in employment rates with young workers. The employment rate gap between people aged 50 – 64 and those aged 25 – 49 has decreased in the last twenty years from 20.5 percentage points in 1995 (25 – 49 employment rate of 77.7%, 50 – 64 employment rate of 57.2%) to 12.9 percentage points in 2015 (25 – 49 employment rate of 82.3%, 50 – 64 employment rate of 69.4%)³⁶.

The participation rate for women has also been positive. Between 1995 and 2015, the largest absolute increases in participation and employment came from women aged 55 – 59 and 60 – 64 (those women approaching and passing State Pension age). In the last 20 years, employment of women aged 55 – 59 rose from 52.5% to 68.8% in 2015, up 16.3 percentage points. For women aged 60 – 64 employment rates rose from 25.2% to 40.2% in 2015, mainly driven by the recent equalisation process of State Pension age. For men, the largest increase was for those aged 60 – 64 from 45.5% in 1995 to 58.5% in 2015³⁷.

³⁶ Department for Work and Pension, 2016, Economic Labour Market Status of Individuals Aged 50 and Over Since 1984: Data for 1984 to 2015. Participation rate includes those in employment and ILO unemployed.

³⁷ See above

Flexibility in employment is a key characteristic of the employment patterns of older workers. As an example, self-employment has historically been dominated by older age groups. Similarly, while part-time employment is dominated by women, there is an increasing proportion of men working part-time. In 2015, of people aged over 50, 4.137 million men were in full-time employment compared with 2.258 million women. However, the proportion of men in part-time employment has increased overall and especially for those aged 60-64 since 1995 (7.7% in 1995 vs. 13.9% in 2015)³⁸.

On an individual level, the increase in employment rate is mainly associated with factors such as education, socio-economic class, health, household type and region. In particular men and women aged 50+ are more likely to be employed if they still have a mortgage, dependent children (for men), have a degree or equivalent compared to no qualifications, or report a very good or good health status.

Of those working past State Pension age, further work by the ONS for the Review shows that 25% of men and 32% of women report a financial reason for doing so (such as boosting a pension pot, or the purchase of necessary or desirable goods). The largest single reason was that they are "not ready to stop work". We will need to unpick this rather broad response in the course of the review.

We know from analysis by the IFS³⁹ that changing State Pension age for women so far has an impact on people's decisions as individuals as part of a household, with both men and women staying longer in the labour market as a result. It will be important to monitor level of response for older age groups as State Pension age rises to 67 by 2028.

Triggers for early exit from the labour market

Some people may be able to achieve a financially stable retirement ahead of State Pension age; but ill health, difficulty in returning to work after redundancy and caring responsibilities stand amongst the main reasons why people choose to leave the workforce before State Pension age, whether permanently or not.

Analysis conducted by the ONS using Annual Population survey data for March – April 2016, shows that the most common reason why people leave work before State Pension age, is taking early retirement (27.6%), followed by health reasons (25.7%). The graph below illustrates the position

³⁸ See above

³⁹ J. Cribb et al, 2014, Labour supply effects of increasing the female state pension age in the UK from age 60 to 62, IFS Working Paper (W14/19)

Figure 14: Reasons for leaving last job before State Pension age (people aged 50 – Spa)(%)

Source: ONS data from Annual Population Survey, March – April 2016

Similar evidence from the Wealth and Assets survey 2012-14 indicate that retirement before pensionable age due to ill health stands as the key driver of early retirement, followed by being offered reasonable terms to take voluntary or early redundancy.



“Nearly half of people leave the workplace by State Pension age, many a long time before. This is often due to illness or disability, particularly for those in manual occupations.”

TUC Submission to the Review



As a supplement to the above, analysis from the NatCen’s British Social Attitudes Survey, looking at people (of all ages) who were already retired, concludes that:

39%

of retired people say that they retired because they wanted to;

20%

retired due to ill health (this was the same for men and women);

11%

retired because of their employer’s policy on retirement age; and

11%

retired due to losing their job/being made redundant/their firm closing down.

Overall, it appears that people who are likely to be more financially secure (eg they are mortgage free or in a professional or managerial occupation) are more likely to retire early compared to their peers. For example, analysis conducted for this Review by the ONS indicates that men and women age 60-64 who are owner-occupiers are more likely to be retired compared with the general population of the same age group (29.1% vs. 21.2% of men, in 2015).

Men age 60-64 with a degree or higher education are more likely to be retired than those with lower qualifications (29.2% of men aged 60 to 64 with higher education vs. 14.6% of men with no qualifications). There is not a clear pattern for women approaching State Pension age. However, past age 65 men and women with a degree or higher education are less likely to be retired and more likely to still be in employment.

It has been suggested to us that the type of profession might also be a significant factor for early retirement, whether it is accompanied by ill health or financial incentives or both. This is often labelled as "burnout" and it is most commonly observed in manual workers (eg in the construction industry), knowledge workers (eg teachers) and perhaps frontline crisis professions (eg ambulance drivers). There may be some professions in these categories where the transition to an alternative career might be more difficult than other professions.

Question:

What evidence is there to suggest "burnout" is a feature of certain professions and what are the alternatives for workers in those roles? How can FWL strategy support best the transition required, if that is the case?

Conclusions

Access to and participation in the labour market for older people is crucial for State Pension age policy. If people disengage from the labour market too early, many will have to live either on private resources (eg drawing down from the private pensions income thus converting an income for life into a short-term financial source of support) or, on working age benefits.

Question:

To what extent can a delay in State Pension age act as a direct mechanism to enable Fuller Working Lives? What factors would increase the likelihood that people remain in gainful employment during any such delay?

03 Life Expectancy





Introduction

In this Chapter we discuss the main determinant in setting State Pension age – Life Expectancy. We describe how Life Expectancy is measured, summarise the latest data and describe how the different socio-economic and lifestyle factors that prevail in various parts of the country can influence Life Expectancy. We also discuss Healthy Life Expectancy.

Life Expectancy has been improving over time – in particular for older people. Since 1970, there has been a rapid decline in mortality rates at older ages, particularly for men. The Cohort Life Expectancy for men born in the UK in 2016 is 90.6 years, and for women 93.5 years.

One of the main drivers of this may be the different historical patterns in cigarette smoking between men and women - peak consumption for men was earlier (1940 to 1960) and higher than for women (around 1960)⁴⁰. Improvements will also have been driven by health care, diet and lifestyle which have risen alongside levels of income and education.

These are projections and not forecasts, and the ONS who has provided us with these projections, has to make assumptions about how mortality rates will change in the future. Information on how mortality rates have changed in the past, is used to estimate the current rate of mortality improvement by age and sex, and to make assumptions about improvements in mortality rates in the future.

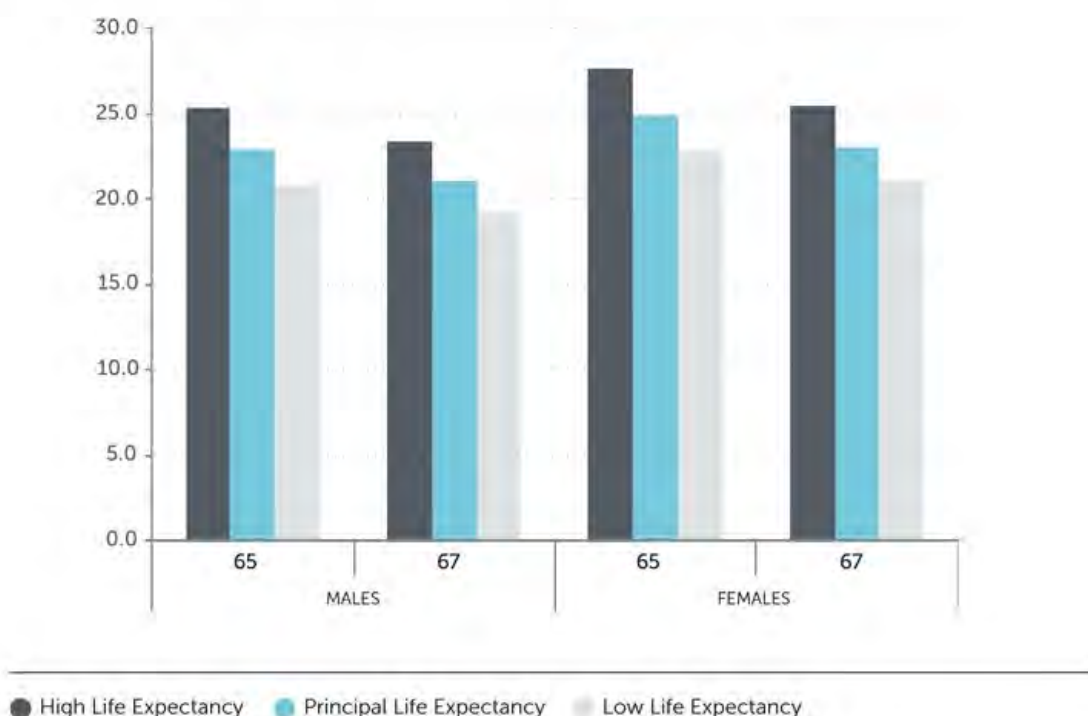
ONS consults a range of demographic and health experts to decide how long historic trends will continue into the future. It is possible (as some demographers argue) that future improvements in mortality rates, will not be as rapid as historic improvements, partly as no more than a minority of the population will adopt a truly healthy lifestyle. External factors, such as the emergence of new diseases, or antibiotic resistance, could also affect future mortality improvements. Alternatively, technological and medical improvements may maintain or increase the rate of improvement⁴¹.

To reflect this uncertainty ONS produces a range of Life Expectancy projections which by their assessment are within the bounds of plausibility: the chart below shows Life Expectancy for someone aged 65 (current State Pension age for men) and 67 (the legislated State Pension age at that time) in 2028 under the ONS "high", "low" and "Principal" Life Expectancy scenarios.

⁴⁰ ONS, 2016, National Population Projections: 2014-based reference volume, series PP2

⁴¹ See above

Figure 15: Cohort Life Expectancy principal projections and high & low Life Expectancy variants for a person aged 65 & 67 in 2028, UK



Source: ONS 2014 – based Life Expectancy projections

Life Expectancy

How is Life Expectancy measured?

There are two measures of Life Expectancy:

Period Life Expectancy (which estimates how long people live) is based on mortality rates for a fixed point in time, and does not take into account improvements in mortality rates beyond that point. Cohort Life Expectancy includes estimates of expected improvements in life expectancy. The cohort approach, is used by financial companies to determine things like annuity rates and life insurance, and is what will be used to decide on an appropriate State Pension age.

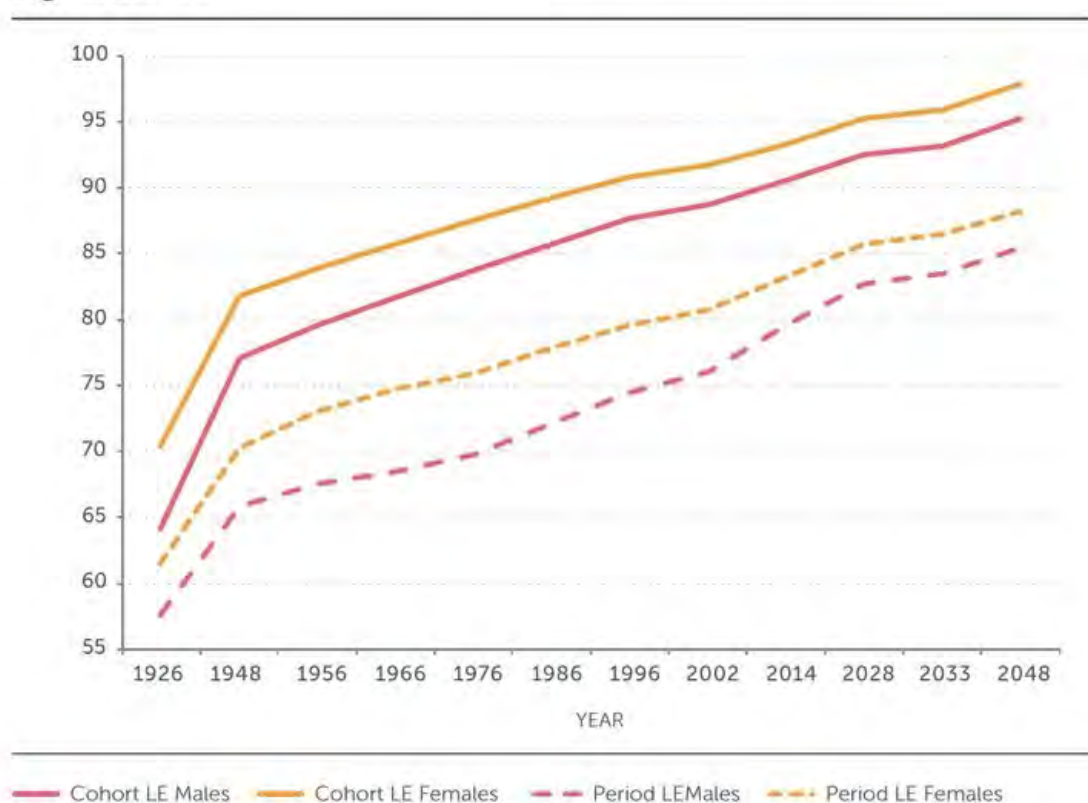
Latest information on Life Expectancy

Cohort Life Expectancy at birth and at 65 has increased since 1926 when the first contributory state pension was introduced. Historic figures for England and Wales show that in 1948, when the basic State Pension was introduced, the Cohort Life Expectancy of a 65 year old man was around 12 years compared with 21.3 in 2014.

The latest set of estimates from the ONS report that women's Cohort Life Expectancy at age 65 has risen 4.6 years from 18.9 in 1989 to 23.5 in 2014. Men's Cohort Life Expectancy at age 65 has risen 5.9 years from 15.3 in 1989 to 21.2 in 2014.

These rises are expected to continue: UK Cohort Life Expectancy for men/women at age 65 is projected to rise from 21.5/23.7 in 2016 to 22.9/24.9 in 2028 and 24.8/26.8 in 2046 (when the State Pension age increase to 68 was timetabled in the 2007 Pensions Act).

Figure 16: Period and Cohort Life Expectancy (Males & Females) (1926-2048), England & Wales



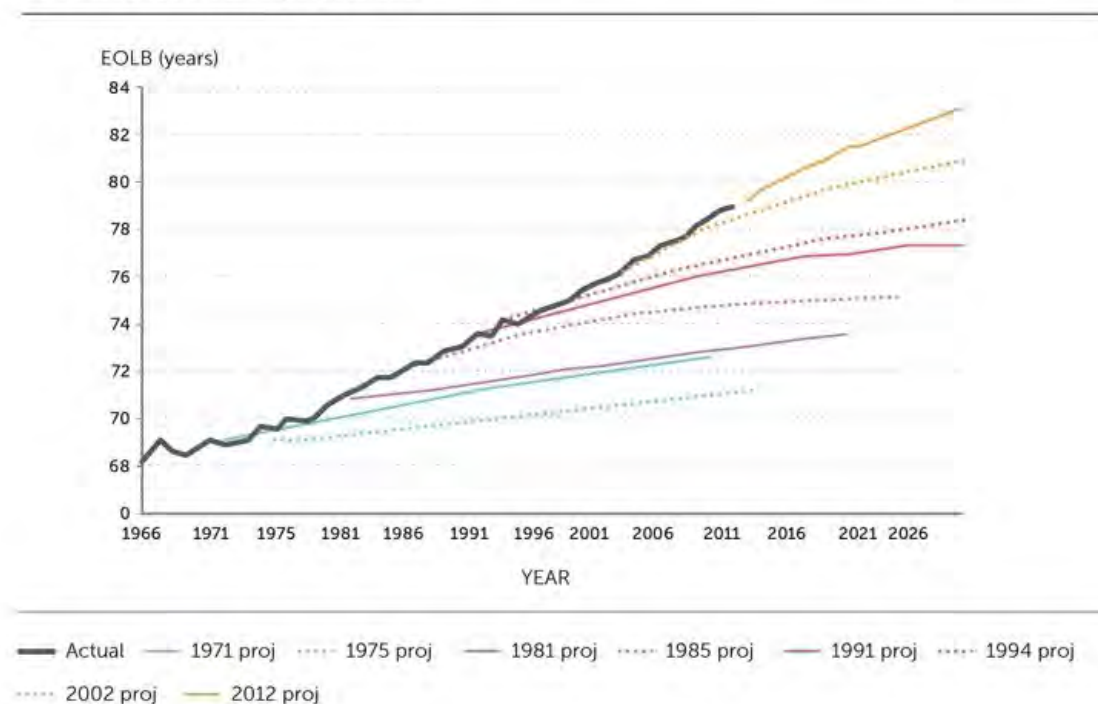
Source: ONS National Life tables 2011-2013 England & Wales

It is important to note that although the gap in Life Expectancy between regions has closed over 1991-2014, there remain substantial differences between and within the regions and nations of the UK, implying that changes to State Pension age will have a varying geographical impact.

Sensitivity of Projections of Life Expectancy at State Pension age

Period Life Expectancy has increased at a fairly steady rate for both men and women over the last 50 years. In the past, projections have consistently assumed that the rate of improvement in Life Expectancy would slow, meaning that Life Expectancy has been consistently underestimated. Projections from the mid-1970s in particular underestimated actual improvements in Life Expectancy. More recent projections have made increasingly optimistic mortality assumptions but have still consistently under-projected Life Expectancy.

Figure 17: Actual and projected period expectation of life at birth males, United Kingdom 1966-2030, selected projections



Source: ONS 2015 National Population Projections Accuracy Report

Although Life Expectancy is still increasing each year, the 2014-based projections show a slower increase in improvements in mortality rates than the 2012-based ones. This is because mortality rates for some ages were higher in 2012 and 2013 than were projected in the 2012-based projections. Based on this finding, the OBR reported that the latest estimates of average Life Expectancy at State Pension age in the UK, imply that State Pension age should rise to 68 by 2041; five years later than estimated on the basis of the 2012 projections.

The above indicates that there is uncertainty: for government, for employers and pension providers and most importantly, for individuals and their families when planning for retirement.

It is unclear whether individuals themselves account for uncertainty over life expectancy (and therefore State Pension age) when planning for later life. The implications of longer living introduce new considerations for people; such as when to retire, the likelihood of being a carer (or needing care) and how best to utilise their private savings (against a background of the decline in defined benefit pension coverage).

Question:

How can we best take into account the sensitivity of the Life Expectancy projections when considering an appropriate State Pension age for the future?

Relevant factors in Life Expectancy

a. Geographical Differences in Life Expectancy

We have had several representations from stakeholders suggesting that regional differences in Life Expectancy will significantly affect the impact of changes to State Pension age, particularly looking at the constituent nations of the UK.

ONS produces "Period" Life Expectancy estimates (using existing mortality rates by age, rather than projecting further changes) at regional and local authority level. While these suggest that there are variations amongst the UK's constituent countries and English regions, they also suggest that significant disparities exist even at a more local level.

For example, men in Greater Manchester⁴² have a life expectancy at birth that is 2.4 years lower than in Greater London (77.2 vs. 79.6). There is a corresponding difference for women of 2.6 years (81.2 vs. 83.8). However, the variations of life expectancy between different local areas within the areas of Greater London and Greater Manchester are even wider.

The Life Expectancy by public transport maps here illustrate this point.

LONDON | District Line



MANCHESTER | Tram Network



⁴² Life Expectancy estimates for Greater Manchester calculated by the ONS and derived from the aggregation of boroughs that encompass Greater Manchester.

Using ONS life expectancy data⁴³, incorporated into London's District Line tube and Manchester's Tram Network maps, we capture the extent of variation from cross-sections of the two transport systems.

In London, if you travel from the Temple and Embankment tube stations in Westminster to Ravenscourt Park station in Hammersmith there is a fall of more than 18 (92.9 to 74.7) years in life expectancy at birth for men. In Manchester, if you take the tram from Deansgate - Castlefield to Victoria there is a drop of around 15 years (85.6 to 70.2) in men's life expectancy at birth. So it appears that life expectancy inequalities within Greater London and Greater Manchester are significantly higher than inequality between the two city regions.

An alternative measure is to look at Life Expectancy by splitting up the population by area measure of social deprivation in a given area. This is based on "neighbourhoods" of roughly the same population (so 10% of neighbourhoods is roughly 10% of the population) ranked by a range of measures which determine relative deprivation.

ONS analysis from the census data shows that while there are differences between the nations of the UK, the differences within those nations are larger. The table below, shows Life Expectancy across the UK nations, and the difference between the top 10% least and top 10% most deprived areas. The difference between Life Expectancy at age 65 for men was less than a year between England and Wales, but within Wales there is a difference of 4.4 years between the top and bottom decile of area deprivation.

Table 1: Life Expectancy at 65 overall, and by national deciles of area deprivation, 2010-12

	LE (years)	Least deprived	Most deprived	Difference	
Males	England	18.4	20.4	15.7	4.8
	Wales	17.9	19.9	15.5	4.4
	Scotland	17.1	19.8	14.1	5.6
	Northern Ireland	17.8	19.4	17.1	2.3
Females	England	20.9	22.8	18.6	4.2
	Wales	20.5	22.6	17.9	4.7
	Scotland	19.4	21.9	16.9	5.0
	Northern Ireland	20.5	21.3	19.7	1.6

Source: ONS, 2016, *Health state Life Expectancy (general health) and Life Expectancy, 2010-12*

⁴³ ONS, 2015, Life Expectancy at birth by Sex for Middle Layer Super Output Areas (MSOAs) in England, 2009-2013

⁴⁴ ONS 2015 Trend in life expectancy at birth and at age 65 by socioeconomic position based on the National Statistics Socio-economic Classification, England and Wales, 1982—1986 to 2007—2011.

Differences in the spread of socio-economic groups (occupations) across the country may explain some regional differences. The National Statistics Socio-economic Classification (NS-SEC) distribution is not uniform across the country. ONS also find that areas with higher Life Expectancy (or Healthy Life Expectancy) have a higher proportion of people in advantaged socio-economic groups and areas with lower Life Expectancy (or healthy life expectancy) have a higher proportion of people in disadvantaged socio-economic groups in comparison to overall average across England.

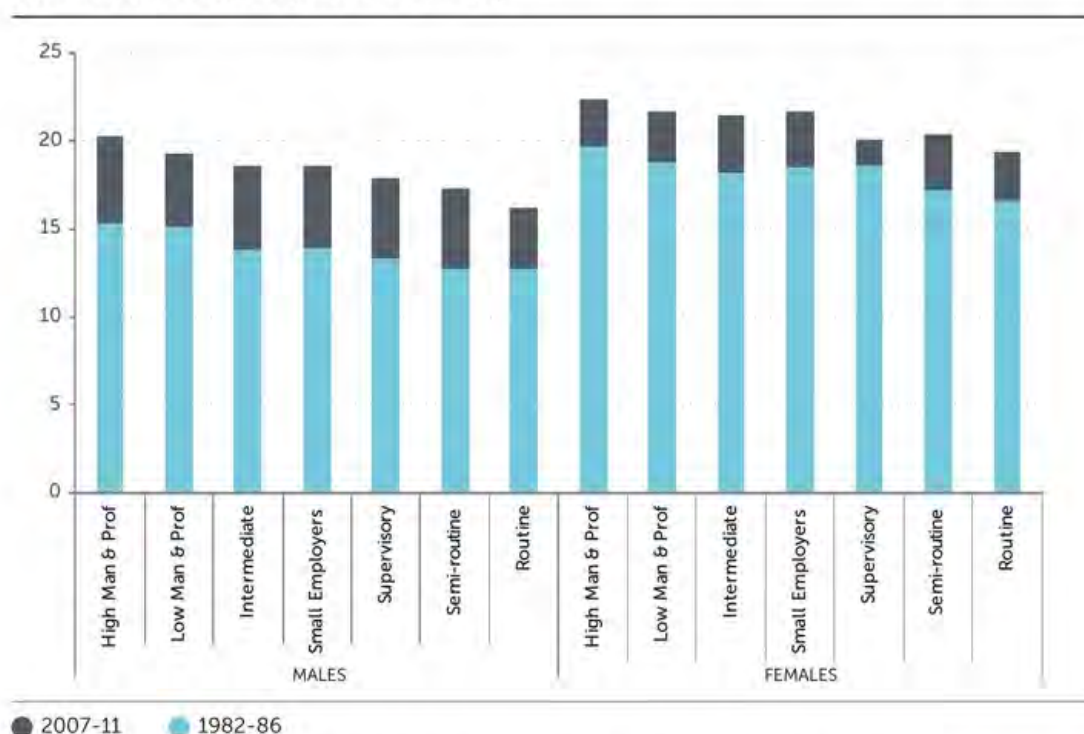
As measured by each country's index of deprivation, a man in the most deprived decile of England will have a Life Expectancy which is 3.7 years lower than a man in the least deprived decile in Northern Ireland. However, the extent of relative deprivation exposure of these two populations may not be comparable.

The data above suggests that regional differences cannot be considered in isolation. Building on this, there is a range of evidence to suggest that socio-economic factors are a key driver of geographical disparities in life expectancy⁴⁴. The next part of the chapter looks at how life expectancy varies for different socio-economic groups.

b. Socio economic group [Period]

ONS can also look at period Life Expectancy by socio-economic group which is broadly described as people's occupation. This measure incorporates a number of factors - whether a person's job is physically demanding or risky and with health implications, but is also a broad measure of their income and education levels. Life expectancy has increased in the past across all socio-economic groups, although not evenly, and there are still differences.

Figure 18: Changes in period Life Expectancy at age 65 by occupational group between 1982-86 and 2007-11 (Male and female).



Source: ONS 2015, Trends in Life Expectancy at birth and at age 65 by socio-economic position based on the National Statistics Socio-economic Classification, England and Wales: 1982—1986 to 2007—2011

Period life expectancy has risen for both genders and all socio-economic groups – ONS use people's occupation to assign socio-economic groups.

For men, groups ranging from the semi-routine to managerial and professional class saw rises in Life Expectancy of between 4-5 years between 1982-6 and 2007-11. The group who had the lowest increase in Life Expectancy at age 65 between 1982-6 and 2007-11 was the routine group for men (just 3.5 years increase) and the supervisory group (an increase of merely 1.4 years) for women. Yet, the group with the lowest Life Expectancy for both women and men is still the routine group (16.4/19.4).

Depending on what measure is used, this could be interpreted as showing inequalities in male Life Expectancy have worsened or improved – the group with the lowest Life Expectancy has seen the smallest improvement, but other groups (eg in semi-routine occupations with lower Life Expectancy) saw equal or better improvements than the top groups. For women it does appear as though groups with higher Life Expectancy have seen larger improvements in their Life Expectancy.

Question:

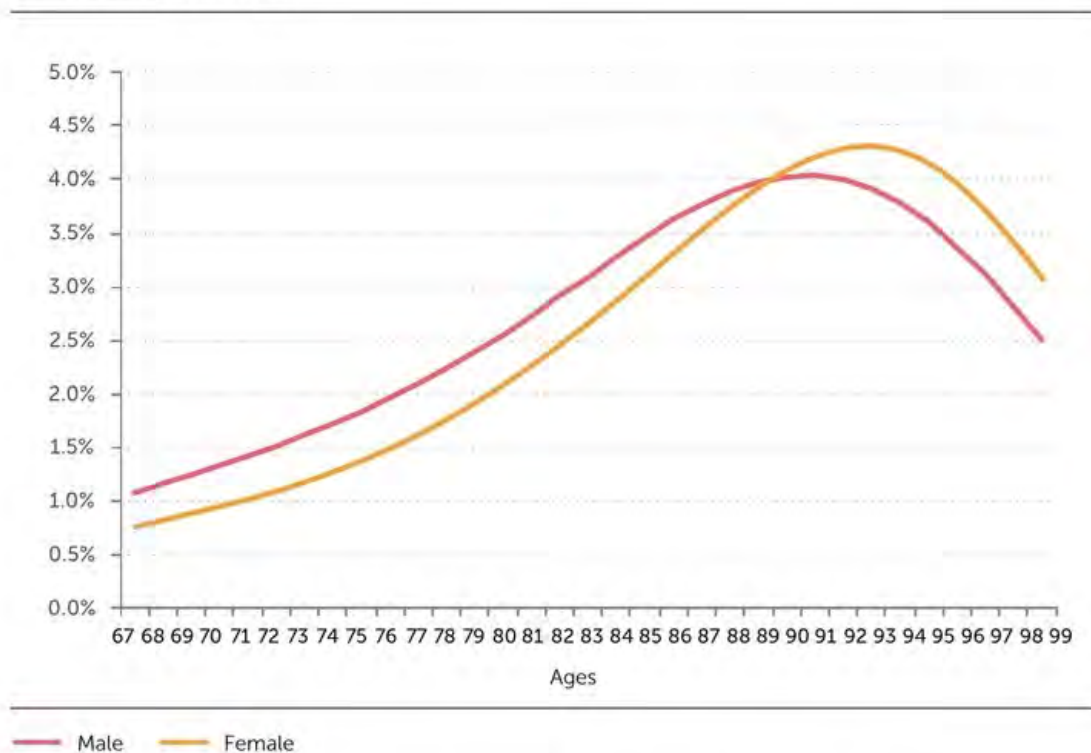
Do you think that regional factors have an impact on Life Expectancy and how? How should the Government factor in the combination of regional and socio-economic factors?

Life Expectancy of generations covered in this Review

As we explained in Chapter 1 there are three key generations this Review is considering: Baby Boomers (born between 1945 and 1965), Generation X (born between 1966 and 1979) and Generation Y (born between 1980 and 2000). Analysis of ONS projections shows that for a man born in 1961 who will have survived to reach 67 in 2028, the mean life expectancy at 67 is 88 years, the median is almost 89 years and the mode is 91 years. Similarly for a woman born in 1961 who will have reached 67 by 2028, the mean Life Expectancy at this age is 90 years, the median is 91 years and the mode is 93 years.

Looking at the distribution of Life Expectancy, of those people reaching age 67 in 2028 around 9 in 10 women will live beyond 77 while 9 in 10 men are expected to live beyond 74; while 1 in 10 men and 1 in 7 women can expect to live to 100.

Figure 19: Distribution of Life Expectancy: Probability of death by year of age for a person who reaches 67 in 2028



Source: 2014-based National Population Projections Life table template, UK

Healthy Life Expectancy

Introduction

We have frequently heard in the first half of this review, that Healthy Life Expectancy, the number of years people live in good health, should be assessed alongside Life Expectancy when considering State Pension age. The most common question asked in our engagement with stakeholders was if Healthy Life Expectancy was improving at a similar rate to Life Expectancy or whether people live longer periods in poor health and disability.

We have seen evidence that Healthy Life Expectancy has improved almost proportionately to Life Expectancy but there is still a substantial gap in healthy life years across areas within the UK. Gaps are most pronounced between the least and most deprived areas within each constituent country.

What does Healthy Life Expectancy stand for and how is it measured?

Health expectancies add a quality of life dimension to estimates of Life Expectancy by dividing expected lifespan into time spent in different states of health. They are, in part, subjective and, for ONS estimates, based upon the following survey question:

“How is your health in general; would you say it was... very good/ good/fair/bad/very bad?”

This type of self-reported data is comparatively easy to collect (in comparison with actual medical data) – and academic research ((WU et al, 2013)⁴⁵ and (Doiron et al, 2015)⁴⁶) find poor reported health is associated with objective health problems, and are predictive of more serious chronic illnesses.

The 2011 Census enables self-reported health to be linked to how much it limits day to day activity. Of the group aged 65+ reporting fair health, almost 78% reported either no or "a little" activity limitation, compared to only 21% of those reporting "bad" or "very bad" health.

The latest information on Healthy Life Expectancy

Estimates from the 2011 Census show that men born in the UK between 2010 and 2012 could expect to live 63.2 years in "Very good or good" health (or 80.3% of their lives) and women 64.6 years (or 78.2% of their lives) if they experienced the same mortality patterns and rates of good health observed in that period.

If surviving to age 65 and observing the same mortality patterns and rates of good health, men and women could expect to live a further 18.3 years and 20.8 years respectively, of which around half would be in "Very good or good" health (9.1 years and 9.6 years respectively).

Healthy Life Expectancy over time

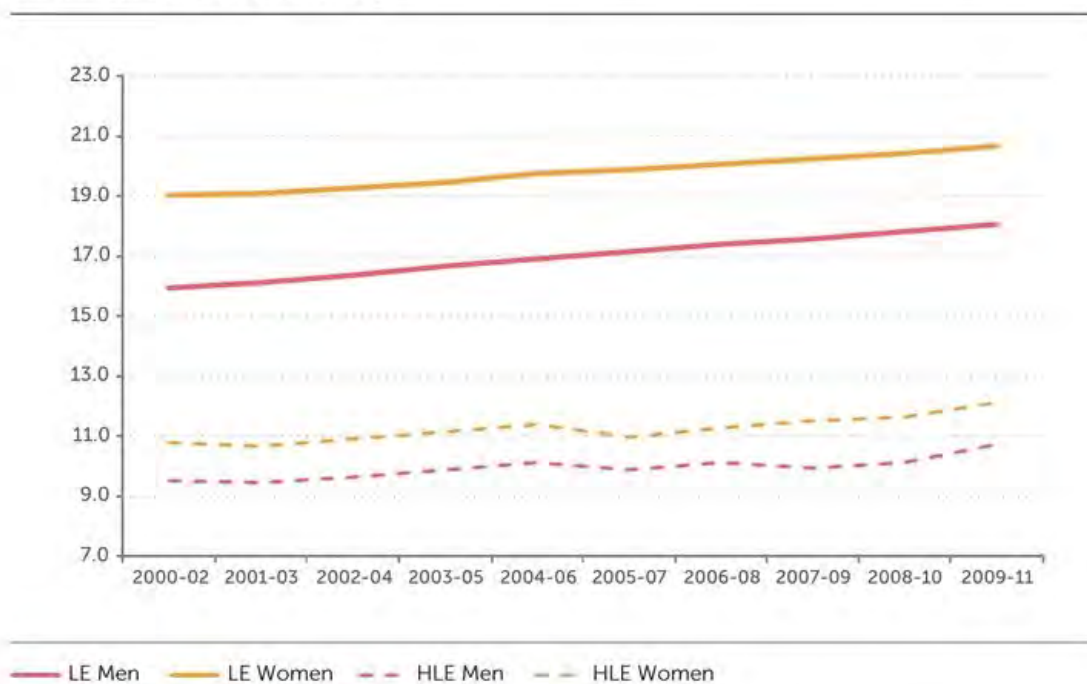
Comparing census data with survey data is problematic because of differences in data collection method and population coverage, which often results in different percentages of people reporting their health as "Good". Thus, for the purpose of drawing the picture of how Healthy Life Expectancy has changed in relation to Life Expectancy over time we can use the time series based on the General Lifestyle Survey.

While the General Lifestyle Survey has been shown to slightly overestimate good general health compared to the Census, it is useful for tracking Healthy Life Expectancy with Life Expectancy over time.

⁴⁵ Wu et al, 2013, The relationship between self-rated health and objective health status: a population-based study, BMC Public Health

⁴⁶ Doiron et al, 2015, Does self-assessed health measure health, Applied Economics vol47

Figure 20: Life Expectancy and Healthy Life Expectancy at age 65 for men and women over time, UK (2000-02 to 2009-11)



Source: ONS 2014 General Lifestyle Survey

For both men and women at birth, Healthy Life Expectancy rose over the decade faster than Life Expectancy, suggesting people were living more of their lives in good health. The same is true for women at age 65, but for men, there was no evidence supporting a meaningful increase.

Question:

Are Healthy Life Expectancy and Life Expectancy improving sufficiently for the majority of the population? Are there specific aspects of Healthy Life Expectancy that would directly interact with State Pension age and how?

Other factors to consider when testing Healthy Life Expectancy

Country level Healthy Life Expectancy

Like Life Expectancy, Healthy Life Expectancy varies across the UK constituent countries. Based on observed mortality between 2010 and 2012, at age 65, men in England could expect to live another 9.2 years in "Good" health; 1.2 years higher than Wales, which was the lowest.

Although Scotland has the lowest Life Expectancy of all UK nations, both men and women, between 2010 and 2012, could expect to live the longest in "Good" health (at 9.3 and 10.2 years, respectively). Compared to the UK, this was 0.2 years higher for men and 0.6 years for women. Similarly, when looking at the proportion of life spent in "bad" health, Wales presents by far the highest figure (19.5% for men and 20.1% for women) and Scotland the lowest (13.9% for men and 14.1% for women).

Table 2: Health state Life Expectancies (general health) and Life Expectancy (LE) for men and women at age 65, 2010 to 2012

Men at 65

	LE (years)	"Good" health (years)	"Fair" health (years)	"Bad" health (years)	Proportion of life spent in "Bad" health (%)
England	18.4	9.2	6.4	2.8	15.4
Wales	17.9	8.0	6.4	3.5	19.5
Scotland	17.1	9.3	5.4	2.4	13.9
Northern Ireland	17.8	8.3	7.0	2.5	14.0
United Kingdom	18.3	9.1	6.3	2.8	15.4

Women at 65

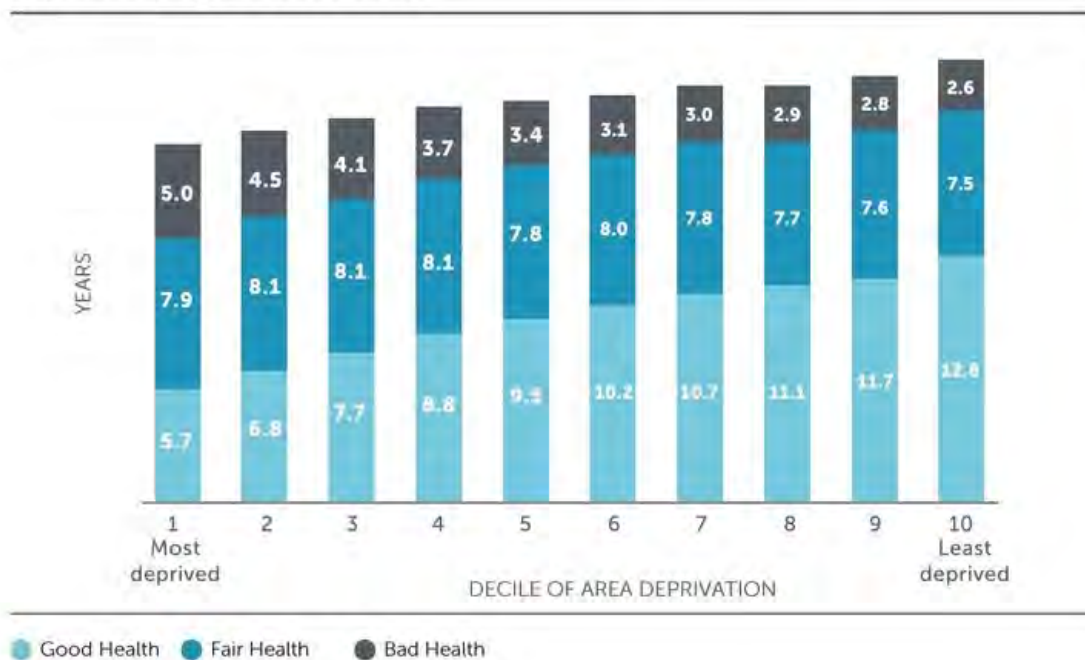
	LE (years)	"Good" health (years)	"Fair" health (years)	"Bad" health (years)	Proportion of life spent in "Bad" health (%)
England	20.9	9.7	7.8	3.4	16.4
Wales	20.5	8.5	7.9	4.1	20.1
Scotland	19.4	10.2	6.5	2.7	14.1
Northern Ireland	20.5	8.7	8.7	3.1	15.2
United Kingdom	20.8	9.6	7.7	3.4	16.4

Source: ONS, 2016, Health state Life Expectancy (general health) and Life Expectancy, 2010-12

Healthy Life Expectancy by Social Deprivation

Similarly, there is evidence of wider variations within nations of the UK than between them when we look at either Local Authority level, or use measures of social deprivation for different neighbourhoods. The chart below shows the position for women in England at age 65:

Figure 21: Health State Life Expectancies for Women at Age 65 by National Deciles of Area Deprivation, England (2010-2012)



Source: ONS 2016 Health state Life Expectancies (general health) and Life Expectancy, 2010 to 2012

Ranking small areas of roughly the same population by relative measures of social deprivation makes it possible to look at how Healthy Life Expectancy varies from the most to least deprived. The least deprived are living longer overall, and spend half the time the most deprived live in bad health.

Lower Life and Healthy Life Expectancy are clearly associated with higher levels of deprivation, and data from the Public Health Outcomes Framework,⁴⁷ shows that high smoking prevalence and larger than average alcohol related hospital admissions, were associated with areas of lower Healthy Life Expectancy, as were lower rates of exercise and dietary factors.

Wider determinant risk factors are also relevant to health status such as the relative skills base of those of working age, support available for accessing the labour market, a buoyant economy and affordable, good quality housing to raise families. It is the synergy between wider determinants and how it influences attitudes to health and manifests in health-related behaviours which largely accounts for these stark contrasts observed.

⁴⁷ Public Health Outcome Framework, www.phoutcomes.info

Conclusions

There are a wide range of views about prospects for future longevity. ONS mortality assumptions are based on expert advice covering a range of factors including biomedical technology, effectiveness of healthcare, behavioural factors, emergence of new diseases, antibiotic resistance etc. For planning purposes the Government has to rely on the best evidence available however, and uncertainty about future Life Expectancy means that there will always be estimating sensitivities associated with the substantial costs of running the state pension system.

In light of what can be sharp differences in Life Expectancy between areas and between certain groups of people, some commentators have suggested that an alternative to a universal State Pension age increasing with Life Expectancy would be to provide people with a State Pension age based on individual circumstances (for example place of birth). In the absence of future estimates of Life Expectancy by groups, such an approach is likely to be impractical and introduce new issues and new unfairness. In Chapter 5, we discuss options which have been presented to us that would allow forms of early retirement for groups with key characteristics which could indicate they have been at a disadvantage during their working life.

The Pension Commission provided another view and recommended that for socio-economic groups with lower Life Expectancy policy should focus on improvements to health and occupational health rather than altering State Pension age itself.

Question:

The Pensions Commission suggested that lower Life Expectancy should be tackled through improvements to health and occupational health. Do you agree? How should we take into account the Life Expectancy and Healthy Life Expectancy information when considering State Pension age?

04 Serious impacts to consider





Introduction

In Chapter 2 we looked at the factors that will formally determine our State Pension age policy recommendations for the future. In this Chapter we consider the impact of changing State Pension age on different groups and systems. We examine the pension outcomes that people will see in the future and the material impact that waiting longer for a state pension will have on those groups. We then identify the dependencies between the State Pension age, the remaining welfare system and private pensions.

In Chapter 2, we discuss our approach to fairness across and within the generations when considering State Pension age. In this Chapter, we examine the impact of changing State Pension age on certain groups. Firstly we look at what their pension outcomes will be in future by providing some case studies showing the impact this has on individuals and then examine the material impact that waiting longer for a state pension has on people's weekly income.

Using the ONS Wealth and Assets Survey (WAS), we can analyse private pension wealth at a household and individual level. We know that private pension and property wealth accumulate over time and tend to increase with age but the data shows disparities between certain groups. On average the self-employed, disabled, women and ethnic groups had less pension wealth, although the self-employed appear to supplement their overall wealth with property wealth to an extent. These groups of people are likely to be amongst those who will rely on the state the most in their retirement. These groups also correspond to the groups identified by the Pensions Policy Institute as being "under-pensioned".

We have identified a similar list of impacted groups based on those characteristics but also on the impact that a delay might have on them, because they may be unable to rely on other wealth or income just before State Pension age. These are:

- Carers
- People with poor health or disability in later life
- Self-employed
- Ethnic Minorities

We examine the impacts on these groups below to assess whether State Pension age changes would affect them disproportionately. We have used case studies to demonstrate the impact specifically for carers. These case studies show the potential impact on pension outcomes for people who have their working lives interrupted in such a way as to restrict their ability to save privately. It also shows how generations are affected in terms of pension incomes, particularly the phasing out of defined benefit schemes and the introduction of automatic enrolment. The case studies also include an assessment of how people's incomes in retirement compare to their incomes before retirement. This provides an insight into the relative value of a pension to someone and the loss they would feel by securing their pension later in life if State Pension age increased.

The examples used to demonstrate the situation for carers are drawn from case studies used by the Pension Commission but take into account recent changes to the pension system such as automatic enrolment.

Carers⁴⁸

Around 1 in 10 adults have some caring responsibilities, and although many people manage to balance work and caring, employment rates are lower than the general population and there is a greater prevalence of part time work (which is on average less well paid)⁴⁹. Some stakeholders suggested that many more people will have caring responsibilities in future as life expectancy increases.

Our initial analysis of what carers might receive in future reflects what we have heard from many stakeholders, namely that they have worse pension outcomes compared to their non-caring peers. The analysis of the estimated gap between carers and non-carers median income in retirement is smaller than other affected groups at around 4% higher for non-carers. On average across all generations, just a third of carers' total pension is made up of private pension, compared to just over a third of non-carers. This is a statistically significant difference.

The recurring issue of private pension accounting for the gap in pension income appears to be the case for carers. This gap occurs because carers are much more likely either to be out of work entirely or have breaks in their work history due to their caring responsibilities. These periods out of work are periods of time not spent building up a private pension, whereas they would receive National Insurance credits towards their State Pensions.

Pension outcomes now and in the future: Some worked examples

iPen is a case study based model which can be used to produce illustrative pension incomes based on a variety of modelled working age incomes and private pension choices. As a result, these iPen cases are worked examples which illustrate the mechanism of the pension system and are not the whole picture⁵⁰.

⁴⁸ A carer is defined as someone who is projected to be caring for someone when they reach State Pension age. They may or may not be in receipt of Carer's Allowance or Carer's credits.

⁴⁹ Department for Work and Pensions, 2016, Family Resources Survey 2016

⁵⁰ iPen is a case study based model which can be used to produce illustrative pension incomes based on a variety of modelled working age incomes and private pension choices

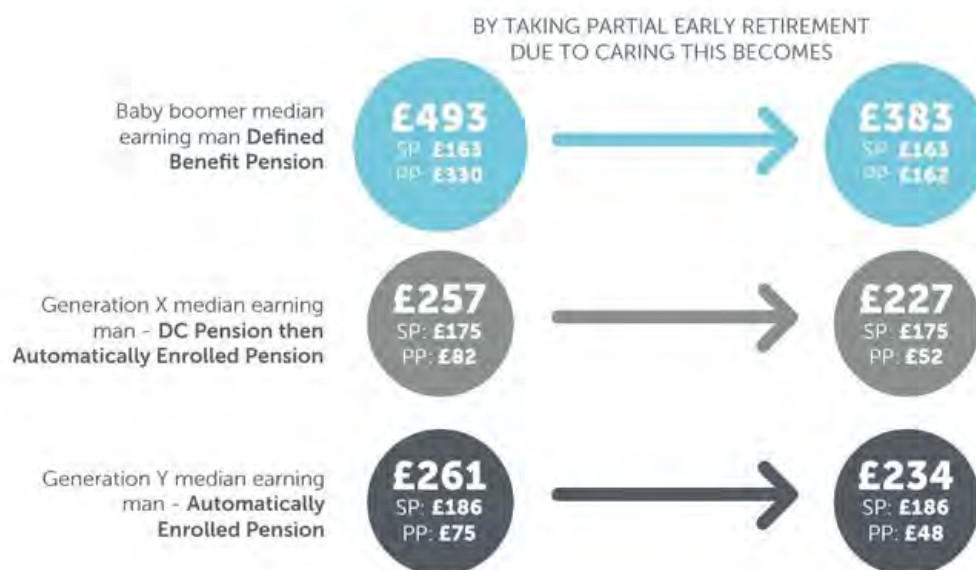
In the iPen output, the modelled retirement income⁵¹ is an average over a person’s total retirement, taking average life expectancy and reducing pension income (relative to earnings) into account. The replacement rate is based on the modelled retirement income expressed as a proportion of working age income received in the final 10 years prior to retirement.

Where a person pays into a defined benefit scheme, an accrual rate of 1/60th of final salary is assumed in iPen. Where a person pays into a defined contribution automatic enrolment scheme, a combined minimum contribution of 8% is assumed in iPen. Given the falling numbers of people in DB schemes we assume that people in Generation X and Y will not be in one – but it should certainly not be assumed that all baby boomers have a DB pension with a complete work history.

Median earning men with caring responsibilities

This example focuses on Generation X man who is a median earner starting work aged 21 and is constantly employed at 100% of median earnings. He has paid into a defined contribution scheme from the age of 21, then changed to an automatic enrolment scheme at the age of 34 (in 2012). He has 47 years in employment and 47 years in defined contribution and automatic enrolment schemes. He will have a weekly income of £257 (£175 from the state and £82 private pension) which will give him a replacement rate of 58.4% of his pre-retirement income.

The following diagram shows what the projected weekly income in retirement would be for each generation and how this is affected by leaving full-time employment and taking a part-time job aged 50 due to caring responsibilities and stopping paying into a private pension scheme.



⁵¹ In terms of retirement income, iPen only counts State Pension and Private Pension (plus any Pension Credit / Housing Benefit for those on very low earnings). Note that none of these iPen examples contain any Pension Credit / Housing Benefit



“Overall the evidence suggests that an increase in the State Pension age can be expected to lead to a prolongation of poverty among older working-age carers, especially when the person being cared for is their partner”

New Policy Institute Submission to the Review



Question:

How can we best take into account the impact of caring responsibilities in later life and specifically within the decade prior to State Pension age?

Health and Disability

In 2014/15, 17% of working age people reported a disability. Predictably this proportion rises with age – 45% of those over State Pension age reported a disability in 2014/15.⁵² Disability, and specifically the age from which a person is affected by a disability, has an impact on people’s employment and therefore also on their retirement income.

Analysis of the wealth and assets survey from the ONS shows a gap of private pension wealth between those with and without a disability - this is true across all age groups. In the future our modeling suggests average pension outcomes will vary between those with disabilities and those without. For non-disabled people, projected median income in the first year of retirement is around 7% higher than for those with disabilities. We propose to use PENSIM to further explore the impact of disability in our final report.

The divergence in pension income for disabled people, as with the gender pension gap, is derived from a discrepancy in private pension. On average across all generations, just under a third of disabled people’s total pension is made up of private pension, compared to just over a third of non-disabled people’s. This is a statistically significant difference.

This reflects the greater challenges some people with disabilities face in the labour market. People who report having a disability on average have lower employment rates and so are less likely to have consistently built up a private pension across the entirety of their working lives.

Those who live with a disability from a young age are particularly affected. The Labour Force Survey shows that younger people with disabilities are more likely to have disabilities associated with very low employment rates, such as mental illness or learning difficulties, making it harder for them to find employment and the opportunity to build up a private pension.

Older people with disabilities tend to acquire physical disabilities later in life, such as problems with their back / neck / other limbs. As they are more likely to have acquired their condition later in life, they may well have been paying into a private pension for several years up until that point.

⁵² Department for Work and Pensions, 2016, Family Resources Survey 2016

Question:

How can we best take into account the impact of poor health and disability in later life and specifically within the decade prior to State Pension age?

Self-Employed

A further group that appears to suffer a disproportionate impact by any State Pension age changes may be the self-employed. PPI evidence shows a downward trend of self-employed people saving into a private pension, which would suggest that this group could become over-reliant on the State Pension in retirement.

In 2013, 22% of self-employed men were saving in a private pension, a drop of 40% over 16 years.⁵³ The low rate of saving can be partly explained by the fact that most self-employed people are not subject to automatic enrolment and so have to proactively decide to save into a private pension. Further, many choose not to do so due to the greater insecurity of stable income in self-employment. We have heard from some self-employed groups that saving into a pension, where the money is then inaccessible, feels too risky. They prefer to save into assets such as property which they feel they can be access at any time if there is the financial need.

It is important to recognise the range of experiences for the self-employed as a group, which can encompass a broad range of professions and incomes, including for example household cleaners and owners of large companies. It is also important to note that the self-employed will receive a boost in state pension with the introduction of new State Pension (self-employed earners were not covered in additional State Pension). That said, there is a significant variation of retirement and saving experiences in this group and we are keen to hear any evidence surrounding the self-employed and their pension outcomes, as well as how we can accurately reflect the different experiences of this diverse group.

We are also keen to gain further evidence about the future size and shape of this group. Our initial analysis suggests that over the longer term, self-employment makes up a similar proportion of employment in 2015 as it did in 1995.⁵⁴

Taking the 2008 to 2015 period as a whole, the level of self-employment increased by around 730,000: from 3.8 million to 4.5 million. Of this increase, around half was accounted for by full-time self-employment, and around half was accounted for by part-time self-employment. Taking the 2001 to 2015 period as a whole -when the level of self-employment increased from 3.2 million to 4.5 million – roughly half of the increase was accounted for by full-time, and around half by part-time self-employment. Part-time self-employment has played an important role in raising the prevalence of self-employment as a whole. The number of workers in this mode of employment grew by 88% between 2001 and 2015 – compared with 25% for full-time self-employment. We would like to understand if this trend of increasing self-employment is set to continue and if so, what impact it might have on pensions in 2028 and beyond.

⁵³ PPI, The Underpensioned 2016, p10

⁵⁴ Office of National Statistics, 2016, Trends in self – employment in the UK: 2001 – 2015

Question:

How would any State Pension age changes affect the self-employed in the future? How can we take into account the very diverse profiles in this group?

Ethnic Minorities

We have seen some indication that due to impacts from State Pension age changes BAME groups should also be considered specifically as part of our Review. Research from the Joseph Rowntree Foundation highlights many of the multiple disadvantages BAME groups face. For instance, Pakistani, Bangladeshi, Black African, and Black Caribbean groups are the most likely to be in persistent poverty.⁵⁴ Furthermore, there is evidence that there are ethnic inequalities in the labour market;



“the overwhelming picture is one of continuing ethnic minority disadvantage compared with the White British majority group”.⁵⁵

Joseph Rowntree Foundation



We can expect that across their working lives those from ethnic minority groups on average can expect to earn less or have more employment gaps than their White British counterparts. As we have seen with other disadvantaged groups, this would likely therefore also play into any potential private pension savings they might expect to make.

We have also seen evidence from the PPI that ethnic minority groups currently derive a lower state pension compared to other pensioner groups. Their analysis suggests that Asian/Asian British/Chinese households receive around 22% less than the average of the pensioner’s population and around 25% less than pensioners from the majority white population.⁵⁶

We are keen to see further analysis to support this hypothesis and to hear any evidence that shows how ethnicity can impact access to fair pension provision.

Question:

Does ethnicity affect pension outcomes? Are educational outcomes improving for ethnic minority groups and how is this likely to translate into both improved employment rates, earnings, and ultimately retirement income? Are there any other data or consideration that you can contribute that might be significant in our consideration of ethnic minority impacts from a change in State Pension age?

⁵⁴ Joseph Rowntree Foundation, 2015, Poverty across ethnic groups through recession and austerity

⁵⁵ Joseph Rowntree Foundation, 2015, Ethnic minority disadvantage in the labour market

⁵⁶ PPI, 2016, The Underpensioned 2016, p5

The position of men and women

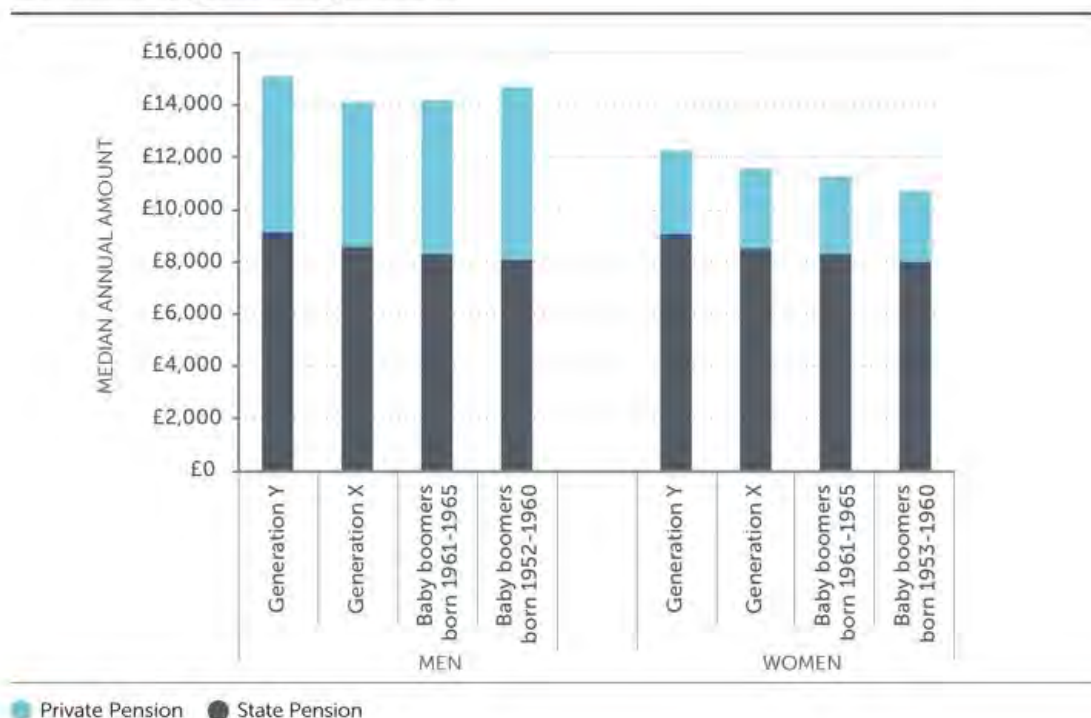
DWP’s PENSIM2 model allows us to look at what people’s annual income is estimated to be in retirement and illustrates variations between groups. We have used this model to look at the projected median income for various groups in the first year of retirement for ease of comparison. The PENSIM2 analysis is important as it shows the overall impact of policies on broad representative groups and emphasises the importance of private pensions in delivering favourable outcomes in retirement.

Taking a broad look across all current working age groups, men are projected to have around a 25% higher income on average than women in their first year of retirement. This equates to a difference of approximately £3,000 per annum. Although the gender gap in pension income is set to narrow for generation X, it in fact widens again for generation Y. This is due to the fact that automatic enrolment’s better coverage and the decline in defined benefit income is offset by the continuing trend of men’s consistent higher earnings and women taking time out of the labour market.

Men and women across all generations are set to receive very similar amounts of State Pension. The discrepancy in pension outcomes for men and women instead reflects different private pension outcomes. On average across all generations, just under 30% of women’s total pension is made up of private pension, compared to just over 40% of men’s. Private pension outcomes are driven by the labour market and reflect the fact that women currently earn on average less than men across their working lives and are more likely to take career breaks and this is assumed to continue into the future.

The chart below shows amounts received by men and women on reaching State Pension age:

Figure 22: Projected median average amounts of State and Private Pension in 1st year of retirement, by gender and generation



Source: PENSIM2

Women appear to be consistently overrepresented in the most impacted groups. We do recognise that for many couples today decisions around work and caring have been taken jointly and for them the important factor may be overall household pension income.

Question:

What is the best way to take into account the lower pension outcomes for women in our recommendations?

Question:

For older workers in particular, the adequacy of income in retirement may be best considered at a household level. However, when planning future changes to the pension system, how reliable is this assessment now and how reliable will it be for future generations?

Conclusions

Our initial analysis of some affected groups shows a number of areas where there may be gaps in outcomes; including for those who suffer poor health or disability in later life, the self-employed, ethnic minorities and those who are carers. This highlights a more general issue. For every group, this gap is not necessarily a gap in total pension income but specifically a gap in private pension income. This is because these groups appear to have different labour market experiences – in general they have lower employment rates and have more breaks in their work history. These issues can translate to less time building up a private pension and ultimately a lower private pension. This will be true for all groups who do less well on average in the labour market.

The evidence suggests that groups such as low paid workers, carers and the disabled will have on average less income in retirement. The principal reason for this is that these groups will secure the least private pension by the time they reach retirement. A combination of interrupted working lives and low earnings when in work mean they will invest less and as a consequence receive less.

Conversely, these groups are likely to have higher replacement rates and many will have higher incomes in retirement than in working life. In relative terms they will be better off as pensioners than they were as workers. This is partly because of the value of the new State Pension with the triple lock. For example, by 2046 and after 34 years of work a Generation X woman who left the labour market at 50 to undertake caring responsibilities and had been automatically enrolled for 16 years would have a new State Pension of £175 a week and a private pension of £3 a week. In this example, she was earning 40% of median earnings during her working life, up until age 50. From age 50 onwards she did not have an income.

However, if this same woman had been in the old two tiered system and had been covered by State Second Pension for 34 years she would have a state pension income, at retirement,

of over £180 a week.

In this example, the triple locked new State Pension and private pension is replacing the income she would have received under the pre 2016 state pension system, although over time the triple-locked new State Pension would increase more than the previous two tier pension.

If the triple lock were withdrawn, as some people have proposed, there is no current mechanism to allocate some of the triple lock savings to mitigate the impact of the withdrawal for the most disadvantaged groups.

Question:

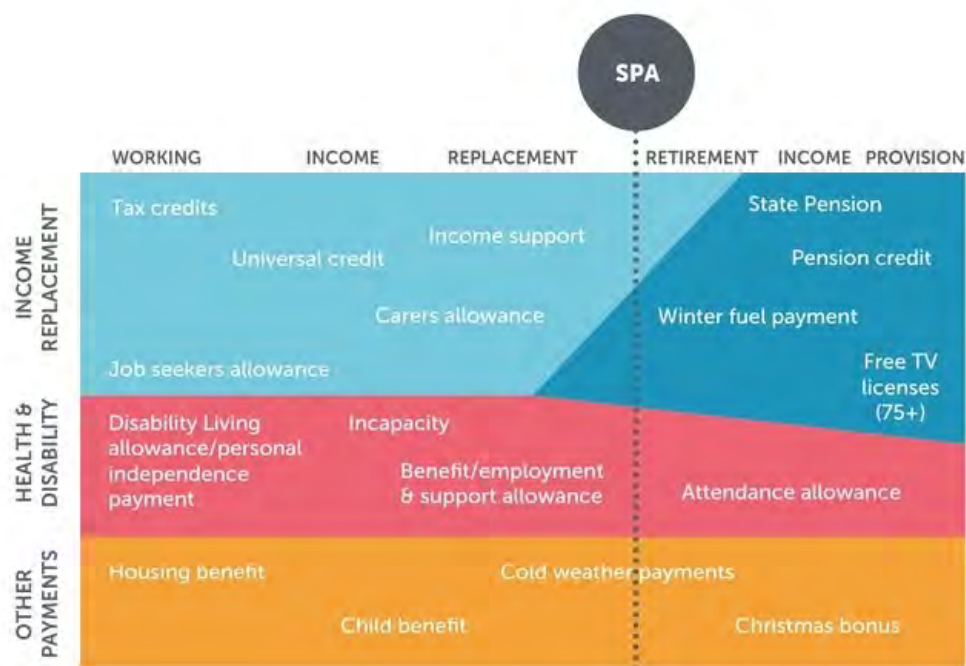
What approach is more appropriate in your view, if we were to protect impacted groups? Should we consider ways to remove any barriers to building their own private retirement income or to support them through the welfare system or is there another approach altogether?

The Review recognises the fact that having worse outcomes in the labour market, and by extension lower private pension income implies that people will be less able to adjust to changes in their circumstances as they get older including possible changes in State Pension age. In particular, they may not be able to draw down early on their private pension or be able to change how they participate in the labour market in response to changes in their circumstances without considerably impacting their retirement income later. We discuss these issues in Chapter 5.

Welfare System Dependencies

State Pension age interacts with other parts of the Welfare system where dependencies can be complex, as well as having a link through to private pensions. In this last part of Chapter 4 we describe these interfaces.

The diagram overleaf provides a summary of the various benefit payments available to people over their lives. It shows that some of the benefit payments associated with those who are retired can be accessed before State Pension age and some working age benefits can continue to be paid after a person reaches State Pension age.



The table summarises the specific age entitlements in more detail.

Benefit	Directly linked to State Pension age?	Age qualification
Pension Credit	Yes	You can claim once you reach SPa. Until equalisation, men can claim when they've reached the SPa of women born on the same day.
Attendance Allowance	Yes	You can claim once you reach State Pension age.
Winter Fuel Payments	Yes	You can claim once you reach women's State Pension age and standard SPa after equalisation.
Cold Weather Payment	No	
Free TV licences	No	You can receive a free TV licence if you are over 75.
Christmas Bonus	No	All those reaching SPa can claim the benefit, but those on some other benefits can receive it earlier.

Working Tax Credits	No	If you are over 60, you must work at least 16 hours to qualify.
Universal Credit	Linked to Pension Credit qualifying age	A couple moves from Universal Credit to Pension Credit once the younger partner reaches Pension Credit age.
Income Support	Linked to Pension Credit qualifying age	Once you reach Pension Credit qualifying age, you no longer are eligible for income support.
Carer's Allowance	No	You must be over 16. If your State Pension is less than Carer's Allowance (currently £62.10 per week), you can have it topped up to this amount by Carer's Allowance.
Job seeker's Allowance	Yes	You can only qualify if you are under State Pension age.
Housing Benefit	No	Housing Benefit is a means-tested benefit for people of working age and pensioners designed to assist with their rental liabilities. How much you get depends on your income and circumstances.

Question:

Is it appropriate for this Review to include in its considerations the entry point for all the welfare policies that are linked to State Pension age? Which ones should be excluded and why?

The impact of increasing State Pension age on welfare recipients

The analysis in this Chapter has focused on information about broadly defined disadvantaged groups once they have reached State Pension age. We now look at the position of these groups immediately before State Pension age to identify the material impact an increase in State Pension age would have on them. We have done this using today's rates of working age benefits (and earnings) comparing them to the full rate of the new State Pension in 2016/17. The alternative, to forecast the position at the point people reach State Pension age, would mean making significant assumptions on future uprating policies for working age benefits.

Position prior to State Pension age/ single person	income/means tested allowance – weekly amount	New State Pension/ Pension Credit at State Pension age - excluding private pension - weekly amount	Increase/decrease at State Pension age
Carer – Receiving Carer’s Allowance	£62.10	£155.65 (nSP)	+£93.55
Carer – Receiving Income Support	£107.70	£190.20 Pension Credit (GC only) with an additional amount for carers	+£82.50
ESA – Support Group contributory	£109.30	£155.65 (nSP)	+£46.35
ESA – Support group income based with severe disability	£186.90	£217.45 – Pension Credit with severe disability	+£30.55
Low earner – 40% median income	£188.00	£155.65	-£32.35

In reality many in the disadvantaged group will be part of a couple and more likely to be assessed as households in the means tested benefits. The following chart summarises the position for a couple both approaching State Pension age (and both entitled to full new State Pension).

Position prior to State Pension age/ couple	income/means tested allowance – weekly amount	New State Pension/ Pension Credit at State Pension age – excluding private pension – weekly amount	Increase/decrease at State Pension age
Receiving Income Support – additional amount for two carers	£184.05	£311.30 (2 x full new State Pension)	+£127.25
ESA – Support group income based with additional amounts for severe disability/caring	£270.10	£334.00 – Pension Credit (GC only) with additional amount for severe disability/caring	+£63.90
Low earning couple – 40% median income	£415	£311.30	-£103.70

Impacts on Occupational Pensions

There are some specific issues for private pension schemes if State Pension age changes. It should be noted that private pension entitlement is a property right (unlike state pensions where entitlement is based on the rules approved by Parliament on the day the person claims). A consequence of this is that people normally accrue entitlement to a private pension according to the rules in force at the time they were a member of a scheme.

The only time where there is crossover between state rules and private pension rules is where State Pension age is used as a reference point in the private pension rules. The main cross over points are:

- Public Sector pensions – where many public sector schemes now tie scheme retirement age to State Pension age;
- Pension Scheme Rules – a significant number of defined benefit and defined contribution pensions are linked to State Pension age, either by age as a number or as a concept.
- Bridging pensions – this is where scheme benefits include an additional amount to bridge the gap between scheme retirement age and State Pension age. Schemes then reduce the pension by typically the full amount of basic State Pension (£119.30 a week for 2016/17). In schemes where State Pension age is defined as say age 65, member will see their bridging amount withdrawn before they receive corresponding amount from the state.
- Early access to private pensions – the point where people can access their private pensions without incurring a tax penalty (which had been fixed at age 55) increases in step with State Pension age

There may be new issues because of pension freedoms. For instance, some people may use their pots to cover the gap between their aspirational retirement date and an increased State Pension age. The most important issue is to ensure people are aware of changes in State Pension age and the implications this will have for them and their retirement planning.



“The SPA remains a reference point for access to benefits in many of our member’s schemes, as well as a point at which many DC savers aim to retire...a differentiated system would reduce transparency and complicate workforce management”

CBI Submission to the Review



Question:

How far should this Review take into account impacts on occupational scheme rules? What are the most significant challenges for those pension schemes if State Pension age is changed?

05 Smoothing the Transition





Introduction

Current trends indicate that almost everybody entering the labour market at any point in time is likely to reach State Pension age later than the age their parents reach State Pension age. However, for many people, State Pension age still represents the maximum age point to be in the labour market. Alongside this, State Pension age changes have been delivered as a series of one-off interventions, rather than as a policy programme in itself. In this Chapter we present some approaches to changing attitudes to longer working. We also outline suggested ways of smoothing the transition between work and retirement. Finally, we look at the important issue of appropriately communicating changes to the State Pension age to individuals.

When should people retire?

There is no easy way of determining when people should retire from work. Research shows that what often motivates or deters people from continuing to work can be a mix of financial circumstances and social attitudes.



“The choice of State Pension Age also sends an important signal about what is thought to be an appropriate age (on average) to cease active participation in the labour market.”

Association of Consulting Actuaries Submission to the Review



The current State Pension has a universal age of access and there has never been a time when the state provided a tailored approach in assessing eligibility to the contributions-based State Pension. This universality is frequently challenged.

In considering the high level principles of a universal State Pension age and a more tailored one, we need to consider several factors such as:

- Simplicity of message and symbolism: there is value in a clear point in time when the state will offer retirement income, which is not complicated to calculate and allows enough time for savings planning.

- Changing circumstances in life: a large number of people will differ in their social circumstances throughout their lifetime, for example switching between ill health, low earnings, high earnings, caring, time working abroad etc. Any conditionality attached to earlier access could still disadvantage a significant number of people.
- Different impacts for different groups: we know that there are considerable differences in the labour market experience and the life expectancy of different groups, mostly driven by socio-economic factors. A universal approach can worsen those impacts if applied without effective support systems.

Question:

What are the alternatives to a universal State Pension age? How can they be designed and implemented so that both the principles of Affordability and Fairness are retained?

We have seen some examples where national systems have provided early access to state pension schemes and then the earliest entry point became the default state pension age. We have also seen evidence that the State Pension age can have a strong influence on the decision to retire.

At the moment the majority of workers leave the labour market before they reach 63 (62 for women, 64 for men). Of this group we know that a significant number of people wish they had postponed their retirement.

We also know that for many people, State Pension age can be the most significant reference point in later life planning but a number of other factors are increasingly relevant:

Work: The nature of work has changed and will likely continue to change. We have seen increased trends in self-employment, part-time work and flexi hours work, more flexible careers. This may mean that there is more opportunity to avoid retiring too early, when it is not financially prudent to do so.

Private pension: we can see from Chapter 2 that increasing numbers of people will have some defined contribution pension provision and increased freedom to use this provision in a number of different ways to suit their personal needs.

Longevity and Health: Most people are going to live longer than the preceding generation and they are likely to be able to work until a later point in life, but these improvements are not spread equally for many groups.

Caring: People will enjoy increased longevity, but are also more likely to have increased caring responsibilities for elderly family members in later life. They are also likely to have children later in life than their parents' generation. This can be an increasing barrier to working in later life for certain people.

Adequate income: We have seen suggestions of economic and labour market changes that will impact the definition of an adequate income in retirement for future generations.

We have noted the risk of higher housing costs until much later in life, as well as a sustained dependency on the State Pension as the main source of retirement for many people.

Question:

What other factors and trends are increasingly relevant and will be prevalent in the future when considering an appropriate retirement age for individuals?

Smoothing the transition between work and retirement

In Chapter 2, we examined the impact of a universal State Pension age rising in line with Life Expectancy on affordability and fairness and also looked at the labour market position of older people. In Chapter 3, we looked at Life Expectancy and asked for views on whether the right way to address the position of groups who are less likely to benefit from longer Life Expectancy is through other policies rather than through State Pension age policy. In Chapter 4 we discussed the position of impacted groups and the material difference it makes to them if they have to wait longer for their state pension. Here we explore whether moving to a more personalised way of assessing what it means to retire, and when those key decisions may happen, could be a better choice for people than a fixed decision point around the State Pension age. We will explore whether it is possible and useful to smooth the transition between working age and retirement.

Working longer

As we mention in Chapter 1, Government is committed to a Fuller Working Lives strategy. We expect a publication update in the near future and we will include it in the evidence base of the State Pension age review.

The Fuller Working Lives strategy has so far focused on engaging with employees and employers, in order to create awareness and influence the factors that create barriers for significant groups of people that disengage from the labour market too soon, often much before State Pension age.

Cash incentives, such as the generous deferral arrangements in place for those who reached State Pension age before 6 April 2016 or the ending of National Insurance liability for employees at State Pension age, do not appear effective at encouraging people to work longer.

There is a suggestion that there are apparent gaps in the provision of employment support in the latter part of adult life. For example, Universal Credit, which is designed to make work pay, is not available to people over State Pension age. Its pension age equivalent, the Standard Minimum Guarantee in Pension Credit, can be paid when people are working but apart from a small earnings disregard, earnings are withdrawn penny for penny, providing little incentive to continue working beyond that point.

We have received evidence from stakeholders that individuals in certain occupations may experience “burnout” which means they are unable to carry on with their chosen career. While some groups and some professions consider burnout point as the appropriate time to retire, others suggest that it is simply a point for an occupational health scheme to intervene, a change of duties or hours or a change of job. There may be scope for policy interventions to support people in this crucial transition point and Government might have a key role to play in that, alongside the individual and the employer.

A lot of the evidence shows that later working can be of benefit to workers and to the UK’s economy. However, there is a lack of a coherent evidence base to establish what types of Government investment in later working policies would be effective.

Question:

Is there any evidence that these Government policies have any impact on the decision to work longer? What other policies can Government adopt alongside the Fuller Working Lives strategy to strengthen Fuller Working Lives outcomes, for example supporting profession transitions and incentives to work longer for low earners?

“Public policy needs to address twin challenges. Firstly, enabling those older workers who want to work to do so. And secondly, ensuring that those who cannot work are provided for. Seeking to use an increased State Pension age as a crude tool to encourage longer working is likely both to be ineffective and risk increasing hardship among older people.”

TUC Submission to the Review



Protecting the most vulnerable

In Chapter 4, we describe the material differences that impacted groups will experience if State Pension age increases. They could be left with limited opportunities to earn or save enough in a workplace scheme and that can have long-term implications in their retirement.

We have received a number of submissions exploring ways of addressing the shortfall in working age incomes for older workers, while preserving the coherence of a universal State Pension age. Others look at policy interventions that offer a more flexible approach to retirement. Some of these options respond to questions of fairness for people who are likely to have lower life expectancies than others. All smooth the path for older impacted groups, who have either permanently left the labour market or, are struggling to make ends meet because of reduced earnings.

The following provides a brief overview of these interventions:

- **Early access to the new State Pension after a long working life** - This would allow people with a high number of National Insurance qualifying years to claim their full new State Pension prior to State Pension age. For instance, with 50 qualifying years as a benchmark, a person who started work at 16 could become entitled to state pension at 66 rather than at State Pension age. A variant of this would be to condition early access to accommodate regional variations in Life Expectancy or to recognise certain occupations where people have a greater risk of a lower Life Expectancy.
- **Early access but to a reduced pension** - This would allow people to claim a reduced State Pension early – so for example at age 60 a person claimed their new State Pension that was valued at £120 a week (rather than £155.65 a week now). Apart from the normal annual uprating this amount would not be increased again. There are various options on how the income-related benefits could be shaped around this policy.
- **Enhanced working age benefits** – Additional amounts could be included in the means-tested benefits to reduce the gap with pension benefits. An additional amount of £45 a week for instance, associated with the carer's additional amount in Income Support, could increase the income of an older working age carer to near that of the new State Pension.

These policy interventions could add significantly to pension expenditure in the future, increasing in effect the burden on the decreasing number of working age people. All of them would challenge to some extent the main policy objective for responding to increased life expectancy – delivering an affordable state pension system, and enabling people to work longer.

Question:

How can the Government best support these disadvantaged groups? We welcome submissions that comment on these suggestions further or alternative proposals.



“We believe it could be beneficial to investigate ways in which some alternative means is found to compensate those people (not particularly whole groups) who are particularly adversely affected by future changes. Such options could include: extending or enhancing other social security benefits available to individuals in particular need in the periods shortly before SPA; or some form of early retirement of State Pension being allowed for individuals in special circumstances.”

[IFoA Submission to the Review](#)



Institute
and Faculty
of Actuaries



“On the assumption that, in aggregate, longevity continues to improve, whilst significant differences in life expectancy continue to exist between different sectors of society, we believe that the retention of a universal but rising State Pension Age will become increasingly difficult. However, we think that there are practical difficulties in identifying specific groups for differential State Pension Ages. We therefore believe that further thought should be given to alternative measures that would allow individuals with shorter life expectancies to access their State Pension or equivalent income before the official State Pension Age.”



Association of Consulting Actuaries Submission to the Review

Communicating changes to State Pension age

Encouraging individuals to save for their retirement appears central within the recent reforms in pensions and plays a crucial role in building adequate incomes in later life. Ensuring that individuals have access to information regarding their State Pension age and how much they will receive is key to enabling them to plan for retirement effectively. Communications is a critical part of delivering on the State Pension policy intent of “providing clarity and confidence to better support saving in retirement”.

The White Paper on *The single-tier pension: a simple foundation for saving* sets out that the State Pension age review framework “will seek to provide a minimum of ten years’ notice for individuals affected by changes to State Pension age”. A recent Work and Pensions Select Committee report on Communication of State Pension age changes agreed that “it is critical that people affected by any future changes in the State Pension age are fully and properly informed”.

We recognise that an effective strategy will be important in communicating any changes to State Pension age in the future, to enable people to take full advantage of the given notice period. DWP’s current pensions communications strategy uses general awareness campaigns to encourage people to make use of the personalised information resources available, such as Check your State Pension, the online tool which provides an assessment of someone’s state pension and their State Pension age. Our understanding is that DWP recognises that this is not just an issue for Government, and actively seeks to involve stakeholders, to reach the maximum number of people and target communications effectively. For this reason the Department is also supporting the development of the Pensions Dashboard.

As the scope of this Review covers from 2028 onwards, we may expect the communication needs of different groups to be quite different. For example, someone who is within 10 years of retirement may have a different approach to someone who is just entering working life. We would welcome evidence on how the communications approach should be tailored to suit a range of needs.

Finally, we will be looking into how best to align any communications on State Pension age, with other related campaigns and sources of information. Pensions can be a complex area, so anything the Government can do to support citizens to access the information they need at the right time can be beneficial.

Question:

How can the Government and others communicate any future changes on State Pension age? How important is stakeholder involvement in ensuring that the right messages reach the right people in good time?

Annex A

Terms of Reference

1. Purpose

1.1. The purpose of the independent review of State Pension age is to make recommendations to the Secretary of State for Work and Pensions on future State Pension age arrangements. These recommendations should be affordable in the long term, fair to current and future generations of pensioners, and consistent with supporting fuller working lives.

2. Scope

2.1. This review should include:

- Robust, evidence-based analysis of the current State Pension age timetable and its impacts; and
- Recommendations on future State Pension age arrangements.

2.2. As part of this, the review will need to consider:

- What a suitable State Pension age is, in the immediate future and over the longer term;
- Whether the current system of a universal State Pension age rising in line with life expectancy best supports affordability, fairness, and fuller working lives objectives;
- And, if not, how State Pension age arrangements might better support these objectives.

2.3. In conducting its analysis and reaching recommendations, the review is to have regard to:

- Variations between different groups.
- The views of organisations and individuals on factors to be taken into account. It will consult widely to ensure that it has considered the appropriate evidence and the range of views of interested parties.

3. Deliverables

3.1. The review must submit its report to the Secretary of State by January 2017. This report will be laid before Parliament and will inform the Secretary of State's final report on the outcome of the State Pension age review, which must be published before 7 May 2017.

Annex B

Consultation Questions

1. Is our interpretation of the policy intent for the State Pension correct?
2. How successful are other international policies? Are there any other policies that we could consider? How should the UK policy on State Pension age take these examples into account?
3. Considering the main drivers of State Pension expenditure, which ones are more important to the policy intent, if they were presented as a trade-off? Maintaining early access, a generous increase annually or making the full State Pension amount accessible to most people? Which of these delivers fairer outcomes?
4. Is the Pensions Commission's assessment of the proportion of GDP expenditure on pensioner benefits, over time, still valid, when considering State Pension age affordability post-2028? Is State Pension age the best tool to maintain a steady GDP proportion for pensioner benefits?
5. Are there any other issues around opportunity to achieve adequacy for future generations that we need to consider? How can we best take into account wider economic impacts, for example, the likelihood of low interest rates in pension outcomes or the changes in housing costs and overall wealth distribution?
6. Are there any other factors that may impact the value of the State Pension for each generation?
7. Are replacement rates linked to pre-retirement income a good measure of adequacy for the future? What would be the most relevant alternatives?
8. What evidence is there to suggest "burnout" is a feature of certain professions and what are the alternatives for workers in those roles? How can FWL strategy support best the transition required, if that is the case?
9. To what extent can a delay in State Pension age act as a direct mechanism to enable Fuller Working Lives? What factors would increase the likelihood that people remain in gainful employment during any such delay?
10. How can we best take into account the sensitivity of the life expectancy projections when considering an appropriate State Pension age for the future?

- 11.** Do you think that regional factors have an impact on Life Expectancy and how? How should the Government factor in the combination of regional and socio-economic factors?
- 12.** Are Healthy Life Expectancy and Life Expectancy improving sufficiently for the majority of the population? Are there specific aspects of Healthy Life Expectancy that would directly interact with State Pension age and how?
- 13.** The Pensions Commission suggested that lower Life Expectancy should be tackled through improvements to health and occupational health. Do you agree? How should we take into account the Life Expectancy and Healthy Life Expectancy information when considering State Pension age?
- 14.** How can we best take into account the impact of caring responsibilities in later life and specifically within the decade prior to State Pension age?
- 15.** How can we best take into account the impact of poor health and disability in later life and specifically within the decade prior to State Pension age?
- 16.** How would any State Pension age changes affect the self-employed in the future? How can we take into account the very diverse profiles in this group?
- 17.** Does ethnicity affect pension outcomes? Are educational outcomes improving for ethnic minority groups and how is this likely to translate into both improved employment rates, earnings, and ultimately retirement income? Are there any other data or consideration that you can contribute that might be significant in our consideration of ethnic minority impacts from a change in State Pension age?
- 18.** What is the best way to take into account the lower pension outcomes for women in our recommendations?
- 19.** For older workers in particular, the adequacy of income in retirement may be best considered at a household level. However, when planning future changes to the pension system, how reliable is this assessment now and how reliable will it be for future generations?
- 20.** Is it appropriate for this Review to include in its considerations the entry point for all the welfare policies that are linked to State Pension age? Which ones should be excluded and why?
- 21.** How far should this Review take into account impacts on occupational scheme rules? What are the most significant challenges for those pension schemes if State Pension age is changed?
- 22.** What are the alternatives to a universal State Pension age? How can they be designed and implemented so that both the principles of Affordability and Fairness are retained?
- 23.** What other factors and trends are increasingly relevant and will be prevalent in the future when considering an appropriate retirement age for individuals? [following section on work, caring etc]

- 24.** Is there any evidence that these Government policies have any impact on the decision to work longer? What other policies can Government adopt alongside the Fuller Working Lives strategy to strengthen Fuller Working Lives outcomes, for example supporting profession transitions and incentives to work longer for low earners?
- 25.** What approach is more appropriate in your view, if we were to protect impacted groups? Should we consider ways to remove any barriers to building their own private retirement income or to support them through the welfare system or is there another approach altogether? Why?
- 26.** How can the Government and others communicate any future changes on State Pension age? How important is stakeholder involvement in ensuring that the right messages reach the right people in good time?

Annex C: State Pension age legislated

Women's State Pension age under the Pensions Act 2011

Date of birth	Date State Pension age reached
6 April 1953 – 5 May 1953	6 July 2016
6 May 1953 – 5 June 1953	6 November 2016
6 June 1953 – 5 July 1953	6 March 2017
6 July 1953 – 5 August 1953	6 July 2017
6 August 1953 – 5 September 1953	6 November 2017
6 September 1953 – 5 October 1953	6 March 2018
6 October 1953 – 5 November 1953	6 July 2018
6 November 1953 – 5 December 1953	6 November 2018

Increase in State Pension age from 65 to 66, men and women

Date of birth	Date State Pension age reached
6 December 1953 – 5 January 1954	6 March 2019
6 January 1954 – 5 February 1954	6 May 2019
6 February 1954 – 5 March 1954	6 July 2019
6 March 1954 – 5 April 1954	6 September 2019

6 April 1954 – 5 May 1954	6 November 2019
6 May 1954 – 5 June 1954	6 January 2020
6 June 1954 – 5 July 1954	6 March 2020
6 July 1954 – 5 August 1954	6 May 2020
6 August 1954 – 5 September 1954	6 July 2020
6 September 1954 – 5 October 1954	6 September 2020
6 October 1954 – 5 April 1960	66th birthday

Increase in State Pension age from 66 to 67, men and women

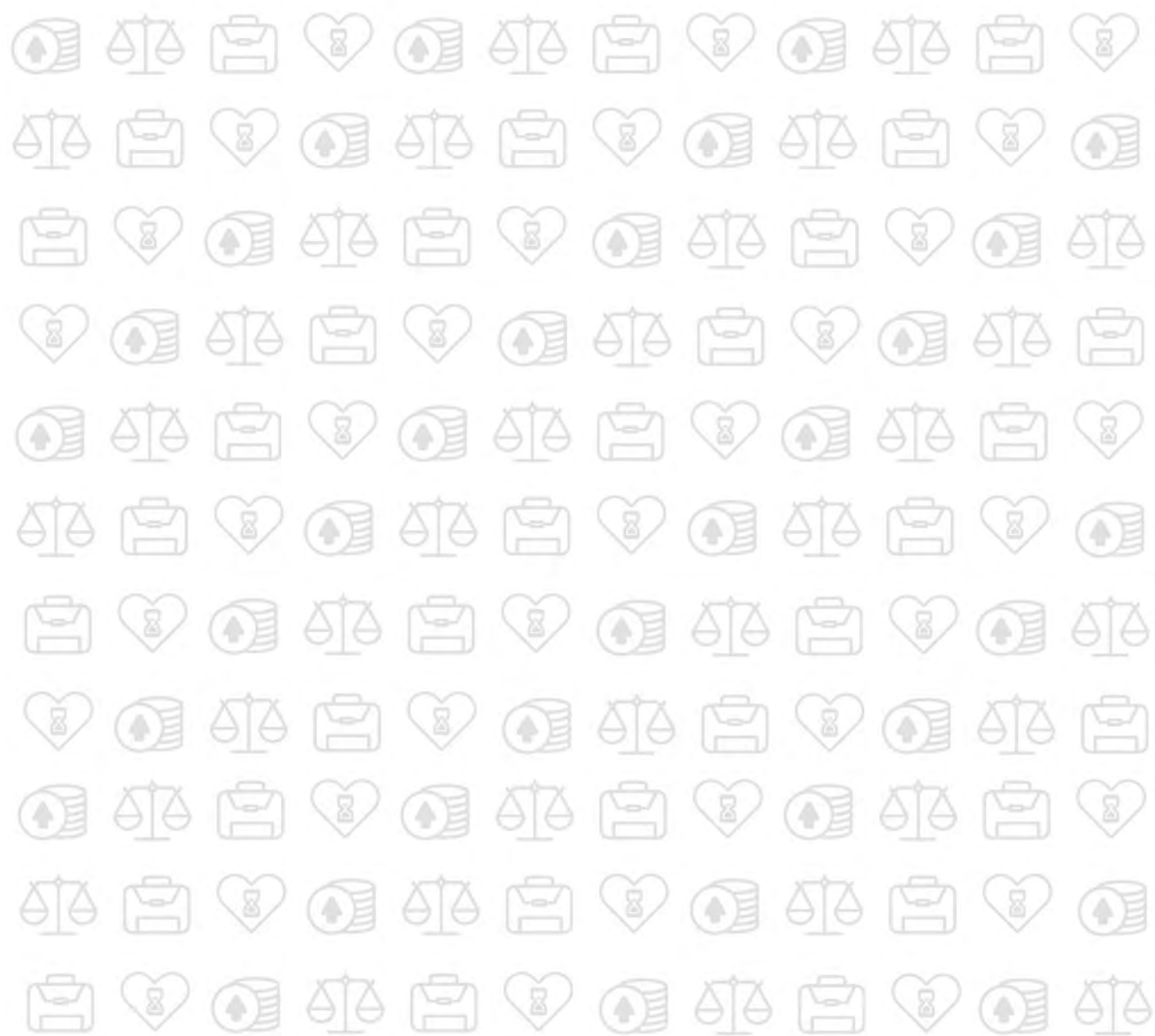
Date of birth	Date State Pension age reached
6 April 1960 – 5 May 1960	66 years and 1 month
6 May 1960 – 5 June 1960	66 years and 2 months
6 June 1960 – 5 July 1960	66 years and 3 months
6 July 1960 – 5 August 1960	66 years and 4 months (1)
6 August 1960 – 5 September 1960	66 years and 5 months
6 September 1960 – 5 October 1960	66 years and 6 months
6 October 1960 – 5 November 1960	66 years and 7 months
6 November 1960 – 5 December 1960	66 years and 8 months
6 December 1960 – 5 January 1961	66 years and 9 months (2)
6 January 1961 – 5 February 1961	66 years and 10 months (3)
6 February 1961 – 5 March 1961	66 years and 11 months
6 March 1961 – 5 April 1977*	67

Increase in State Pension age from 67 to 68, men and women

Date of birth	Date State Pension age reached
6 April 1977 – 5 May 1977	6 May 2044
6 May 1977 – 5 June 1977	6 July 2044
6 June 1977 – 5 July 1977	6 September 2044
6 July 1977 – 5 August 1977	6 November 2044
6 August 1977 – 5 September 1977	6 January 2045
6 September 1977 – 5 October 19677	6 March 2045
6 October 1977 – 5 November 1977	6 May 2045
6 November 1977 – 5 December 1977	6 July 2045
6 December 1977 – 5 January 1978	6 September 2045
6 January 1978 – 5 February 1978	6 November 2045
6 February 1978 – 5 March 1978	6 January 2046
6 March 1961 – 5 April 1978	6 March 2046
6 April 1978 onwards	68th birthday

Please note the above tables represent the current legislated position. Pensions Act 2014 (which increased State Pension age from 66 to 67) introduced a smoother transition compared to the transition arrangements set out in Pension Act 2007. ⁵⁵

⁵⁵ Department for Work and Pensions, 2014, State Pension age timetable, gov.uk



Chief Executive Gavin Boyd



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To: All Stakeholders

26 October 2016

Dear Stakeholder

Strategic Review of Nursery Provision in Special Schools

The Education Authority (EA) has just commenced engagement on a strategic review of nursery provision for children with special educational needs who require a place in a specialist setting. EA has a duty to ensure that all children who require special school placements can access them. The aim of this review is to develop a model of high quality nursery education to meet the needs of all pre-school children who require a specialist setting.

It is vital that we do everything in our power to ensure that children across Northern Ireland have consistent access to high quality, fit for purpose education close to where they live. For children with learning difficulties who require additional support, our key focus must always be on the needs of the children and how we can best meet those needs.

The first part of the review process is entirely focused on the views of those who know these children best. This includes their parents, teachers, principals and the staff who support them in school and at home every day.

Over the next few weeks, we will be running a wide scale, targeted engagement exercise where we will actively seek involvement from parents, key stakeholders in the education sector, health and other advocacy bodies with an interest in this work. This will inform the development of a draft framework which will shape the strategic direction of special education nursery provision across Northern Ireland.

The draft framework will be subject to public consultation with a view to implementation of a new model of delivery commencing in September 2017 with full implementation by September 2018.

This is a positive step towards ensuring that the special education provision for nursery age children is developed with full consideration of the views of the widest possible range of stakeholders.

Education Authority

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We want to be innovative and forward looking in our approach and we are seeking to provide the best possible support for children with special educational needs.

Targeted engagement sessions will run from October to December 2016 with public consultation commencing in January 2017. I will write to you again when the public consultation has begun at which stage we would welcome your views.

You can keep up to date with progress during the engagement phase by following us on Twitter @Ed_Authority or visiting our website www.eani.org.uk.

Best wishes



GAVIN BOYD
CHIEF EXECUTIVE