



January 7th, 2016

Notice Of Meeting

You are invited to attend the Enterprise, Regeneration and Tourism Committee meeting to be held on **Monday, 11th January 2016** at **3:00 pm** in the **Monaghan Row, Newry.**

Chair: Cllr D Curran

Vice: Cllr R Mulgrew

Members:

Cllr T Andrews	Cllr R Burgess
Cllr W Clarke	Cllr G Donnelly
Cllr S Ennis	Cllr G Hanna
Cllr V Harte	Cllr H Harvey
Cllr T Hearty	Cllr D McAteer
Cllr M Ruane	Cllr G Stokes
Cllr B Quinn	

Agenda

- 1) **Apologies**
- 2) **Declarations of Interest.**
- 3) **Action Sheet - Minutes of Enterprise Regeneration & Tourism Committee Meeting - Monday 14 December 2015. (Copy to follow))**

[Action Sheet - ERT December 2015.pdf](#)

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Enterprise, Employment and Regeneration Items

- 4) **Clanrye Positive Directions Programme - ESF Match Funding. (Copy circulated)**

[Clanrye - ESF Funding.pdf](#)

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- 5) **Dard Investment Proposals - European Maritime & Fisheries Fund 2014 - 2020 Consultation. (Copy enclosed)**

[EMFF Draft Investment Proposals ERT report.pdf](#)

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- 6) **Newry Cathedral Corridor Public Realm Scheme - Steering Committee Meeting held on 8 December 2015. (Copy enclosed)**

[Newry Canal Corridor PR Scheme Task and Finish Steering Committee Meeting - For noting.pdf](#)

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- 7) **Newry Linkages Revitalisation Task & Finish Steering Committee Meeting - Wednesday 2 December 2015. (Copy enclosed)**

[Newry Linkages Revitalisation Task and Finish Steering Committee Meeting - For noting.pdf](#)

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- 8) **Department of Culture Arts & Leisure - Fisheries Bill. (Copy enclosed)**

Report re Fisheries Bill consultation ERT.pdf

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- 9) **Report re: Shop Mobility. (Copy enclosed)**

Report re Shop Mobility.pdf

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- 10) **GATE Project Proposal - 'Growth for Adventure Tourism Entrepreneurs'. (Copy enclosed)**

Growth for Adventure Tourism Entrepreneurs (GATE) project proposal.pdf

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Tourism, Culture and Events Items

- 11) **Game of Thrones - Tourism Ireland - Great Campaign. (Copy enclosed)**

Game of Thrones Tourism Ireland Great Campaign.pdf

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- 12) **Policy and Procedures re: Access to the Countryside in Newry Mourne & Down District Council. (Copy enclosed)**

Policy and procedures on Access to the Countryside in NMDDC.pdf

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END.

Invitees

Cllr. Terry Andrews	terry.andrews@downdc.gov.uk
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Mrs. Marie Ward	marie.ward@downdc.gov.uk
Cllr. Clarke William	william.clarke@downdc.gov.uk

ACTION SHEET – ENTERPRISE REGENERATION & TOURISM COMMITTEE – MONDAY 14 DECEMBER 2015

AGENDA ITEM	SUBJECT	DECISION	FOR COMPLETION BY DIRECTOR – including actions taken/date completed or progress to date if not yet completed
ERT/144/2015	Newry Business Improvement Bid	A copy of the Newry Business Improvement Bid to be forwarded to Councillor D Curran, Chairperson of ERT Committee	Actioned
ERT/144/2015	Works at Newry Town Hall – Phase II	Ms M Ward Director, ERT to advise Councillor S Ennis if the tender for Phase II works at Newry Town Hall will include refurbishment of seating	Actioned
ERT/145/2015	Castlewellan Arboretum & Forest Park – Heritage Lottery Fund Application	<p>(a) Review the Terms of Reference of Castlewellan Arboretum Advisory Board with a view to making it a more useful Board in the plans for a bid to Heritage Lottery and widen its membership to ensure it is more diverse and beneficial to Council as the Castlewellan Task and Finish Project Board.</p> <p>(b) Introduce Councillor membership to the Board. The members to be nominated by Council and to take up seats on the Board with immediate effect.</p> <p>(c) Permit officers to obtain and pay for specialist advices in relation to project in order to ensure it is developed as per Heritage Lottery Fund requirements subject to confirmation of costs to ERT Committee</p>	Ongoing

AGENDA ITEM	SUBJECT	DECISION	FOR COMPLETION BY DIRECTOR – including actions taken/date completed or progress to date if not yet completed
ERT/146/2015	ERT Directorate Business Plan	<ul style="list-style-type: none"> (a) To adopt the Enterprise Regeneration & Tourism Business Plan (b) A Report on the ERT Business Plan be tabled at the Enterprise Regeneration & Tourism Committee on a quarterly basis 	Actioned
ERT/147/2015	Warrenpoint Public Realm Scheme – Church Street/The Square	<ul style="list-style-type: none"> (a) The Task & Finish Steering Committee now accept the 42 week programme and work with the Contractor to properly prepare for the Trader Information Meeting and deliver on-going PR regarding the scheme, throughout the works. (b) Council Officials to follow-up with NI Water on their planned works to make sure that they are linking up with TNI to programme other Carriageway Sewage Improvement Works 	Ongoing
ERT/148/2015	Newry Cathedral Corridor – Public Realm Scheme	<ul style="list-style-type: none"> (a) Newry City Centre Management Partnership (NCCMP) to continue to try and source the names of 3 affected businesses that would be prepared to sit on the Committee. (b) NMDDC, (NCCT) Newry Chamber of Commerce & Trade & NCCMP all in agreement with the Work Programme presented in regards to the sequence of works to be delivered, starting in Marcus Street East. (c) Key Partnership working now to be undertaken to ensure that the 'Hill Street is open for Business' message is continually circulated 	Ongoing

AGENDA ITEM	SUBJECT	DECISION	FOR COMPLETION BY DIRECTOR – including actions taken/date completed or progress to date if not yet completed
		(d) Further Meetings of the Task & Finish Steering Committee to be held throughout the works.	
ERT/149/2015	Newry Linkages Revitalisation	<p>To approve the following recommendations agreed at the Task & Finish Steering Meeting held on 5 November 2015: -</p> <p>(a) The Task & Finish Steering Committee agreed to the presented Newry Linkages Revitalisation Scheme and draft Action Plan, which is now to be submitted to DSD for approval to release the grant aid</p> <p>(b) Additional elements discussed at the Meeting should also be included in the lower priorities for the Plan, in case additional monies are obtained</p>	Ongoing
ERT/150/2015	Bill on Rural Needs Response	To note the written response in relation to the Rural Needs Bill as per Report from Mr J McGilly, Assistant Director Enterprise Regeneration & Tourism dated 17 November 2015	Actioned
ERT/151/2015	Make It Local Initiative	<p>(a) To note the updated contained in Report dated 14 December 2015 from Ms M Quinn, Project Development Manager regarding the Make It Local Initiative</p> <p>(b) Council Officials to contact any other relevant groups/government agencies, in particular Invest NI, to establish if they would be interested in becoming involved with the Make it Local Initiative</p>	Ongoing

AGENDA ITEM	SUBJECT	DECISION	FOR COMPLETION BY DIRECTOR – including actions taken/date completed or progress to date if not yet completed
ERT/152/2015	Report re: Southern Relief Road	<p>(a) To the following recommendations arising from the Report of a Meeting held on 21 October 2015 with Ms C Fitzgerald, Head of EU Commission in NI, regarding the Council's application for funding for the Southern Relief Road: -</p> <ol style="list-style-type: none"> (1) Ms C Fitzgerald, Head of EU Commission in NI to forward the Council information of the 315 billion euro investment plan (2) Council to arrange to meet new Transport NI Minister, Ms Michelle McIlveen and Jennifer McCann, MLA (3) Include community planning in the application from a Health Perspective (4) The Council to work in partnership with Transport NI and input into any application put forward (5) Arrange to meet Ken Bishop NILGA to perhaps advise the Council on how to draw down funding for the Southern Relief Road application <p>(b) The Council write to the 3 No. MEPs in the European Parliament and to the MEPs from the bordering Louth constituency to lobby for EU funding for the Southern Relief Road</p>	<p style="text-align: center;">Ongoing</p> <p style="text-align: center;">Letters sent dated 07 January 2016</p>

AGENDA ITEM	SUBJECT	DECISION	FOR COMPLETION BY DIRECTOR – including actions taken/date completed or progress to date if not yet completed
ERT/153/2015	Footway Scheme – A2 Killowen Road, Rostrevor	To note the Report from Ms C Murphy Countryside/ROW Officer regarding a Footway Scheme proposed by DRD at A2 Killowen Road, Rostrevor on a section of Public Right of Way – Killowen Road to Foreshore at Outdoor Education Centre	
ERT/154/2015	Letting of Lands – Delamont Country Park	<p>(a) To extend the Licence to the current Licensee for field numbers 8a (7.2 hectares), 7d (2.2 hectares), 8b (3.35 hectares), a total of 12.75 hectares.</p> <p>NB: This land being required to accommodate the Skiffie Worlds in Summer 2016. The Licence fee for this bid of 12.75 hectares (31.1 acres) under the current Licence agreement is £75 per acre – total £2,332.50</p> <p>(b) The remaining 27 hectares to be advertised under open tender for conacre – sheep grazing only, for one year</p> <p>(c) To let, through open advertisement, the remaining 30.4 hectares for sheep grazing/crops for a further five year Licence period from 2017</p>	

AGENDA ITEM	SUBJECT	DECISION	FOR COMPLETION BY DIRECTOR – including actions taken/date completed or progress to date if not yet completed
ERT/155/2015	Forest Park Development – Transfer of Assets – Franchising Caravan & Camping Facilities	<p>The Council commission external expertise to complete options appraisals and business case to include:</p> <ul style="list-style-type: none"> (a) Completion of condition surveys for Castlewellan, Tollymore and Kilbroney Caravan Parks (to include the touring in the tree side site at Kilbroney) (b) Financial assessment of income and expenditure for all 3 sites (c) Overview of caravan and camping park market operation (d) A scope of potential management options and recommendations of preferred options to the Council (e) Consideration and recommendation of preferred contractual relationship between the Council and Forestry Service for the future management of caravan parks. (f) A scope of options for preferred contractual arrangements (in terms of licence, lease or alternates) between the Council and Caravan Par managers 	
ERT/156/2015	Proposed Listing – Events 2016 – 2017	That financial allocation for the proposed listing for Events 2016-2017 be discussed at a Special Rates Workshop to be held in advance of the next Council Meeting regarding Rate Estimates on Friday 15 January 2016. All Councillors to be invited to attend the Special Workshop	

AGENDA ITEM	SUBJECT	DECISION	FOR COMPLETION BY DIRECTOR – including actions taken/date completed or progress to date if not yet completed
ERT/157/2015	Forward Planning – Slieve Gullion Forest Park	<ul style="list-style-type: none"> (a) A meeting to be arranged with Council Officials, including Estates Department and Clanrye Group, to discuss the way forward with regard to the water tank upgrade at Slieve Gullion (b) Mrs J McCann, Area Community Development Officer to get an update on legal advice on the shutting of entrance and exit gates at Slieve Gullion and report back to the next meeting in due course 	
ERT/158/2015	Application – Esmee Fairburn Collections Fund Newry Mourne & Down Museum Performing Arts Collection	<ul style="list-style-type: none"> (a) To accept the offer of funding from Esmee Fairburn Collections Fund in respect of Newry Mourne & Down Museum Performing Arts Collection (b) To extend a message of thanks from Councillors to the Officers responsible for submitting this application 	
ERT/159/2015	Holiday World 2016 (Belfast and Dublin)	<ul style="list-style-type: none"> (a) To note Council attendance at the Holiday World promotions and details of staff committed, as per Report dated 3 December 2015 from Ms M Boyle, Tourism Development Officer (b) Any Councillors who wish to have a rota on the stand to advise Ms M Boyle, Tourism Development Officer (c) Should any Elected Members wish to attend either Holiday World 2016 event in Dublin or Belfast, that they inform Ms M Boyle, Tourism Development Officer 	

AGENDA ITEM	SUBJECT	DECISION	FOR COMPLETION BY DIRECTOR – including actions taken/date completed or progress to date if not yet completed
ERT/160/2015	Kilbroney Masterplan	To adopt the Masterplan for Kilbroney Park and Rostrevor Forest and progress recommendation on the basis of obtaining the necessary funding for various aspects contained within the plan	
ERT/161/2015	Mountain Bike NI Consortium 2016 - 2017	(a) As part of a Council Service Level Agreement with ORNI, provide £36,332 for Mountain Bike NI to provide marketing and PR support for the National Trail Centres of Rostrevor and Castlewellan for April 2016 – March 2017, subject to partner Councils contributions as required (b) As part of the Mountain Bike NI consortium, seek a new sponsor. To be advertised January 2016 for a period of 3 years	
ERT/162/2015	Graphic Design Services re: St Patrick's International Festival 2016	To approve a request from Elmer Bell, Dizzyland Funfair to use a portion of land in Warrenpoint Square for amusements for a period of time at: - St Patrick's Day - Easter - Maiden of the Mourne Festival Exact location to be confirmed subject to Environmental Improvement Scheme contract progression	
ERT/163/2015	Use of Warrenpoint Square – Elmer Bell Dizzyland Funfair	To approve a request from Elmer Bell Dizzyland Funfair to use a portion of land in Warrenpoint Square for amusements for a period of time at: St Patrick's Day Easter	

		Maiden of the Mourne Festival	
ERT/164/2015	Works at Newry Town Hall – Phase II	To note the contents of Report dated 14 December 2015 from Mr G McVeigh Surveyor, regarding works at Newry Town Hall – Phase II	
ERT/165/2015	Tourism Strategy Task & Finish Project Board	<ul style="list-style-type: none"> (a) A detailed report on the content of the Service Level Agreement with ORNI (Outdoor Recreation NI) to be brought to the ERT Committee following consultation with the AHC Department to include details on budget, maintenance of trails and customer facing role. The Service Level Agreement to also incorporate the recommendation agreed by Council regarding Mountain Bike NI (b) The Events Report to be updated to include events on Camlough Lake, Ring of Gullion Landscape Partnership Events and to advise on towns/villages which would benefit. Opportunities to link GI sites into the Festival of Flight to be considered and opportunity to include the Curragh event on the schedule to be considered. (c) Opportunities to run a chefs competition involving local Colleges as part of Year of Food and Drink to be considered 	
ERT/165/2015	Festival of Flight	The Festival of Flight event could be discussed at the Special Rate Estimates Workshop regarding Events 2016-2017, to be held prior the Council Meeting regarding Rate Estimates on Friday 15 January 2016	
END			

Agenda Item:	[This is the number the item will be given]
Report to:	Enterprise Regeneration and Tourism Committee
Subject:	ESF Funding Match fund – Clanrye Positive Directions Programme
Date:	Monday 21 st December 2015
Reporting Officer:	Marie Ward, Director Enterprise, Regeneration and Tourism
Contact Officer:	Jonathan McGilly, Assistant Director, Enterprise, Employment & Regeneration

Decisions Required

To agree contents of the report and the recommendation at Section 3 below in regards to match funding in kind for Clanrye Positive Directions Programme.

1.0	<p>Purpose and Background</p> <p>“Positive Directions” is an ESF funded initiative delivered by Clanrye Employment & Training Services (CETS), based at Slieve Gullion Courtyard. The programme is an Employability Initiative providing opportunity for Level 1 & 2 accreditation in areas of ICT, Business Administration, Retail, Customer Services, Catering, Horticulture & Personal Development. This training is targeted at people with disabilities including learning disabilities with the overriding objective being to enable participants to develop necessary skills, qualifications & experience to progress to further education, training or employment.</p>
	<p>Key Issue</p> <p>Clanrye have secured £1.9m ESF Funding to run this initiative over 3 years but require 35% match funds. Disability Action & SHSCT have provided match funds along with CETS’ own resources. However, a shortfall of £60,000 pa still remains. Council had indicated it could not commit this level of resource and requested other options be explored given that contribution in kind could be used as match-funding. Council, CETS & DEL (managing authority for ESF) have explored options as to how contribution in kind could be utilised.</p>
3.0	<p>Recommendations</p> <p>Based on discussions a potential way forward had been developed. Slieve Gullion is a newly developing asset in the South Armagh area and its success has been in part due to a proactive partnership between Council and CETS who work closely to develop the facility and services. Based on the cooperation & mutual benefit of both parties a lot of Council Services provided assist CETS in delivering their business and vice versa. Based on Council staffing levels at the facility and the apportionment of land £59,000 of staff time per annum can be utilized by CETS as match fund. This has been approved by DEL subject to Council approval and suitable time sheet recording being made available for audit and claims purposes.</p> <p>It is recommended that NMDDC approve this approach subject to CETS completing all necessary claims & accepting any risks associated if claims are disallowed.</p>

4.0	Resource Implications No financial implications for NMDDC as staffing is budgeted for – only implication will be for staff managing this interface with CETS
5.0	Appendices N/A

Agenda Item:	[This is the number the item will be given]
Report to:	Enterprise Regeneration and Tourism Committee
Subject:	DARD investment proposals for the European Maritime and Fisheries Fund 2014-2020 consultation
Date:	Monday 11 January 2016
Reporting Officer:	Jonathan McGilly, Assistant Director Enterprise, Employment & Regeneration
Contact Officer:	Kevin McGarry, Programme Manager

Decisions Required

To agree the contents of the report and approve recommendations at Section 3

1.0 Purpose and Background

Newry Mourne and Down District Council in partnership with Ards and North Down Borough Council currently deliver Axis 4 of the European Fisheries Fund (EFF) through a Fisheries Local Action Group. As the EFF is brought to a close the European Commission has recently approved the UK's Operational Programme for its successor; the European Maritime and Fisheries Fund (EMFF) which provides the opportunity for UK Fisheries Administrations to open the fund to applications.

Locally, DARD must prepare a Business Case for DFP approval to secure the national funding element towards the public finance support for EMFF financed projects (as detailed in Appendix 1). DARD has outlined its proposals for spending its allocation of the UK EMFF budget. These proposals have taken account of the following:

- A reduction in the total available funding under EMFF from what was available under its predecessor EFF;
- The levels of commitment and spend, by Measure, during the EFF Programme;
- Experience of fisheries sectors in successfully delivering projects under EFF;
- Awareness of the needs of the various sectors, in terms of compliance, sustainability and, where possible, growth, over the next few years;
- Discussions with a number of potential applicants on possible investment proposals over the next 4-5 years.

2.0 Key Issue

DARD would appreciate stakeholder comments on the Investment Proposals and would especially welcome responses to the following questions:

- Do you believe the initial budget allocations within this Investment Proposal are fair and realistic, given the objectives of Union Priorities 1, 2, 4 and 6 and the needs of the industry sectors and stakeholders?
- If you feel allocations should be revised, which other allocations should be amended

	<p>to reflect your proposed changes?</p> <ul style="list-style-type: none"> • While EMFF permits a grant rate of up to 50% for private sector applicants, given the reduced funding available when compared to EFF, do you feel it would be appropriate to cap grants for private sector applicants to the 40% rate that applied under the EFF Programme?
<p>3.0</p>	<p>Recommendations</p> <p>Responses and recommendations to the questions outlined are as follows;</p> <ul style="list-style-type: none"> • <i>Do you believe the initial budget allocations within this Investment Proposal are fair and realistic, given the objectives of Union Priorities 1, 2, 4 and 6 and the needs of the industry sectors and stakeholders?</i> <p>It is felt that with the reduction in the overall proposed EMFF budget amounting to approximately 28%, it was possible that the FLAG could have been looking at a budget for Community-led Local Development under EMFF of €2.16m. However, only a 9% reduction has been directed towards Union Priority 4. To reflect this in euros, Axis 4 of the EFF amounted to €3M with the proposed budget amount for Union Priority 4 of EMFF amounting to €2.73M.</p> <p>This is an extremely positive reflection on the past works of the Fisheries Local Action Group and Newry, Mourne and Down District Council as the lead partner and with this level of investment available there are significant opportunities to impact on the fishing dependent communities of Ardglass, Kilkeel and Portavogie.</p> <p>The allocation of the budget reflects the Department of Agriculture and Rural Development and the European Union’s focus and commitment to prioritising community led local development through that of Fisheries Local Action Groups following on from the success of Axis 4 of the EFF.</p> <p>In summary it is felt the initial budget allocations are particularly favourable to towards Union Priority 4 which is to be welcomed.</p> <ul style="list-style-type: none"> • If you feel allocations should be revised, which other allocations should be amended to reflect your proposed changes? <p>Not applicable</p> <ul style="list-style-type: none"> • While EMFF permits a grant rate of up to 50% for private sector applicants, given the reduced funding available when compared to EFF, do you feel it would be appropriate to cap grants for private sector applicants to the 40% rate that applied under the EFF Programme? <p>By capping the grant available for the private sector at 40%, this has the opportunity to fund an increased number of projects whilst having a greater impact on the fishing dependent communities. This has, in the past, levered a considerable amount of finance from the private sector and led to significant projects being realised and impacting greatly on the area.</p> <p>However, with the opportunity of funding up to 50% this may also encourage other organisations to avail of grant assistance that otherwise may not have the finance fully available to them.</p> <p>We would support the retention of the 50% grant rate for private sector applications to</p>

	encourage more and perhaps better applications to be submitted under the EMFF Programme. The most appropriate rates of grant will be investigated further by the FLAG through the development of the EMFF Sustainable Development Strategy and consultations on the strategy.
4.0	Resource Implications The current resource in place to administer Axis 4 of the European Fisheries Fund are in currently in post with their contracts expiring in March 2016. (Programme Manager and a Development and Administration Officer)
5.0	Appendices Appendix 1; The European Maritime and Fisheries Fund (EMFF) Draft Investment Proposals

Agenda Item:	[This is the number the item will be given]
Report to:	Enterprise Regeneration and Tourism Committee
Subject:	Newry Cathedral Corridor Public Realm Scheme
Date:	Monday 11 January 2016
Reporting Officer:	Marie Ward, Director of Enterprise, Regeneration and Tourism
Contact Officer:	Mr Jonathan McGilly - Assistant Director of Enterprise, Employment & Regeneration

Decisions Required

To note/agree etc the contents of the report and approve recommendations at Section 3

1.0	<p>Purpose and Background</p> <p>As noted from the attached report a meeting of the Task & Finish Public Realm Steering Group was held on 8th Dec 2016, making a number of recommendations as the scheme is now onsite. (See attached Report)</p>
2.0	<p>Key Issue</p> <p>Important that the scheme continues to carry out on-going liaison throughout the contract period.</p>
3.0	<p>Recommendations:</p> <p>1.) NCCMP to continue to try and source the names of 3 affected businesses that would be prepared to sit on the Committee.</p> <p>2.) Seek TNI to attend future meeting of the T&F Steering Committee to present the proposed Carriageway resurfacing programme.</p> <p>3.) Council Officials to continue to follow-up on a proposed Entrance Archway to Margaret Street East.</p> <p>4.) Key Partnership working to continue in terms of ensuring that the ‘Hill Street in open for Business’ message is continually circulated.</p> <p>5.) Further meetings of the T&F Steering Committee to be held throughout the works, with officials to now bring forward initial proposals for a Hill Street Revitalisation Scheme (Phase II)</p>
4.0	<p>Resource Implications</p> <p>As outlined at previous ERT Committee meetings, Council revenue funding required in 16/17 for the Cathedral Corridor Public Realm Scheme, to match fund the 15/16 Council Contribution and £658,000 on offer from the DSD.</p>
5.0	<p>Appendices</p> <ul style="list-style-type: none"> - Report of the Newry Cathedral Corridor Public Realm Scheme Task & Finish Steering Committee meeting held on 8th December 2015.

Report of Newry Cathedral Corridor Public Realm T&F Steering Committee (involves Newry City Cllrs) on 8th December 2015 at 12.00 noon in the Canavan Room, Sean Hollywood Arts Centre.

In Attendance:	Councillor C Casey	Mr P Mullen – Consultants
Councillor V Harte	Mr W Cummings - Contractor	Mr R Robinson - Consultants
Mr J Murphy – NCCMP	Mrs B Murphy – DSD	Mr S Crossey – NMDDC
	Mrs S Henry – BIDS	

Apologies :	Ms O Jackson - NCCT	Mrs M Ward - NMDDC
Mr J McGilly – NMDDC	Councillor D Hyland	Councillor G Stokes
Mrs D McConnell- NCCMP		

Minutes of Previous Meeting on 12.11.15

-These were agreed as a true and accurate record.

Overview / Update on Programme of Works

-Contractor outlined the progress that has taken place over the first 2 weeks of the contract in Marcus Street East and West. He added that works will stop on 11.12.15 and recommence on 04.01.16.

- Fences will be removed/pulled back for the duration of the Christmas period.
- Deane Public Works confirmed that there has been on-going liaison with the Marcus Street Traders throughout the process and this will continue.
- It was confirmed that Marcus Street works would be completed by the end of January with works then moving to Margaret Street.
- It was stressed that proper Trader Liaison and Communication needs to continue throughout the works. It was agreed that more visuals were needed to display in local businesses,
- It was acknowledged that TNI would be carrying out the carriageway resurfacing out of hours.
- Important that efforts are now made to follow up on the Margaret Street East Archway as well.

Recommendations:

- 1.) **NCCMP to continue to try and source the names of 3 affected businesses that would be prepared to sit on the Committee.**
- 2.) **Seek TNI to attend future meeting of the T&F Steering Committee to present the proposed Carriageway resurfacing programme.**
- 3.) **Council Officials to continue to follow-up on a proposed Entrance Archway to Margaret Street East.**
- 4.) **Key Partnership working to continue in terms of ensuring that the ‘Hill Street in open for Business’ message is continually circulated.**
- 5.) **Further meetings of the T&F Steering Committee to be held throughout the works, with officials to now bring forward initial proposals for a Hill Street Revitalisation Scheme (Phase II)**

There being no further business the meeting concluded at 12.38pm

Report by: Seamus Crossey (Capital Projects Officer - EDU)

Report to be noted at January 2016 ERT meeting.

Agenda Item:	[This is the number the item will be given]
Report to:	Enterprise Regeneration and Tourism Committee
Subject:	Newry Linkages Revitalisation T&F Steering Committee Meeting held on 2 nd Dec 2015
Date:	Monday 11 th January 2016
Reporting Officer:	Marie Ward, Director of Enterprise, Regeneration and Tourism
Contact Officer:	Mr Jonathan McGilly - Assistant Director of Enterprise, Employment & Regeneration

Decisions Required

To note/agree etc the contents of the report and approve recommendations at Section 3

1.0	<p>Purpose and Background</p> <p>To provide an update to ERT Committee on the Shop Front Revitalisation Scheme that is proposed on the back of the 2014 Public Realm Scheme delivered along Buttercrane and Merchants Quay. DSD monies now confirmed at the start of December 2015 with monies to be spent by the end of March 2016. The T&F Steering Group is made up of a joint partnership between local Traders Rep's located along Buttercrane and Merchants Quay and Newry City Cllrs.</p>
2.0	<p>Key Issue</p> <p>- The Steering Group met to sign off on its Action Plan as DSD funding now confirmed. £100,000 now available to deliver the scheme by the end of March 2016.</p>
3.0	<p>Recommendations: - From meeting on 2nd December 2015 are:</p> <p>i.) The T&F Steering Committee approved the finalised Newry Linkages Revitalisation Scheme, Action Plan, which is now approved by DSD for funding.</p> <p>ii.) Additional elements discussed at the meeting, particularly in regards to a proposed Water Fountain should also be included in the lower priorities for the Plan, in case additional monies are obtained.</p> <p>iii.) Officials should be co-ordinating in regards to the follow-up washing of recently completed Public Realm Scheme pathways.</p>
4.0	<p>Resource Implications</p> <p>Currently there is no financial commitment on Council in terms of this Action Plan DSD. Depending on the overall projects identified and agreed, a Council contribution may be sought for 16/17.</p>
5.0	<p>Appendices</p> <p>- Report of Newry Linkages Revitalisation T&F Steering Committee meeting held on 2nd December 2015.</p>

Report of Newry Linkages Revitalisation T & F Steering Committee (involves Newry City Cllrs) on 2nd December 2015 at 5.00pm in the Canavan Room, Sean Hollywood Arts Centre.

In Attendance:	Councillor D Hyland	Councillor C Casey
Mr P Murray – Trader	Mrs N Smyth - NMDDC	Mr S Crossey – NMDDC
Mrs D McConnell - NCCMP	Mrs B Murphy – DSD	Mrs S Henry - BIDS

Apologies :	Councillor G Stokes	Mrs M Ward - NMDDC
Mrs J McGilly	Councillor V Harte	Mr J Murphy
		Mr P Courtney - Trader

Action Plan & Funding

- Following the previous meeting held in November 2015, officials had submitted the draft Action Plan, which was then approved by DSD at the end of November. With this confirmation of the £100,000 grant funding from DSD, there was consensus and agreement of the key projects to now take forward:

1.) Shop-Front Scheme	2.) QS Services to oversee the Project
3.) Needham Bridge & Right Of Way Clean up	4.) Washing of 6 Canal Bridges
5.) Painting of 6 Canal Bridges	6.) Up lighting of 2 Bridges
7.) Marketing	8.) Special Event to promote the area
9.) PPE	

- Outside of these core projects going forward, other reserve projects agreed were, Four Face Clock, Canal Fountain, Cornmarket Corner Improvements, Up-lighting of 2 further bridges, Bus depot bank and railings improvement, Additional Marketing and further work to the area at the Back of the Townhall.

- Important that efforts are now made by officials to commence all the Tender Processes in order that projects can go live in early 2016 and all monies can be fully committed before the end of March 2016.

- It was also agreed that officials carry out further investigations into the Canal Water Foundation option, so that it could be ready to be progressed in the event of grant aid slippage monies becoming available.

- Following much discussion, it was also agreed that there should be an on-going process of washing pathways newly completed as part of Public Realm Schemes.

Recommendations:

i.)_The T&F Steering Committee approved the finalised Newry Linkages Revitalisation Scheme, Action Plan, which is now approved by DSD for funding.

ii.) Additional elements discussed at the meeting, particularly in regards to a proposed Water Fountain should also be included in the lower priorities for the Plan, in case additional monies are obtained.

iii.) Officials should be co-ordinating in regards to the follow-up washing of recently completed Public Realm Scheme pathways.

There being no further business the meeting concluded at 5.53pm

Report by: Seamus Crossey (Capital Projects Officer - ERR)

Report to be noted at January 2016 ERT meeting.

Agenda Item:	[This is the number the item will be given]
Report to:	Enterprise Regeneration and Tourism Committee
Subject:	Written submission regarding Clauses 10, 11, 12 and 13 of the Fisheries Bill
Date:	Monday 11 January 2015
Reporting Officer:	Jonathan McGilly, Assistant Director Enterprise, Employment & Regeneration.
Contact Officer:	Kevin McGarry, Programme Manager

Decisions Required

To note the contents of the report and approve recommendations at Section 3

1.0 Purpose and Background

The Department of Culture Arts and Leisure have invited Newry, Mourne and Down District Council to make a written submission regarding Clauses 10, 11, 12, 13 of the Fisheries Bill.

The Fisheries Bill has been developed by the Department for Agriculture and Rural Development, which is the lead department, and the Department of Culture, Arts & Leisure after public consultation.

The Bill was formally introduced to the Northern Ireland Assembly on 7 December 2015 and is expected to be debated in the Assembly at Second Stage on 11 January 2016. The Bill is expected to be referred to both the Committee for Agriculture and Rural Development and Culture, Arts & Leisure after its Second Stage. Both Committees will be responsible for taking the Bill through its Committee Stage. The Committee for Culture, Arts and Leisure has provisionally agreed to undertake scrutiny of Clauses 10 to 13; however, the Committee will review this decision in early January 2016.

The Clauses referred to include;

Clause 10 - Fish dealer's licence: no need for certificate of Justice of the Peace This clause amends section 114 of the Fisheries (Northern Ireland) Act 1966 to remove the need for an application for a fish dealer's licence to be accompanied by a certificate from a Justice of the Peace stating that the applicant is a fit and proper person to hold such a licence.

Clause 11 - Restriction of removal of material from bed of lake This clause amends section 48 (taking etc. of spawn or fry of salmon, trout or eels) of the Fisheries (Northern Ireland) Act 1966 to extend the restriction to include lakes as well as rivers.

Clause 12 - Dams in rivers: fish passes etc. This clause amends section 54 (Construction of fish passes in dams in rivers) of the Fisheries (Northern Ireland) Act 1966. Section 54 requires dam owners to provide and maintain fish passage for salmon, trout and eels and subsection (3) adds lampreys are added to this list of protected species. Subsection (4) empowers the Department to remove dams which are a barrier to fish passage where an owner cannot be identified. The Department can also enter land for the purposes of carrying out this work.

	<p>Clause 13 - Gratings in certain watercourses This clause amends section 59 of the Fisheries (Northern Ireland) Act 1966 to require anyone taking water from a river to fit a grill of not more than 10mm at the entrance and exit of watercourses to protect the entry of small fish into these watercourses. This requirement will only apply to new installations and exemptions will be permitted where the Department is satisfied that sufficient arrangements will be made by means other than a 10mm grill size.</p>
2.0	<p>Key Issue</p> <p>The Fisheries Bill referred is not directly relevant to Newry, Mourne and Down District Council as it refers to legislation for control and enforcement and has no impact on Community Led Local Development the work of the Fisheries Local Action Group nor other core business of the Council</p>
3.0	<p>Recommendations</p> <p>The Fisheries Bill is better placed to be consulted with by the individual members of the Fisheries Local Action Group and has therefore been distributed to the relevant organisations for consideration.</p>
4.0	<p>Resource Implications</p> <p>N/A</p>
5.0	<p>Appendices</p> <p>Appendix 2; Fisheries Bill</p>

This Memorandum refers to the Fisheries Bill as introduced in the Northern Ireland Assembly on 7 December 2015, (Bill 74/11-15)

FISHERIES BILL

EXPLANATORY AND FINANCIAL MEMORANDUM

INTRODUCTION

1. This Explanatory and Financial Memorandum has been prepared by the Department of Agriculture and Rural Development and the Department of Culture, Arts and Leisure in order to assist the reader of the Bill and to help inform debate on it. It does not form part of the Bill and has not been endorsed by the Assembly.
2. The Memorandum needs to be read in conjunction with the Bill. It is not, and is not meant to be, a comprehensive description of the Bill. So where a clause or part of a clause or schedule does not seem to require an explanation or comment, none is given.

BACKGROUND AND POLICY OBJECTIVES

3. The Department of Agriculture and Rural Development currently has responsibility for sea fisheries and aquaculture and the Department of Culture, Arts and Leisure is responsible for inland and salmon fisheries. Both Departments currently have powers under the Fisheries Act (Northern Ireland) 1966 and as such amendments are being made via a single Bill, rather than through two separate Bills.

Sea Fishing

4. The licensed sea fishing sector is primarily concentrated at three east coast fishing ports of Ardglass, Kilkeel and Portavogie. A significant number of small (under 10 metres) vessels also operate from other harbours around the north coast.
5. The trend in sea fishing over several years has been one of decline and a critical issue is uncertainty of supply of fish and other seafood. However, alongside this and as a result of restructuring over the past decade, activity in the inshore has more than doubled in size and has become much more prominent and valuable to fishing communities along the entire coastline.
6. The nature of the sea fishing industry (and the difficulty in regulating much of the activity as it takes place at sea), means there is a requirement for strong regulation and a high degree of enforcement activity in order to deter wrongdoing. Legislation is required to ensure protection of vulnerable fish stocks and to protect

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vulnerable environments. Industry is generally keen on the retention of strong enforcement powers as it is the only way to ensure that law abiding fishermen and businesses can compete.

7. Fishing for the main commercially exploited species is regulated through the European Common Fisheries Policy (CFP). The Sea Fish (Conservation) Act 1967 regulates the commercial use of, fishing for and landing of sea fish, and gives powers of enforcement to authorised fisheries officers, including the enforcement of EU Regulations under the CFP. Inshore fishing, which covers fishing vessels that mainly target shellfish such as crab, lobster and shrimps by potting, is regulated by the Fisheries Act (Northern Ireland) 1966 (the 1966 Act).
8. Through the Fisheries Forum in 2010 sea fishery industry stakeholders recognised the need to review primary legislation recommending that legislation “should be reviewed and where appropriate brought into line with recent changes in primary fisheries legislation elsewhere”, and specifically by the Marine and Coastal Access Act 2009 (2009 Act) in England and Wales. In developing proposals, Department of Agriculture and Rural Development officials held discussions with a number of key stakeholder representatives. Separate consultation on a ‘Sustainable Development Strategy for Northern Ireland’s In-shore Fisheries’ called for increased enforcement in the inshore area, recognising the increased pressures in this area over recent years, and this was also considered in developing policy for the Bill.

Inland Fisheries

9. The Fisheries (Northern Ireland) Act 1966 gives broad powers to the Department of Culture, Arts and Leisure to regulate for the conservation, protection, promotion and development of salmon and inland fisheries. These powers were initially given to the Fisheries Conservancy Board but transferred to the Department of Culture, Arts and Leisure in 2009 when the Board was abolished.
10. Through the Salmon and Inland Fisheries Forum and the Assembly, inland fisheries stakeholders articulated their concerns about the effectiveness of the Fisheries (Northern Ireland) Act 1966 in light of changes in inland fisheries management practice and environmental and European obligations. In its review of the Fisheries (Northern Ireland) Act 1966 the Department of Culture, Arts and Leisure officials engaged extensively with the Salmon and Inland Fisheries Forum.
11. There is a need to modernise enforcement activity and to re-align the Fisheries (Northern Ireland) Act 1966 with obligations under EU Directives such as the Water Framework Directive and the EU Services Directive. There is a need to modernise enforcement activity and to ensure it is proportionate to the seriousness of any given offence so that resources can be directed toward those offences which pose the greatest risk. Certain provisions of the Fisheries (Northern Ireland)

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Act 1966 need updated to mitigate against barriers to free passage of fish and to modernise requirements regarding access to Fish Dealer's Licences as required by the EU Services Directive.

12. Having reviewed the current legislative position, the two Departments identified a range of proposals to amend a number of fishery Acts including the Fisheries (Northern Ireland) Act 1966 and the Sea Fish (Conservation) Act 1967. The aim is to ensure that legislation remains fit for purpose in order that it provides adequate protection for sensitive marine and inland fishery environments and limited fish-stocks. The aim is also to ensure legislation is compliant with EU obligations. The Bill will also modernise enforcement powers and allow effective and proportionate enforcement of fisheries regulations.
13. The Bill will align sea fisheries enforcement powers with certain powers introduced for England and Wales by the Marine and Coastal Access Act 2009. As the Department of Agriculture and Rural Development's fisheries inspection vessel takes part in joint deployment in various areas around Britain, Sea Fisheries Officers require the same powers as those of their British counterparts.

CONSULTATION

14. Consultation on proposals opened on 18 August 2014 and closed on 10 November 2014. The consultation sought views on a range of inland fisheries, sea fisheries and aquaculture proposals that would modernise and update enforcement and allow full compliance with EU rules and ensure that environmental commitments can continue to be fully met. Notification of the consultation was sent to more than 1800 individuals and organisations including all registered fish dealers and fish culture licensees, as well as all registered fishing vessels and a number of other groups and individuals, including a number of environmental organisations and interests. The consultation was also advertised in local press and was published on the Departments' websites. In order to explain the proposals and to encourage responses, Department of Agriculture and Rural Development officials followed up on earlier discussions held with some key stakeholders.
15. 57 written responses to the consultation were received, covering a number of different sectoral interests. There was broad support across all sectors for the majority of proposals. In terms of sea-fisheries there was little support for plans to increase the level of penalties for sea fisheries offences, although all respondents accepted the need for an increase in the deterrent. As some respondents suggested that the proposed levels were too high and others said they were too low, the proposals seem therefore to represent an adequate compromise.
16. A major concern for the aquaculture industry related to the complexity and time involved in aquaculture licensing with industry representatives critical that the policy proposals would do little to change this. However, this is not unique to the north and is indeed an issue across Europe and there are a number of reasons why

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the process can be delayed. However, much of this is beyond the scope of fisheries legislation. While no provisions in relation to aquaculture are included in the Bill at this point, it is hoped that amendments that will introduce a single aquaculture licence will be taken forward sometime in the future.

17. While some minor changes were made to the final policy in relation to fish passages as a result of consultation responses, given the widespread support to the proposals overall, the Fisheries Bill broadly follows the proposals included in public consultation in most respects, whilst detail drafting has sought to deal with other minor concerns raised during the consultation. A summary of the outcome of the consultation, and the Departments' response to the comments can be found at <http://www.dardni.gov.uk/index/consultations/closed-consultations/consultation-on-proposals-for-a-fisheries-bill.htm>.

OPTIONS CONSIDERED

18. Three options were considered in developing the policy, namely
 - (1) do nothing;
 - (2) deregulate fishing; and
 - (3) bring forward a Fisheries Bill to update existing legislation.

19. Option 1. Do Nothing.

The first policy option considered was to do nothing, and by doing so leave the current legislative framework as it is. In order to protect fish stocks and aquatic environments it is recognised that there is already a wide range of powers to regulate fisheries, emanating both from the EU and from local legislature. Continuing to work under those would allow the Departments to continue to manage fisheries to some degree, and therefore the first option is not to introduce a Fisheries Bill and to make no amendments to current legislation. Under this option fisheries enforcement would continue to rely on existing powers to manage fish stocks and the impact of fishing on the environment.

20. However, taking this approach would mean that gaps identified in the legislation could not be addressed. This would mean the Departments would not be able to fully meet their EU obligations and comply with certain EU Directives. There would be a risk the Government would not be able to provide adequate protection for sensitive marine and inland fishery environments and limited fish-stocks. Enforcement powers would risk not being entirely fit for purpose, ineffective or not proportionate.
21. Leaving gaps in the tools with which to manage fisheries and the marine environment could lead to a decline in marine biodiversity and fish and shellfish stocks. This could in turn lead to reduced profitability and viability of fisheries related businesses. In addition, an opportunity would be missed to reduce the risk

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of infraction proceedings by the European Commission by putting compliance with European Communities (EC) law beyond in doubt.

22. Option 2. Deregulate Fisheries.

The second option, which was to deregulate fisheries and allow them to be managed on a more voluntary basis, considered the scope to reduce Government intervention, which would only be justified in the first place where the market could not deliver on policy objectives. While fish stocks are renewable, they are also finite. Therefore without regulation of some sort, open access can result in overfishing and individuals may not take account of the effect of their activity on the ability of others to catch fish and this can have a very detrimental effect on fish stocks for the future.

23. For example, the nature of the sea fishing industry and the difficulty in regulating much of the activity as it takes place at sea means there is a requirement for a regulatory/ enforcement activity. Legislation is therefore required. Increased activity in inshore fisheries means there is an even greater need for effective regulation and enforcement of fish conservation measures.

24. With regard to inland fisheries, there is increased pressure to conserve protected fish species while accommodating the interests of those in the hydro industry and maintaining sustainable stocks at levels required to be attractive to local and tourist anglers. As such, regulation is required to manage the various competing interests.

25. Option 3. Bring forward a Fisheries Bill.

The third option, to bring forward a Fisheries Bill to update existing legislation, considered the costs and benefits of introducing a Bill which would modernise fisheries enforcement and seek to ensure legislation remained fit for purpose. The policy consultation document sought views on a range of such proposals that could be contained in a new Fisheries Bill.

26. The Departments consider that to do nothing or to deregulate for fisheries would risk their competency to manage fisheries. Therefore the third option, to bring forward a Fisheries Bill to update existing legislation, is the preferred option.

OVERVIEW

27. The Fisheries Bill contains 19 clauses. The Bill makes provision regarding regulation of sea and inland fisheries and includes powers to allow fisheries offences to be dealt with through fixed administrative penalties and to align sea fisheries enforcement powers with those already in place in Britain. The Bill amends the Sea Fisheries (Conservation) Act 1967, the Fisheries Act 1981 and the Fisheries (Northern Ireland) Act 1966.

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COMMENTARY ON CLAUSES

Sea Fisheries

Clause 1 – Sea-fishing

This clause extends section 124 of the Fisheries Act (NI) 1966 to specifically allow for regulations that would prohibit or restrict fishing for sea-fish without a permit issued by the Department.

Subsection (2) makes further provision about permit regulations by introducing a new section 124A (Sea-Fishing regulations: permits) which sets out where permit regulations may apply and to whom they may apply. It details the provisions that new regulations may include. The clause sets out the activities that may be authorised by a permit, and sets out the conditions that may be attached to a permit, including general conditions that would apply to all permits, or to specified permits. It requires that the Department consults and publishes the general conditions. The clause further provides that regulations made under this clause can include an offence of breaching permit conditions. Subsection (2) also introduces a new section 124B (Further provisions about permits) to the Fisheries (Northern Ireland) Act 1966 to provide that permits can be varied, revoked or suspended. The new section 124B provides for an appeal against a decision of the Department to refuse an application for a permit, to attach conditions to a permit or to revoke or suspend or vary a permit. (But there is no appeal against attaching or varying general conditions.) Finally, the new section also creates an offence of giving false information for the purpose of obtaining a permit.

Clause 2 - Size limits for sea fish

This clause amends section 127 of the Fisheries (Northern Ireland) Act 1966 in relation to order making powers under that section. Instead of limiting these powers to minimum sizes of fish, the clause amends section 127 so that subordinate legislation can be made in relation to any size of fish so that offences under section 127(8) apply to any prescribed size of sea fish and not just undersized sea fish.

Clause 3 - Grant of licences subject to conditions imposed for environmental purposes

This clause amends section 4 of the Sea Fish (Conservation) Act 1967 which provides powers to prohibit fishing by fishing boats in any specified area without a licence. Section 4(6) of that Act provides that licences may authorise fishing subject to certain conditions and this clause amends that section to include conditions in relation to marine environmental purposes.

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Clause 4 - Powers of British sea-fishery officers to enforce sea fisheries legislation

This clause provides that for the purposes of enforcing sea fisheries legislation, authorised officers have the common and fisheries enforcement powers set out in Chapter 8 of Part 2 and Chapter 4 Part 8 respectively of the Marine and Coastal Access Act 2009.

Clause 5 - Section 4: interpretation etc

This clause sets out interpretation of the terms and phrases used in Clause 4 of the Bill.

Clause 6 - Enforcement of EU rules

This clause amends section 30(1) of the Fisheries Act 1981 so that it applies both to enforceable EU restrictions and enforceable EU obligations. The clause makes it an offence to catch have fish caught in contravention of any such restriction or to fail to comply with any such obligation. The clause provides that these restrictions and obligations are directly applicable and enforceable against all relevant fishing boats and to persons in Northern Ireland.

Clause 7 - Penalties for certain offences under the 1966 Act

This clause amends the Fisheries (Northern Ireland) Act 1966 to increase the maximum level of fine applicable for anyone found guilty of certain sea-fisheries offences under that Act.

Subsection (2) amends the maximum penalties in relation to the offences of contravening a regulation made under section 124 (Sea fishing regulations), landing etc. fish caught in contravention of a regulation made under section. Subsection (3) amends the maximum penalties in relation to the offences of landing etc. fish caught in contravention of a regulation made under section 124. Subsection (4) amends the maximum penalties for contravening section 127 of the 1966 Act (sizes of sea-fish). Subsection (5) increases the maximum penalty for assault of an authorised person and obstruction of an authorised person.

Clause 8 - Penalties for offences under the Sea Fish (Conservation) Act 1967

This clause amends the maximum level of fine applicable for anyone found guilty of offences under specified sections of the Sea Fish (Conservation) Act 1967. Subsection (2) amends the maximum penalty in each case in relation to the offences of:

- carrying by a fishing boat, sea fish of which are less than the minimum size prescribed under Section 1(3) of the Sea Fish (Conservation) Act 1967;
- carrying nets or other fishing gear on a fishing boat in contravention of an order under section 3(1) of the Sea Fish (Conservation) Act 1967;

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- failing to return fish to sea fish caught in contravention of a prohibition on fishing in a specified area for a specified description of sea fish (section 4(9A) of the Sea Fish (Conservation) Act 1967);
- failing to return fish to the sea where an order is made in respect of a description of sea fish and when in the course of any fishing operation such fish are caught (section 5(6) of the Sea Fish (Conservation) Act 1967);
- landing any sea fish (except salmon or migratory trout) from a vessel in contravention of an order made under section 6(1) (section 6(5) of the Sea Fish (Conservation) Act 1967); and
- trans-shipping from a vessel any sea fish (except salmon or migratory trout) caught in contravention of an order made under section 6(1A) (section 6(5A)(b) of the Sea Fish (Conservation) Act 1967), where trans-shipping into a vessel in contravention of such an order.

Subsection (2) amends section 15 of the Sea Fish (Conservation) Act 1967 by replacing the offence of assaulting or wilfully obstructing an officer (section 15(2C)(b)) which currently attracts a maximum penalty of £5,000 on summary conviction, to provide for two separate offences of obstructing and assaulting an enforcement officer in the exercise of his duties with a maximum penalty of £20,000 and £50,000 (on summary conviction) respectively.

Clause 9 - offences by directors, partners etc.

This clause replaces section 12 of the Sea Fish (Conservation) Act 1967 and provides that where certain offences under that Act have been committed by a body corporate, then any officer, as defined, of the body corporate may be found to be guilty of that offence and liable to proceedings and fines. Officers will be liable in this way only where the offence has been committed with their consent or connivance or through their neglect.

Inland fisheries

Clause 10 - Fish dealer's licence: no need for certificate of Justice of the Peace

This clause amends section 114 of the Fisheries (Northern Ireland) Act 1966 to remove the need for an application for a fish dealer's licence to be accompanied by a certificate from a Justice of the Peace stating that the applicant is a fit and proper person to hold such a licence.

Clause 11 - Restriction of removal of material from bed of lake

This clause amends section 48 (taking etc. of spawn or fry of salmon, trout or eels) of the Fisheries (Northern Ireland) Act 1966 to extend the restriction to include lakes as well as rivers.

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Clause 12 - Dams in rivers: fish passes etc.

This clause amends section 54 (Construction of fish passes in dams in rivers) of the Fisheries (Northern Ireland) Act 1966. Section 54 requires dam owners to provide and maintain fish passage for salmon, trout and eels and subsection (3) adds lampreys are added to this list of protected species.

Subsection (4) empowers the Department to remove dams which are a barrier to fish passage where an owner cannot be identified. The Department can also enter land for the purposes of carrying out this work.

Clause 13 - Gratings in certain watercourses

This clause amends section 59 of the Fisheries (Northern Ireland) Act 1966 to require anyone taking water from a river to fit a grill of not more than 10mm at the entrance and exit of watercourses to protect the entry of small fish into these watercourses. This requirement will only apply to new installations and exemptions will be permitted where the Department is satisfied that sufficient arrangements will be made by means other than a 10mm grill size.

Fixed Penalty Notices

Clause 14 - Fixed penalty notices

This clause empowers DARD to make regulations in connection with giving fixed penalty notices in relation to sea fisheries offences and DCAL to make regulations in connection with giving fixed penalty for inland fisheries offences. The clause sets out the detail of the provision which may be made in the regulations, including the content of the penalty notice, the minimum and maximum amount of the penalty and matters as to payment.

Clause 15 - Fixed penalty notices: effect on prosecution

This clause provides that proceedings against a person in respect of the offence may not be brought within the notice period (unless the fixed penalty notice is withdrawn or unless the recipient of the fixed penalty gives written notice under clause 14(3)(i) that they do not intend to pay the fixed penalty.

The clause also provides that if the fixed penalty is paid before the end of the notice period, the person may not be convicted of the offence unless the fixed penalty notice is withdrawn or the circumstances are of a kind prescribed by virtue of clause 14(3)(j)).

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General

Clause 16 – Interpretation

This clause sets out interpretations of the terms used in the Bill.

Clause 17 - Power to make consequential amendments

This clause makes provision for the Department to make consequential amendments by regulations.

Clause 18 – Commencement

This clause makes provision about the commencement of provisions in the Bill. It also makes provision for regulations with regard to transitional, transitory or saving provisions.

Clause 19 - Short title

This clause provides the short Title for the Act, namely The Fisheries (Northern Ireland) Act 2016.

FINANCIAL EFFECTS OF THE BILL

28. Policy and legislation development costs are approximately £160,000 per annum in staff costs. The Department of Agriculture and Rural Development has the budgetary cover for the policy and legislation development up to March 2016. The Department of Culture, Arts and Leisure is providing input to policy development within existing resources.
29. Existing legislation already gives enforcement powers to authorised officers (both at sea and inland) and it is not therefore envisaged that the powers in the Bill will have any significant additional financial implications to Government from enforcing the updated rules.
30. A draft partial Regulatory Impact Assessment (RIA) that accompanied consultation on the proposals concluded that there were no direct nor substantial financial implications from the policy proposals, and that any costs were outweighed by the benefits. Consultees were asked to comment on these conclusions and no major issues were raised. The RIA was updated to reflect changes in the proposals stemming from the consultation, but its conclusion remained the same.

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HUMAN RIGHTS ISSUES

31. During consultation, stakeholders were asked to comment on the Departments' assumptions in relation to impact on human rights and no comments were received that resulted in a change to the Departments' initial conclusion that it had no adverse impact.

EQUALITY IMPACT ASSESSMENT

32. An Equality Impact Assessment carried out by the Department of Agriculture and Rural Development Fisheries Division in 2005 on all areas of its business concluded that its policies were in compliance with the statutory duty. In accordance with their duty under section 75 of the Northern Ireland Act 1998 and prior to consultation, the policy proposals were screened by the Department of Agriculture and Rural Development and the Department of Culture, Arts and Leisure for potential differential impacts on groups. Section 75 groups and other stakeholders were asked to comment on the conclusion that the proposals had no differential impact during consultation and as no comments were received that resulted in a change to the Departments' initial conclusion to screen out the proposals.

SUMMARY OF THE REGULATORY IMPACT ASSESSMENT

33. Many of the new powers simply clarify or regularise existing rules and therefore have no direct or substantive impact. Some powers, such as the direct enforcement of EU obligations or the power to include protection of the environment on sea fishing licence conditions will in time provide savings in making subordinate legislation (which in turn would free up resources to, for example, seek to address a stakeholder requirement to improve regulation and enforcement in the inshore area).
34. There may be some negligible and short term costs in training officers, in issuing guidance and in drafting new subordinate legislation to reflect the policy contained in the Bill.
35. Powers to charge for sea fishing permits are likely to have some impact in the longer term, but this will not be as a direct result of the Bill. This would only become an issue if and when new subordinate powers are exercised. Currently no decision has been taken to introduce such schemes/charges and any such costs would therefore fall outside the current budget period. Bringing forward any new permit schemes will require further consideration of the regulatory impact in a future budget period.
36. The new requirement for 10mm grills to be fitted on the entrance and exits of watercourses may result in additional material costs during manufacture and may require more regular cleansing of debris. However, mill owners will no longer

This Memorandum refers to the Fisheries Bill as introduced in the Northern Ireland Assembly on 7 December 2015, (Bill 74/11-15)

have to manufacture and affix wire meshes to these grids during springtime when fry are at their most vulnerable. Exemptions may also be available for other approved compliant mechanisms such as Archimedean Screw Turbines and electric fish barriers. Schemes will be assessed on a site by site basis and exemptions permitted where the Department is satisfied that sufficient arrangements will be made by means other than a 10mm grille size. In addition, all schemes operating prior to the passing of this draft Fisheries Bill will be excluded from the new 10mm specification. It would be unfair to implement the new requirements retrospectively although these prior-established schemes will still be required to attach wire lattices in the spring.

37. The powers in relation to fixed administrative penalties will reduce financial burdens and uncertainty for fishermen/anglers accused of offences. As fixed monetary penalties require the same (criminal) standard of proof as for prosecution cases, there is little additional cost for enforcers, but there are clear potential savings for Government from not having to take some cases through courts.
38. There are potential savings for industry from the powers to issue bonds and for the Department of Agriculture and Rural Development in being able to sell seized fish. There are also potential cost savings to applicants for Fish Dealer's Licences as they will no longer have to seek independent verification from a Justice of the Peace.
39. The draft partial Regulatory Impact Assessment that accompanied consultation on the proposals concluded that there were no direct or substantial financial implications from the policy proposals. No major issues were raised to change this conclusion. It was therefore concluded that the benefits justify any costs.

LEGISLATIVE COMPETENCE

40. The Minister of Agriculture and Rural Development had made the following statement under section 9 of the Northern Ireland Act 1998:

“In my view the Fisheries Bill would be within the legislative competence of the Northern Ireland Assembly.”

Agenda Item:	
Report to:	Enterprise Regeneration and Tourism Committee
Subject:	Shopmobility
Date:	Monday 11 January 2016
Reporting Officer:	Marie Ward, Director Enterprise, Regeneration and Tourism
Contact Officer:	Martin Patterson, Enterprise Development Officer

Decisions Required

For consideration

1.0 Purpose and Background

A 'notice of motion' to extend the current Shopmobility scheme was raised at the full Council meeting held on Monday 2 November 2016 and it was agreed that the Council work with the relevant bodies to ensure the extension of the Shopmobility facility in Kilkeel and Warrenpoint and that an evaluation of the ongoing Shopmobility schemes be carried out across the District. The first stage of this process is to report on the existing provision within the Newry, Mourne and Down district.

Shopmobility provides increased independence and freedom to anyone with reduced mobility who requires help getting around with services such as powered scooters, wheelchairs and walking aids.

There are 13 official Shopmobility schemes across Northern Ireland which operates under the umbrella network of Shopmobility NI (SNI). SNI can support and assist existing and new schemes (non monetary), provide Governance and operational support, develop opportunities for funding and expanding services. The schemes are based in a variety of locations however most are based in shopping centres. There is one existing Shopmobility scheme within the Council District and it is based in Newry City centre.

Shopmobility Newry (based at the Quays and Buttercrane Shopping Centres) is run by 3 part-time paid staff and a few volunteers. During the last financial year they had just under 3000 bookings, of which roughly 60% were for scooters and 40% for wheelchairs. There were just over 1000 individual users. The annual running cost for this scheme is approximately £30,000.

**It should be noted that all new 'public realm' schemes are future proofed for Shopmobility activity and Shopmobility Newry representatives are meeting with the Council in March 2016.

2.0	<p>Key Issue</p> <p>All Shopmobility schemes are funded 50% by the Department for Regional Development (DRD) and each potential scheme is required to go through an assessment process. There also needs to be a lead partner and a strong voluntary committee established in an agreed location to manage and implement the scheme.</p>
3.0	<p>Recommendation</p> <p>The Council in the first instance to consider a potential location for any additional Shopmobility service provision. Once established Shopmobility NI have agreed to assist in the process of meeting with Department for Regional Development and assessing the potential of the location.</p>
4.0	<p>Resource Implications</p> <p>Officer time</p>
5.0	<p>Appendices</p> <p>Shopmobility Newry December 2015 Newsletter attached for information and Shopmobility NI brochure to be circulated at the meeting for information.</p>

NEWSLETTER

Web: www.shopmobilitynewry.com Email: info@shopmobilitynewry.com

Shopmobility Opening Hours

Buttercrane

Monday - Friday

10.00am - 5.30pm

Tel: 028 3025 6062

Out of hours:

Contact Security on

028 3026 4627

The Quays

Monday - Friday

Service available at

Customer Service

Desk during

opening hours.

Out of hours:

Contact Security on

028 3025 6000

Ignore 'grey vote' at your peril warns Pensioners Parliament

The Northern Ireland Pensioners Parliament is today stressing the importance of the 'grey vote' as it launches its manifesto for next year's Assembly election. The manifesto, created with the involvement of thousands of older people from across Northern Ireland, calls for action on six crucial areas.

Opening the manifesto are calls to protect the Smartpass and free prescriptions for older people. Substantial reductions in operation waiting times and better home care packages also feature as demands, alongside more effective schemes to tackle fuel poverty. The manifesto finishes with calls for improved conviction rates and more severe sentencing for crimes against older people; and an end to age discrimination.

Michael Monaghan from the Northern Ireland Pensioners Parliament commented:

"This year's general election showed just how important the grey vote can be, with many attributing the Tories' success to the voting behaviour and high turnout of the older population. Closer to home, the last Assembly election saw two out of three older people voting, compared to a turnout of just over half for the population as a whole. If our local political parties are to learn anything from these examples, it's this – ignore the Northern Ireland Pensioners Parliament manifesto at your peril."

"Since 2011, the Pensioners Parliament has engaged with thousands of older people across Northern Ireland, and it's clear there are many bread and butter issues that older people believe the Assembly could address better. There are also real fears that, in times of stretched budgets, older people could fall victim to short-sighted policies that will have a negative impact on their quality of life for years to come."

"Over the next five months, older people from across Northern Ireland will take ownership of this manifesto, using it to lobby their local candidates on the issues that matter to them. Our goal is to see the calls contained in our manifesto replicated in the manifestos of local political parties, and eventually for these calls to appear in the next Programme for Government. Timing is everything, and now is the time for older people to ensure our voices are heard."

For more information on the Northern Ireland Pensioners Parliament, visit www.pensionersparliament.org or phone Age Sector Platform on 028 9031 2089.



Terry road
tests one of
the scooters!



Members and staff enjoying Shopmobility Newry activities during the past year.



Volunteer and Committee member Julie outside the Office!



Kenny testing the new electronic height adjustable changing bench.



The Blues Brothers (aka Matt & Gary McDougall) enjoying the new public realm adjacent to The Quays.



Member Eileen Ingram enjoying the freedom of shopping in the Buttercrane.



Kenny and Raymond with Therese (Buttercrane Office Manager) and Raquel (Volunteer Now) at an event held earlier in the year.

Merry Christmas



Raymond waiting for the last scooter back on Christmas Eve!



and a Prosperous New Year to all our members, volunteers and supporters, especially The Buttercrane, The Quays, Lloyds Bank Foundation, The Big Lottery, Rockys Heel Bar, Volunteer Now, Jollyes and at the Buttercrane – Blu Inc, Boots, Bureau de Change, Cookshop, Marks and Spencer and Spar.

Agenda Item:	
Report to:	Enterprise Regeneration and Tourism Committee
Subject:	Growth for Adventure Tourism Entrepreneurs (GATE) project proposal
Date:	Monday 11 January 2016
Reporting Officer:	Marie Ward, Director Enterprise, Regeneration and Tourism
Contact Officer:	Martin Patterson, Enterprise Development Officer

Decisions Required

For consideration

1.0 Purpose and Background

With the growth of adventure tourism locally and internationally, Small and Medium sized Enterprises (SME's) working in the environment require a number of interventions. While entrepreneurs and small business owners in the region have developed products and services for the adventure tourism market, the full potential of the area's competitive advantage is yet to be fully realised (e.g. Kilbroney Forest Park and Castlewella Forest Park Mountain Bike trails).

A project proposal has been developed between Sligo County Council and Sligo Local Enterprise Office (in the process of developing a national mountain bike trail centre at Coolaney Forest, Sligo), Newry, Mourne and Down District Council, Newry and Mourne Enterprise Agency and East Coast Adventure with potential links to be investigated with project partners in Iceland, Scotland, Sweden and Russia. Dependant on need, economic benefit and funding criteria there is an opportunity to open the invitation to a number of project partners.

The main aims of the project proposal are to;

- Create and promote a central mobile marketing platform to enable participating SMEs to promote their services internationally, improving the presentation and content generation around their offering, enabling them to engage with potential clients in a rich and personalized multilingual online environment.
- Train adventure tourism SMEs in contemporary digital, especially mobile, marketing skills (output - business training guidance available on mobile web application) helping them to understand the power of real time digital communication, emotional branding and personalisation of the customer experience.
- Stimulate and develop new cohort of adventure tourism products based around the "mountain biking/cycling" theme. This product development process will be captured in an innovative online tool, which will enable replication by other product development groups.

	<p>The existing partners wish to come together at this stage to help refine the project actions and optimise the design of the final outcomes through three main activities;</p> <ul style="list-style-type: none"> • Enable partners to share information about current needs and opportunities for adventure tourism SMEs and help narrow the focus of project objectives; • Extend the partnership to include further partners in compatible regions; • Carry out initial market research with target group to ascertain relevance to target group and technical viability of the training and marketing platforms <p>The INTERREG V EU Programme for funding has a number of opportunities for this type of activity and it is proposed to make application to various strands of the fund including Northern Periphery and Arctic, North West Europe and Atlantic Area Programme 2014-2020. The first opportunity is to apply to the Northern Periphery and Arctic preparatory project stage which if successful will facilitate the process for submitting a full application at a later date. A potential fund of up to £30,000 can be secured for this stage. The process is open ended and does not have an open/closure date.</p>
2.0	<p>Key Issue</p> <p>Liaising with potential project partners and developing a project working group to assist with preparing the project for submission is the current priority moving forward. The preparatory application process within the INTERREG V Programme 2014-2020 can facilitate this process.</p>
3.0	<p>Recommendation</p> <p>Newry, Mourne and Down District Council agree to be a partner in the ‘Growth for Adventure Tourism Entrepreneurs’ (GATE) project and investigate and apply for potential funding sources.</p>
4.0	<p>Resource Implications</p> <p>Officer time only at this stage. Further proposal to be brought back to Council for consideration when complete.</p>
5.0	<p>Appendices</p> <p>N/A</p>

Agenda Item:	Game of Thrones Tourism Ireland/Great campaign
Report to:	Enterprise Regeneration and Tourism Committee
Subject:	Game of Thrones Tourism Ireland/Great campaign
Date:	Monday 11 January 2016
Reporting Officer:	Marie Ward, Director Enterprise, Regeneration and Tourism
Contact Officer:	Mark Mohan, Senior Tourism Initiatives Manager

Decisions Required

- Approval to process with the implementation of the Game of Thrones Tourism Ireland/Great campaign.
- Approval to use Tourism Ireland's Design and Media buying agencies to assist in the delivery of the campaign
- Approval to use the services of Jason Powell Marketing to assist in the trade development of Game of Thrones Experiences

1.0 Purpose and Background

In May 2015 committee granted permission to advance an expression of Interest to the UK Challenge fund seeking funding to implement a Game of Thrones marketing campaign in partnership with Tourism Ireland. This expression of interest was subsequently worked up in Partnership with Tourism Ireland, HBO and Causeway Coast and Glens Borough Council, resulting in a successful application to the fund, and securing a financial offer of £50,000 to promote the Games of Thrones film locations in 6 different global markets around the world.

Key Issue

The project in essence is a 6 week on-line/social marketing campaign promoting the programme film locations across the respective council areas in the following out of state markets: - USA, Canada, Australia, New Zealand, France & Germany and will be a fore runner to additional campaigns delivered by HBO, Tourism Ireland and Tourism NI to coincide with the launch of the programme series in April 2016. Project budget inclusive of VAT is as follows:

Expenditure:

- Concept Development, Design & Image animation £10,000
- Media Spend £70,000
- Game of Thrones Experience development £8,000
- Social Media support & Evaluation £12,000

Income:

- UK Challenge fund £50,000
- Tourism Ireland £10,000
- Causeway Coast & Glens Borough Council £10,000

	<ul style="list-style-type: none"> - Newry Mourne & Down District Council £10,000 - In Kind contributions from 3 project partners £20,000 <p>A key element in the evaluation of the project will be conversations to booking and 3rd party referrals to local tourism industry partners. The target for on-line media impressions is 10,000,000 views with a 2% conversation rate, offering the potential of a £2.97m impact on the local economy of NI. To that end we are seeking permission to use the services of Powell Destination Marketing, an industry leader in this regard and who will be responsible for the development the Game of Thrones experiences with the local tourism industry partners across the respective council areas. Powell Destination Marketing has 3 years experience in developing Game of Thrones visitor packages/experiences across all of NI and has worked closely with all project partners in this regard, particularly Tourism Ireland, Screen NI, Tourism NI and the tourism trade, in developing Games of Thrones product, and bringing it to market.</p>
3.0	<p>Recommendations</p> <ul style="list-style-type: none"> - Approval to process with the implementation of the Game of Thrones Tourism Ireland/Great campaign. - Approval to use Tourism Ireland's Design and Media buying agencies to assist in the delivery of the campaign. - Approval to use the services of Jason Powell Marketing to assist in the trade development of Game of Thrones Experiences
4.0	<p>Resource Implications</p> <p>Funds for Newry Mourne and Down District Council's allocation to the project have been allocated in the current 2015/2016 budgets to deliver the project.</p>
5.0	<p>Appendices</p> <p>N/A</p>

Agenda Item:	Access Policy and Procedures for NMDDC
Report to:	ERT Committee 11th January 2016
Subject:	<i>Policy and procedures on Access to the Countryside in NMDDC</i>
Date:	21 st December 2015
Reporting Officer:	Catherine Murphy / Heather Wilson Countryside/ Rights of Way Officers
Contact Officer:	Catherine Murphy / Heather Wilson Countryside/ Rights of Way Officers

<u>Decisions Required</u> to be noted	
1.0	Purpose & Background A policy document on Access to the Countryside is currently being written. It will be a framework for merging the differing policies within the legacy Councils and ensuring the Council's compliance with the implementation of the Access to the Countryside (NI) Order 1983.
2.0	The policy will be implemented in the public interest to promote economic development and tourism in the District and to contribute to the health and wellbeing of local communities. The policy will also promote consistency and openness as far as practically possible in relation to how the Council deals with Access to the Countryside.
2.1	Whilst the Council has a duty to assert protect and keep open Public Rights of Ways in the district, given the limited resources available, the Council views the Access Order as an 'enabling' piece of legislation and the policy will allow for the setting out of priorities for action.
2.2	One of the key considerations of the policy will be to examine the on-going maintenance of the asserted public right of way network within the new Council area given that in the legacy Down area asserted public rights of way are maintained and within the legacy Newry area maintenance is not carried out on a scheduled basis.
2.3	All countryside officers and members will be expected to comply with the agreed policy and procedures in relation to Access to the Countryside.
3.0	<u>Resource Implications</u> Funding required for maintenance of PROWs within legacy NMDC area
3.1	
4.0	<u>Appendices</u>