

Agenda Item:	Insert Agenda Item
Report to:	Strategic Planning and Resources Committee
Subject:	Head Foreshore Lease – Issue at Rostrevor Foreshore
Date:	13 August 2015
Reporting Officer:	Eddy Curtis
Contact Officer:	Briege Magill/Carmel McKenna/Alison Robb

Decisions Required

Members are asked to note the contents of the report and Council to decide if they are in agreement to the Crown Estate extracting the area affected by the proposal from the new lease plan.

1.0 **Purpose & Background**

1.1 *The Council is presently negotiating with the Crown Estate Commissioners to renew the Head Lease for Foreshore at Newry River and Carlingford Lough, Moygannon, Rostrevor and Ballinran.*

A local businessman, who operates a small family business distributing fuel, has now requested that he be permitted to place a small amount of rock armour on the foreshore on the Rostrevor side of the pier and in-filling to the gap between the rock armour and the pier. This would mean encroaching on the foreshore to the extent that an adequate turning area would be provided for lorries thus eliminating the need for them to reverse out onto the busy road.

The Crown Estate Commissioners have advised the owner of the business to contact the Council as the Crown Estate Commissioners were currently in the process of renewing the lease to the Council.

As the Council currently do not have a lease, the Crown Estate are willing to extract the area affected by the proposal from the new lease plan.

The Crown Estate would be prepared to offer Mr McGinn a lease of the foreshore affected, to allow the reclamation to proceed, on terms to be agreed, and subject to him obtaining all necessary statutory approvals.

2.0 **Key Issues**

2.1 *There is a need for a lease to be put in place.*

3.0	<u>Resource Implications</u>
3.1	<i>None</i>
4.0	<u>Appendices</u>
	<ul style="list-style-type: none">▪ Appendix I <i>Details of request and map of proposed works</i>

417

WA
220



33 Newtown Road
Rostrevor
Co Down
BT34 3BZ

E Curtis
Clerk & Chief Executive
Newry & Mourne District Council
O'Hagan House
Monaghan Row
Newry
BT34 8DJ

1st August 2014

Re Foreshore at Rostrevor Pier

Further to your letter of 22 July 2014 I enclose for your consideration site location map with the area in question marked.

As you can see from the map we would propose placing a small amount of rock armour on the foreshore on the Rostrevor side of the pier and in-filling the gap between the rock armour and the pier. We would only be looking to encroach on the foreshore to the extent that we could provide an adequate turning area for these lorries and eliminate the need for them to reverse out onto the busy road.

Should you have any further queries, please do not hesitate to contact me.

Yours faithfully

Martin McGinn
Martin McGinn

RECEIVED

15 MAY 2014

33 Newtown Road
Rostrevor
Co Down
BT34 3BZ

Mr Sean Rodgers M L A
60 Main Street
Castlewellan
Co Down
BT31 9DJ

13th May 2014

Dear Mr Rodgers

I would be grateful if you could act on our behalf as our local representative and advise as to what steps we should take to gain permission for infilling part of the foreshore from Newry & Mourne District Council as the licensee of the foreshore in Rostrevor .

As you are aware we run a small family business distributing fuel from The Quay in Rostrevor. We have been in business for more than 30 years and over this time have grown the business and now have 5 full time employees. The yard at the quay is inspected regularly by various Government Agencies to ensure that we comply with all Environmental and Safety regulations. As the business has grown so too have the vehicles used for transporting fuel. Currently our suppliers who make delivers up to 6 times a week have to reverse their lorries back out onto the busy A2. Each of these lorries is approximately 48 foot long and weighs approximately 15 ton unladen and the task of reversing out onto a major road, even with someone else attempting to stop the traffic can be challenging.


We would propose placing a small amount of rock armour on the foreshore on the Rostrevor side of the pier and in-filling the gap between the rock armour and the pier. We would only be looking to encroach on the foreshore to the extent that we could provide an adequate turning area for these lorries and eliminate the need for them to reverse out onto the busy road.

We had initially approached The Crown Estates who advised that while they had no issue with our proposal in principal, the shore was in the process of being released to Newry & Mourne District Council and that we should contact them.

We have had expressions of interest in using the pier from other local businesses – mussel fishermen and a local sports/recreational group but again we come up against the issue of adequate facilities for turning vehicles.

We would be grateful if you could raise this issue with the relevant bodies and advise as to how we should proceed.

Many thanks for your assistance



Martin McGinn

PROPOSED INFILL OF PORTION OF SHORELINE AREA for MARTIN MCGINN

ACEmap[®] Online

Scale 1:1250 Plan No. 27711SW4

Printed: 19/03/2014

Customer Ref.

This map relates to the following address or grid reference

SHORE ROAD, ROSTREVOR, BT34 3AA, UPRN 187141437



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erty Services.

prop

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proposed area to be filled is shown outlined in red.

Every care has been taken to ensure accuracy in the compilation of this map at the time of publication. Land & Property Services cannot, however, accept responsibility for errors or omissions and when such are brought to our attention, the amendment of any future publication as appropriate shall be entirely at our discretion. Ordnance Survey of Northern Ireland and ACEmap are registered Trademarks of Department of Finance and Personnel.

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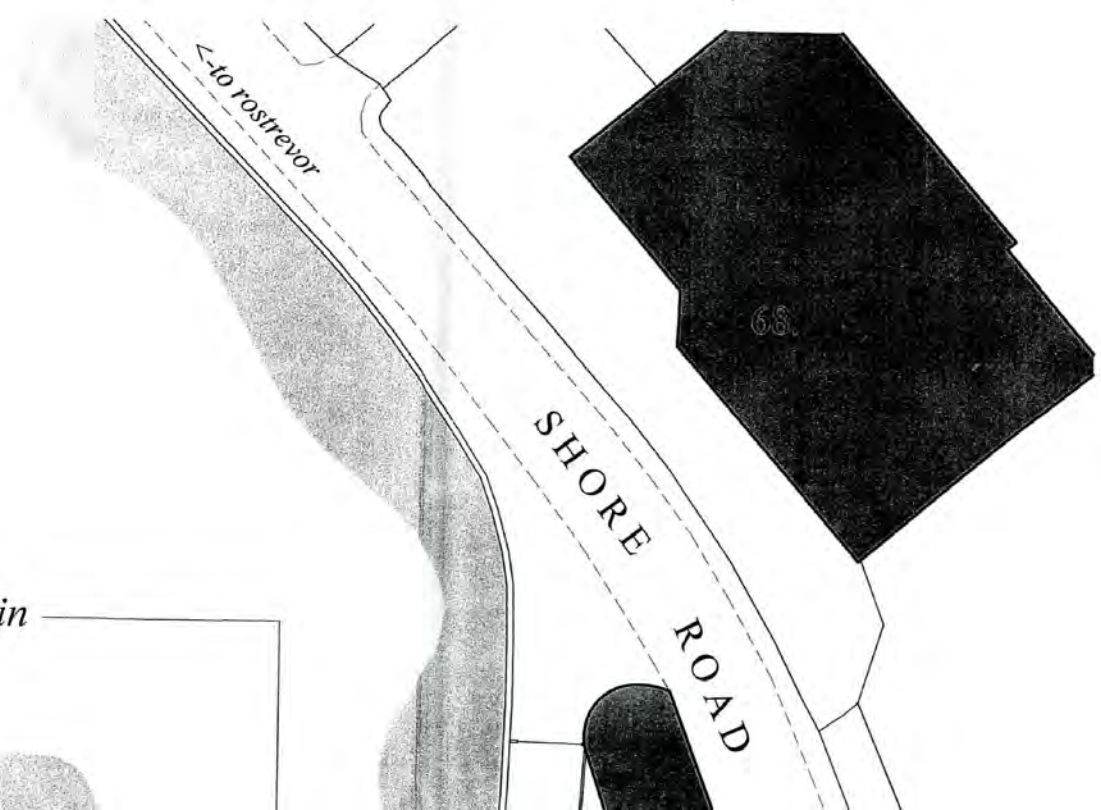
Plot I.D. 222650

Map Ref - 277/11.

scale - 1:1250.

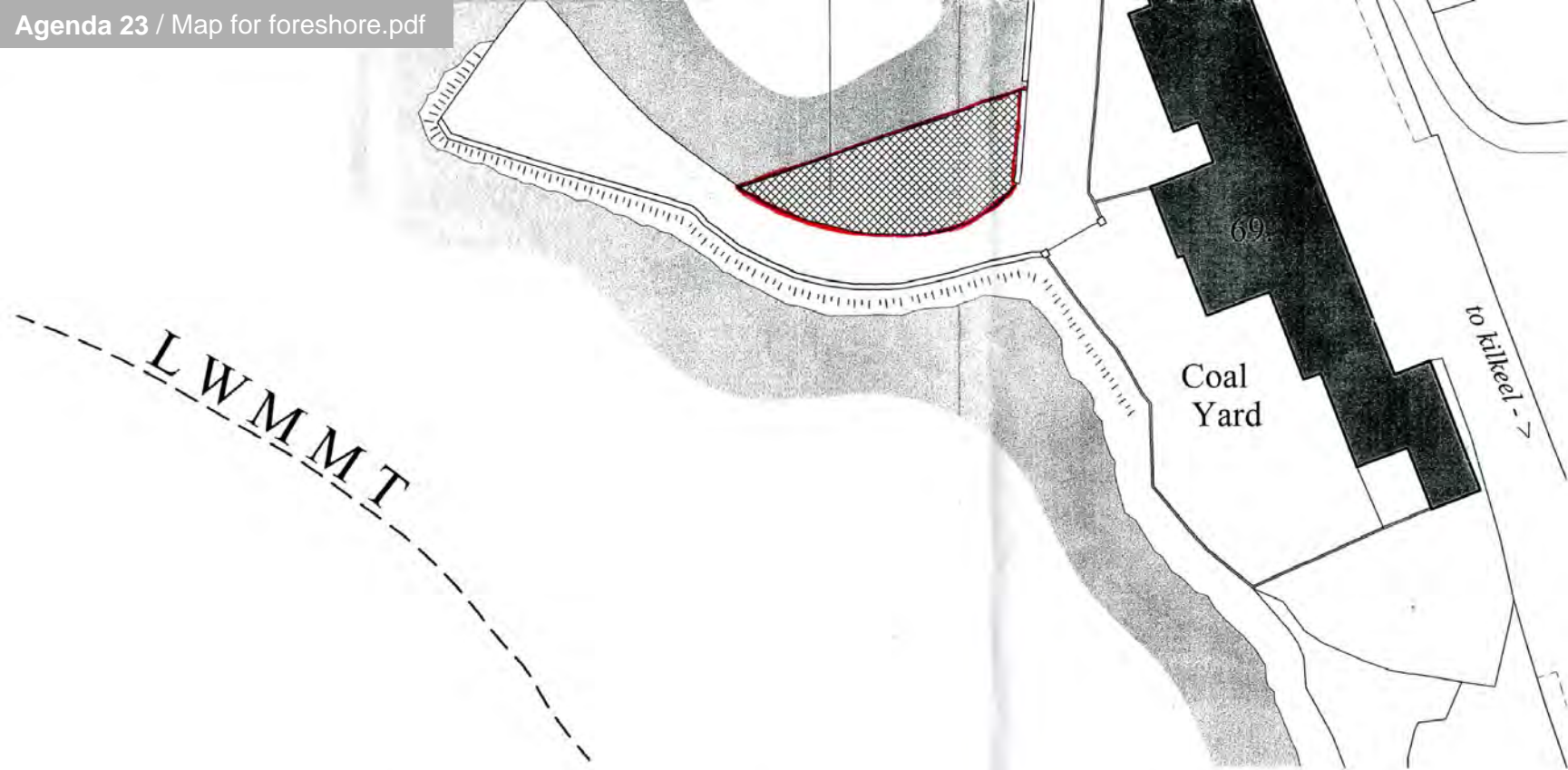
LOCATION MAP.

A @ ROSTREVOR QUAY, ROSTREVOR, Co.DOWN. SONS Ltd.



Area to be filled is shown hatched in
(average depth of fill = 3.0 metres)

ROSTREVOR



SITE LAYOUT PLAN

SCALE - 1:500.

date - March 2014. scale - as shown. drawing no - MMG/01

Agenda Item:	<i>Insert Agenda Item</i>
Report to:	<i>Strategy,Policy & Resources Committee</i>
Subject:	<i>Request for 2No Additional Easements-Annalong Marine Park</i>
Date:	<i>3 August 2015</i>
Reporting Officer:	<i>Eddy Curtis</i>
Contact Officer:	<i>Eamon McManus/Carmel McKenna</i>

Decisions Required

Members are asked to note the contents of the report, and consider and agree to:

- ***To grant a Deed of Easement to construct a road over Council land for access from the end of the existing adopted Glassdrumman Road within Annalong Marine Park to the entrance to a proposed housing development in the adjacent field subject to legal agreement and valuation etc. Part of the land required for the new road is owned by the Council as shown in red on Easement Map No 2.***
- ***To Grant a Deed of Easement for a private right of way over the existing lane within the Marine Park to the coastal path leading south which gives access to the site of a proposed 2 storey house development subject to legal agreement and valuation etc .The Council own the left hand side of the lane over which the private right of way is sought as per easement map No 1.***

Note: These requests from a developer are for 2 separate developments.

1.0 Purpose & Background

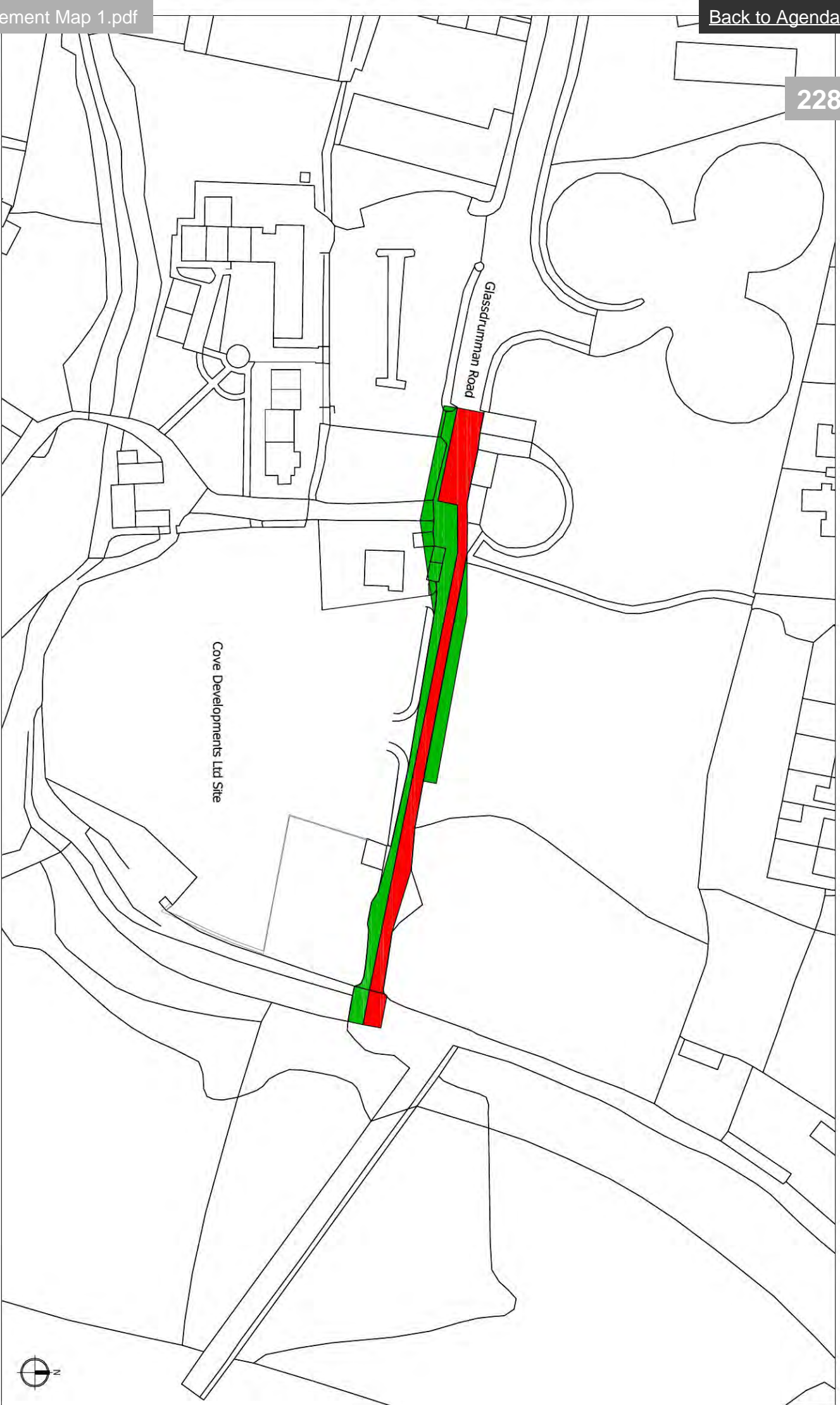
1.1 *The Legacy Council granted 2 No Easements to this developer to lay pipelines in the Marine Park for storm drainage to facilitate a housing development on adjoining land subject to legal agreements and valuations.*

The developer has now requested 2No additional easements:

Easement Map No 2-this request to construct a new access road is for the same proposed housing development. Part of the land required for the new road is Council owned ie paviour area in front of toilets/reception block and half(left hand side) of the existing stone surfaced lane.

Easement Map No 1-this request to acquire a legal private right of way down the existing lane in the Marine Park is for a separate proposed housing development off the coastal

	<p>path. The Council own the land shown red on the Easement Map-No 1 ie the left hand side of the existing stoned surfaced lane that gives access to the shore bank/coastal path.</p>
2.0	<p><u>Key Issues</u></p>
2.1	<ul style="list-style-type: none"> • <i>As these requests involve key land for access appropriate compensation should be paid to the Council to be determined by the Council’s valuer.</i> • <i>The Easements should be timebound and any compensation due to the Council should be paid on signing of the agreements.</i> • Developer should be responsible for the Council’s legal & valuation costs. • Council should not be responsible for providing any additional lighting along the requested private ROW . • Council should only be responsible for maintaining its half of the lane with the other half-the right hand side to be maintained by the developer.
3.0	<p><u>Resource Implications</u></p>
3.1	<p><i>Compensation payable to the Council</i></p>
4.0	<p><u>Appendices</u></p>
	<ul style="list-style-type: none"> ▪ Appendix I – Easement Map No 2 ▪ Appendix 2- Easement Map No 1



Ownership



Cove Developments Ltd



Newry & Mourne District Council

Glassdrumman Road,
Annalong
Easement Map
Scale 1:1250



Ownership



Cove Developments Ltd



Newry & Mourne District Council

Glassdrumman Road,
Annalong
Easement Map
Scale 1-1250



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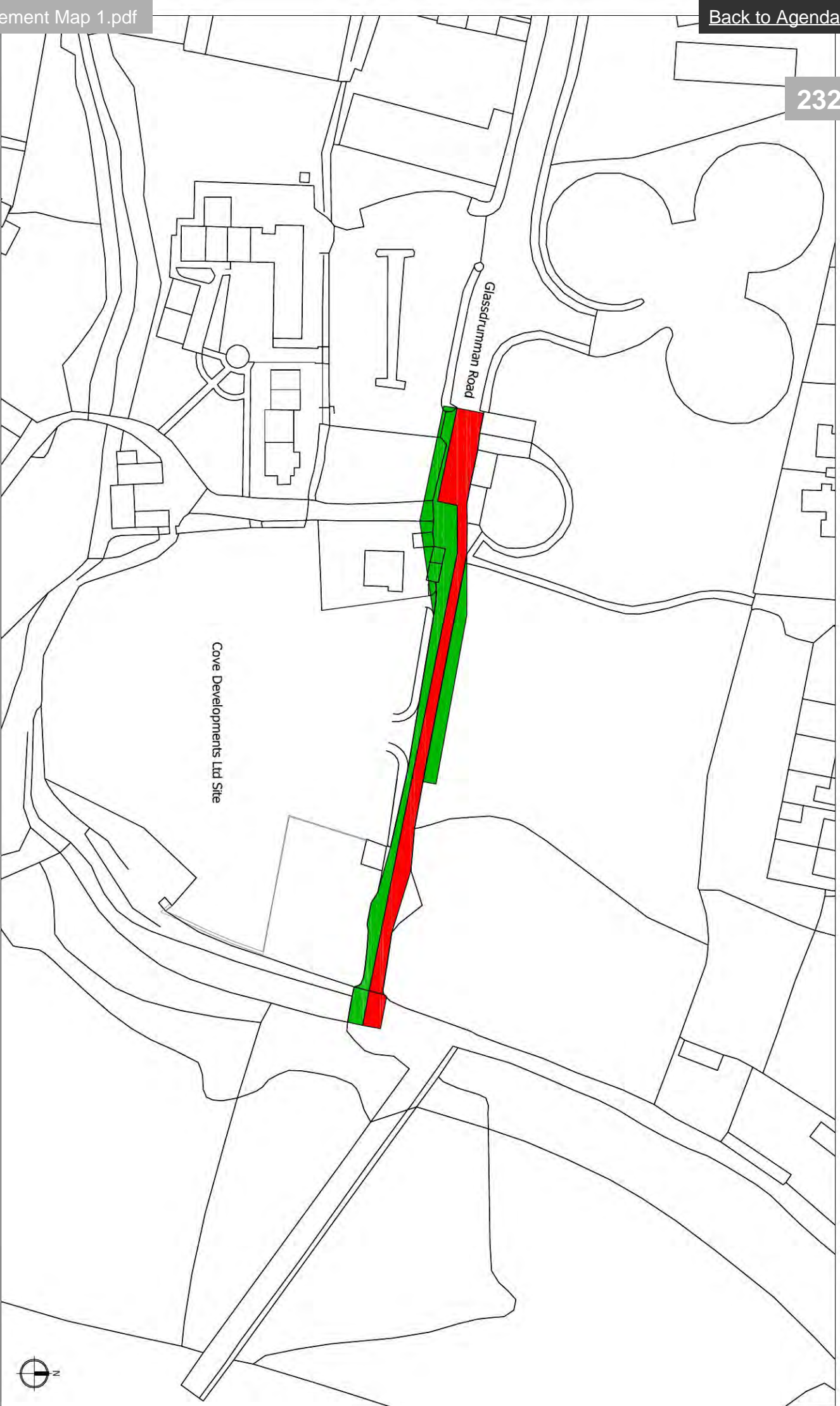
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Ownership



Cove Developments Ltd



Newry & Mourne District Council

Glassdrumman Road,
Annalong
Easement Map
Scale 1-1250



Ownership

- Newry & Mourne District Council
- Cove Developments Ltd

ITEM NO

Report to: Strategic Planning and Resources Committee
Subject: Sister City Summit April 2016
Date: 13 August 2015
Reporting Officer: E Curtis
Contact Officer: E Curtis

Decisions Required

Members are asked to note the contents of the report and agree:

- To issue invitations to Newry Mourne and Down District Council Sister City partners so they can participate in the Sister City Summit in April 2016.

Purpose and Background

The Mayor of Dublin City Council recently held a meeting with all Councillors in Ireland who participate in Sister City Twinning Projects to request that they invite their partners to a Sister City Summit to be held in Dublin in April 2016. At the meeting a presentation was given on 2016 being a pivotal year as it marks the centenary of the 1916 rising in Dublin. The rising also took place during the First World War when many Irish from North and South were fighting in the British Army on the Western Front. The rising and its immediate aftermath was a defining moment in the history of these islands, leading eventually to the Irish War of Independence, the Treaty with the UK, the establishment of the new Governments and Parliaments in Belfast and Dublin and the Irish Civil War.

Mr Joe Biden, Vice President USA will also lead a delegation of Sister City Mayors, Business, Education & Youth Leaders and part of the proposed Sister City of Summit in April 2016.

Key Issues

- Council to agree inviting Sister City Partners to participate in the All Ireland Sister city Summit to be held in Dublin and other venues in both North and South of Ireland.
- Council Officials prepare a short paper for consideration at the Strategic Policy and Resources Committee meeting to be held on 13 August 2015 looking at the Newry Mourne and Down District Council area as being a venue for the April 2016 Sister City Programme of events.

Resource Implications

- Cost of hosting Sister City Partners

**Fw: Sister Cities Summit 2016**

Sheila Kieran to: Aisling Murray

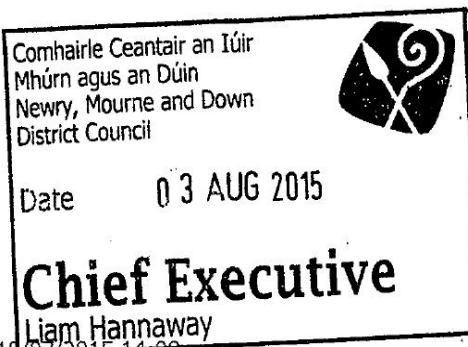
10/07/2015 14:08

Aisling

will you discuss this with Liam.

Sheila Kieran
Democratic Services Officer
Newry, Mourne and Down District Council
Tel: 028 3031 3141
Email: sheila.kieran@newryandmourne.gov.uk

----- Forwarded by Sheila Kieran/Newry&Mourne/NI on 10/07/2015 14:08 -----



From: "lordmayor@dublincity.ie" <lordmayor@dublincity.ie>
To: undisclosed-recipients:;
Date: 02/07/2015 17:08
Subject: Sister Cities Summit 2016

Dear Mayor

As the new Ardmhéara Bhaile Átha Cliath / Lord Mayor of Dublin I am forwarding you a letter template as promised in respect of inviting your sister cities in the USA to come to Ireland for a Summit to be hosted by Dublin and San Jose. As Ardmhéara I am fully supportive of this initiative and had the honour of being a participant at the meeting on the event held recently in the Mansion House, Dublin. I look forward to greeting you all at this Summit in 2016.

The letter attached is a draft to be amended and reshape as you see fit. The letter should go from the Mayor of your Local Authority/District Council. I would suggest that it should also be copied to your CEO. We would appreciate that you would forward, by the end of July as agreed in Dublin, a name of an official in your Local Authority who will act as liaison on this initiative with Peter Finnegan, Director of International Relations here in Dublin. I would also appreciate if you could forward copies of your final letters of invitation and any responses you receive to the same official here. His email address is international.relations@dublincity.ie. Peter will shortly forward through my office a draft press /media release as you requested. Peter and his team will handle the organisational arrangements for the Dublin Summit.

This is an exciting and potential powerful event in shaping the future relationships at city and citizen level between the USA and cities across the USA across the island of Ireland.

Le gach dea ghúí

Criona Ní Dhálaigh
Ardmhéara

Lord Mayor of Dublin | Mansion House | Dawson Street | Dublin 2 | Ireland
Tel: + 353 1 222 6202 | Fax: + 353 1 679 6573 | E-mail: lordmayor@dublincity.ie

Photos: <http://pix.ie/lordmayordublin>
Facebook: www.facebook.com/LordMayorDublin

*Eddy
you are all coming
upon this from
your visit?*

Draft letter template

Dear Mayor

2016 is a year of commemorations in Ireland. It is also the 60th anniversary of the founding of Sister Cities International by President Eisenhower.

I would like to invite you to lead a delegation to Ireland in April 2016. In co-operation with Local Authorities throughout the island of Ireland we are inviting Cities in the USA twinned with Irish Cities/Counties/Towns. We are also inviting other cities in the USA with whom we have regular contact/co-operation but have not yet a sister city formal agreement.

In Northern Ireland we have just completed a programme of Local Government Reform. This programme has seen the amalgamation outside of Belfast of District Councils. In this context we need to extend the sister city co-operation to the entire area that our Council now covers.

This gathering of sister cities in the year in which Northern Ireland remembers the sacrifices of young men at the Somme during World War I and the Republic of Ireland remembers the 1916 Rising, provides an opportunity to redefine around city agendas the unique relationship between the USA and Ireland. The gathering will have at its centre a one and half day Summit programme in Dublin on April 22nd and 23rd. This Summit will be co-hosted by Dublin City and San Jose who are in 2016 celebrating 30 years of their sister city agreement. The theme for the Summit will be "Independence and Interdependence", reflecting the need for cities globally to work together to improve the lives of citizens and tackle common urban challenges.

The close and long historical ties of kinship between Ireland and the United States has enabled the USA play a pivotal role within the Irish Peace Process. The visits of your delegations to Northern Ireland as part of this all island initiative will enable us to acknowledge your unique contribution to peace in Ireland. Therefore in addition to participating in the Summit we will be organising a local programme for you as our sister city. Depending on your preference this can happen immediately before or immediately after the Summit in Dublin.

Given the significance of the occasion and the potential of the initiative to further citizen diplomacy through the sister city model, Dublin and San Jose have invited Vice President Joe Biden to lead the USA Cities delegation and to speak at the Summit. Dublin and San Jose will extend invitations for participating cities to participate in 2016 commemoration events in Dublin (optional) on April 24th.

I would hope that you would use the opportunity afforded by this gathering to bring with you representatives from key groups with whom we could agree future co-operation. In particular we would appreciate participation from your business, cultural, education and youth sectors. We will organise the local programme in a way that allows members of your delegation to network and develop co-operation with their equivalent sectors here.

This gathering provides an opportunity to revitalise our relationship and build practical projects of future co operation among us.

I hope you will accept this invitation and we will over the coming months provide further detail. That detail will hopefully include special flight offers from Aer Lingus. I have asked the CEO of our Council to nominate a staff member to co-ordinate the local programme which we will prepare for you. If you have a nominated individual to develop this initiative at your end they could both work together on agreeing a programme.

I look forward to hearing from you.

Yours sincerely

Strategic Policy & Resources Committee**Date of meeting:** Monday 5th August 2013**File Ref:****Title:** Streaming/Broadcasting – Cost Update**For:** Decision Consideration Information only **Purpose of Report**

The purpose of this report is to update members on the cost of the camera equipment already in the Mourne Room and to clearly identify the additional cost required to enable live web casting of council meetings.

Background

The technical specification of the chamber in the Civic Centre provided for the installation of two differing types of camera equipment.

There are standard Video Conferencing cameras that will facilitate video conference enabled meetings. Typically these might be where a number of people in Downpatrick (e.g. DDC's Senior Management Team) wish to meet with a number of people in an alternative location (e.g. N&M's Senior management team in Newry) without having to bear the costs and time loss associated with one or other group physically travelling to a single location.

This video conferencing equipment, which is also available in several other rooms on the Civic Centre, would also be very attractive to 3rd party clients wishing to hire rooms for meetings, where other participants in their meetings were resident at other locations (in the UK or overseas).

To date this equipment has not been used to any significant extent in facilitating such meetings, but is likely to prove very useful as we progress towards and beyond the RPA merger with N&M and as we progress to more aggressively 'sell' the civic centre as a venue for facilitating external meetings. The cost of the video conferencing equipment was approximately £15,000.

The second set of cameras in the Mourne Room, referred to as "look who is talking" cameras, were installed for two purposes. Firstly to facilitate the management of council meetings, whereby the cameras are linked to the microphones and display the image of the speaker on the large overhead screens while also enabling the Chair to manage the queue of speakers and secondly to enable web casting of the meetings as and when Council decided to implement this facility.

To date these second set of cameras have only been used to facilitate the management of council meetings. The cost of the "look who is talking" camera equipment was approximately £10,000.

To enable meetings to be streamed live over the internet (web casting) additional "software" or "hosting services" are required. No additional hardware is required.

The cost of installing these two sets of cameras, together with the required infrastructure (cabling etc) was approximately £25,000.

The cost of the additional software and hosting services, should council decide to broadcast council meetings live on the internet, assuming 60 hours of web casting (two council meetings per month at 2.5 hours each) would be, as previously reported, £19,445 for a one year contract or approximately £34,000 for a two year contract.

Canice O'Rourke
July 2013

Environment Committee

Date of meeting: Tuesday 30th April 2013
File Ref: IT/11
Title: Online Streaming/Broadcasting of Council Meetings
For: Decision Consideration Information only

Purpose of Report

The purpose of this report is to provide Council with details of costs to facilitate the online streaming/broadcasting (webcasting) of Council Meetings held in the Council Chamber at the Downshire Civic Centre.

Background**Council's Requirement**

1. To enable live and archived Internet transmission of content received from audio/video capture during Council Meetings held in the Council Chamber. Initial volume of webcast content estimated at 60 hours per annum.
2. To ensure the Council webcasts are fully contextualised and indexed for the public – i.e. speaker names, agenda items, jump points.
3. To ensure that the Council can enable viewers to access documents, presentations, pictures or data relevant to the meeting.
4. To ensure the webcast affords viewers the facility to respond to the Council by way of feedback, questions, polls, surveys and consultations.
5. To enable the Council to measure viewership and engagement statistics.

Costs

The costs overleaf are based on the use of the Public-i webcasting system. This system is already utilised by Belfast City Council and 55 other Local Authorities across the UK. I have, to date, been unable to source an alternative supplier of such services.

	Option 1 (1 Year Contract)			(2 Year Contract - Single Payment)			(2 Year Contract - Annual Payment)		
	Technology	Committee Clerk	IT Technician	Technology	Committee Clerk	IT Technician	Technology	Committee Clerk	IT Technician
Year 1	£14,945.00	£3,300.00	£1,200.00	£26,173.00	£3,300.00	£1,200.00	£13,772.50	£3,300.00	£1,200.00
Year 2					£3,300.00		£12,772.50	£3,300.00	£0.00
Total	£19,445.00 Over 1 Year			£33,973.00 Over 2 Years			£34,345.00 Over 2 Years		

The Human Resource costs of the Committee Clerk is based on he/she spending 20 hours per month performing the following tasks:

Pre-Meeting

- Collating and digitally publishing agendas and supporting documentation
- Collating and digitally publishing speaker media (PowerPoint presentations, etc.)
- Advertising the start of the meeting

In-Meeting

- Start webcasting
- Pause webcasting during In-Committee discussions
- Contextualise and index the meeting by triggering agenda items, speakers, jump points, etc.
- End webcasting

Post-Meeting

- Collate and respond to comments/polls/surveys, etc.

The Human Resource costs of the IT Technician is based on he/she spending 8 hours per month supporting the system over the first 6 months of its operation.

An examination of the current resources available has determined that the Council has no capacity to support this requirement using existing resources.

Other Considerations

Consideration should be given to the provision of appropriate training for Elected Members and Officers on the protocols to be observed during live broadcasting and media interaction.

Recommendation

That Committee consider the above report and, if a decision is taken to proceed, the necessary financial and human resources are made available in order to implement and operate the solution.

Prepared by:

Gavin Ringland (IT Advisor)



writing
 To be included on next
 part agenda
 24/7/15

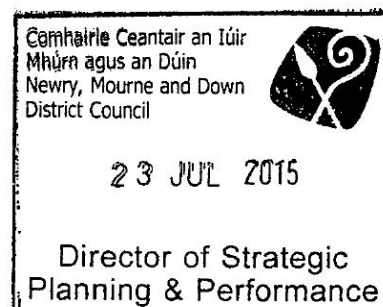


European Union
 European Regional
 Development Fund
 Investing in your future

243

This project is part funded by the EU's INTERREG IVA Programme

Mr Eddy Curtis
 Director of Strategic Planning & Performance
 Newry, Mourne & Down District Council
 Monaghan Row
 Newry
 BT35 8DJ
 Northern Ireland



22 July 2015

Dear Eddy

Re: East Border Region Proposal – Memorandum of Understanding

Further to our recent meeting please find enclosed East Border Region proposal in respect of carrying out some of the duties associated with the Memorandum of Understanding for Newry Mourne Down District and Louth County Councils .

If you have any further queries, please do not hesitate to contact me.

Yours Sincerely

Pamela Arthurs
 Chief Executive Officer

Enc

2 Monaghan Court, Newry, Co. Down, Northern Ireland BT35 6BH

Tel: NI 028 3025 2684 Rol 048 3025 2684 * Fax: NI 028 3025 2685 Rol 048 3025 2685

W: www.eastborderregion.com * Email: admin@eastborderregion.com



European Union
European Regional
Development Fund
Investing in your future



East Border Region proposal to the Newry Mourne Down District and Louth County Councils in respect of the Memorandum of Understanding between both councils.

Background:

The former Newry and Mourne and Down District Councils, alongside Louth and Monaghan County Councils were the four founding members of the East Border Region Committee in 1976. In the 1980's, as urban towns directly adjacent to each other, but in different jurisdictions, both Newry and Dundalk began to actively work together through the Newry Dundalk Joint Twinning Committee which was the remit of the former Dundalk Urban and Newry and Mourne District Councils. There is thus a longstanding history of cross border cooperation between the councils and, at both elected member and official level the trust and capacity for cross border cooperation has been enhanced. It is in this context that the idea of both councils forming a Strategic Alliance was first mooted and the Memorandum of Understanding was formally signed between NMDC and Louth County Council in 2011.

Reform of Local Government

Reform of Local Government in Ireland and the Reform of Public Administration in N Ireland has had far reaching effects on Local Authorities in both jurisdictions. In Ireland it has meant the abolition of the Urban councils and in N Ireland the amalgamation of 26 councils down to 11. Newry and Mourne and Down District councils have amalgamated into Newry, Mourne and Down District and this has necessitated the MOU being extended to incorporate the larger council area. This happened in October 2014.

East Border Region.

The East Border Region Committee has been extremely supportive of the MOU process between both councils. As the overarching cross border body EBR recognises the enhanced level of cooperation between both councils. EBR has thus secured INTERREG IVA funding for projects which feed into and develop the MOU process. These include

Mourne Cooley Gullion Geo Tourism, Smart Eco Hub, Energy Efficiency and Micro Generation and the EBR Tourism Development Plan

The aim of the MOU is

‘To support and promote the economic development and competitiveness of the cross border region.’

This fits neatly with the aim of East Border Region which is

‘to promote cross border economic development which benefits the people of the region.’

East Border Region Service

In order to be fully successful the MOU requires a driver and based on its experience and expertise to date, EBR proposes to drive the process on behalf of both councils. Having taken into account the objectives of the MOU, EBR could provide the following service to both councils;

1. Service and facilitate all aspects of MOU meetings. This will include Agendae, minutes and follow up.
2. Liaise with Newry, Mourne, Down and Louth officials and the Chairman of MOU to determine agenda items.
3. Report progress to both the Joint Management Team and the MOU Committee as and when required.
4. Explore all EU funding opportunities to strengthen co-operation and further develop activities under the Themes of the MOU. Possible funding streams to be explored
 1. INTERREG VA
 2. North West Europe
 3. Atlantic Area
 4. INTERREG Europe
 5. Horizon 2020

EBR has an excellent track record in respect of drawing down funding from the EU INTERREG Programme, having secured €25million under INTERREG IIIA and €26million under INTERREG IVA. EBR is proficient in the financial and non financial management of EU funding and enjoys a 0% error rating with SEUPB the Programme Managing Authority

5. Work with relevant officials within councils and key stakeholders to work up funding applications for submission under the various Programmes. EBR has done this at a wider regional level for many years and staff are familiar with council staff across these sectors.

6. Attract and source additional funding for some of the existing INTERREG IVA Projects which have come to an end in June 2015 eg Geo Tourism, Smart Eco Hub, Energy Efficiency and Micro Generation.
7. Organise initial seminars to explore possibilities under the MOU
- **Elected members from both councils.** The aim of this seminar would be to build the capacity of elected members to work together on a cross border basis. Cross Border co-operation requires trust if it is to be successful. As a result of the Reform process in both jurisdictions a number of new councillors have been elected to both councils. It is thus imperative that the process of capacity building takes place. Based on its expertise with a range of elected members to date EBR is ideally placed to undertake this work. Further seminars involving elected members could be organised as required.
Result
Elected members understand and are bought into the MOU process.
 - **Stake holders across the region** The aim of these seminars would be to build the capacity of key stakeholders across the region to work on cross border cooperation. Initially these would be thematic based on the Cooperation Themes of the MOU as follows;
 - Tourism
 - Economic Development
 - Renewable Energy and Green Technology
 Relevant officials from the councils would also attend these seminars. Additional themes may be added as needs arise
Result Key stakeholders across the region understand and are bought into the MOU process
8. **Dublin Belfast Economic Corridor** To position the region to take advantage of its pivotal location at the centre of the Dublin Belfast Economic corridor. To feed into and maximise benefit to the region from the existing MOU between Dublin and Belfast City Councils which has a strong focus on the Economic Corridor. To take part in programmes which focus on the economic corridor eg M1 Connect.
Result Newry Mourne Down and Louth recognised as a strong region on the East Coast of Ireland.

9. **Eurocities** Eurocities is the network of European cities. Founded in 1986 by the mayors of six large cities: Barcelona, Birmingham, Frankfurt, Lyon, Milan and Rotterdam. Currently Eurocities brings together the local governments of over 130 of Europe's largest cities and 40 partner cities across 35 countries. As a relatively small city Newry could apply for Associate membership and the region could thus take advantage of this large and influential network.

Result To raise the profile of the region at EU level and to maximise linkages with other cities across Europe in order to benefit from best practice and secure funding.

Conclusion:

The range of services outlined above would contribute positively to the objectives of the Memorandum of Understanding between Newry Mourne Down District and Louth County Councils.

M153

July 2015

Chief Executive

15 JUL 2015

NMDDC

apse 248

Liam Hannaway
 Chief Executive
 Newry, Mourne and Down District Council
 Unitary Council
 O'Hagan House
 Monaghan Row
 Newry

Dear colleague,

This letter contains details about your free APSE Main Contact Full Delegate Place to the APSE Annual Seminar and Service Awards Dinner 2015 worth £399.

As an APSE main contact you are entitled to FREE full delegate package to attend APSE's Annual Seminar 2015 which will be held at Brangwyn Hall, Swansea on the 2-3 September 2015. This package is worth £399 and includes a welcome reception on Tuesday 1 September, the two full seminar days on Wednesday 2 and Thursday 3 September, the APSE AGM and evening reception on Wednesday 2 September and the Annual Service Awards dinner on Thursday 3 September.

This year the APSE annual seminar 'The Ensuring Council: Time to Move Forward on Frontline Services' will be held at the beautiful Brangwyn Hall, Swansea with the first day of this two day event held on Wednesday 2 September followed by the APSE annual general meeting. We would encourage our member authorities to be represented at the AGM which will then be followed by a reception for our delegates. The second day of our seminar will be on Thursday 2 September, which will end with the renowned APSE annual service awards dinner, recognising the very best in local government services these unique awards will bring our annual event to a very positive conclusion.

This year's seminar programme will include in-depth panel discussions, with high profile speakers from across the UK and a host of other national bodies exploring the financial, transformation and devolutionary challenges facing APSE member authorities. We will also hear from local authority chief executives, directors and heads of service about innovation and change offering practical case study led plenary sessions and operationally focussed hubs across different frontline local government areas.

(Continued overleaf)



INVESTOR IN PEOPLE

Association for Public Service Excellence

2nd floor Washbrook House
 Lancastrian Office Centre
 Talbot Road, Old Trafford
 Manchester M32 0FP

telephone: 0161 772 1810

fax: 0161 772 1811

email: enquiries@apse.org.uk

web: www.apse.org.uk

Topics will include:

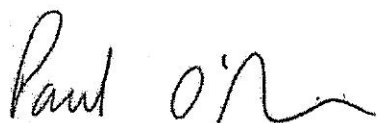
- Change and transformation; what it means to be an Ensuring Council
- Using demand management techniques and exploring new research in behaviour change to limit demands on public services
- An exploration of Income generation, commercialisation and successful examples of charging and trading in services
- How local government can tackle social justice and the big issues of fuel poverty, jobs and local economies
- Development of new models of services such as municipal energy companies developing new housing, infrastructure investment, jobs and skills
- The impact of devolution, structural reorganisation and financial settlements.

The APSE annual seminar is a proud tradition in local government linking the practical policy and financial issues to the daily reality of delivering excellence in frontline services for local communities throughout the UK. As an APSE main contact our APSE National Council has therefore asked me to ensure all our member authorities can be represented at the seminar by providing one FREE place at this year's seminar. We hope that this reflects the understanding of APSE's national council to the tough times faced by our member authorities and will assist your authority to be represented at the seminar, AGM and the service awards dinner.

I hope that you are able to take advantage of this complimentary place. Please note the complimentary place covers the full seminar package, including all meals and refreshments and a place at the service award dinner on Thursday evening. We are unable to cover hotel and travel costs and we are unable to accept 'dinner only' places due to the structure of this event. If you are unable to attend in person please do feel free to pass on your complimentary place to a colleague or elected member.

To take advantage of this main contact benefit please return the attached booking form no later than Friday 3 July 2015. This will identify that your booking is on a FREE basis and ensures that you will not be invoiced for the seminar fee. Please indicate on the form if you require accommodation, this will then be invoiced in the usual way.

Best wishes



Paul O'Brien
Chief Executive

Council Mtg.

3/8/2015.

C/O SL Taggart -

Soal - please investigate cost of sending delegates to two conferences (including flights, to place this information in Chief Executives pack for Council Meeting - Contact Eileen for details).

Booking form

250

APSE annual seminar 2015, 2-3 September, Swansea

contact name: _____ authority: _____

address: _____ Hotel: _____

Post code: _____ Cont: _____

telephone: _____ fax: _____ email: _____

Please detail here any special dietary/access requirements for the delegates listed below:

APSE issues a written confirmation for all delegate bookings received. If you have not received your confirmation letter within 5 working days of sending your booking form, then please contact APSE on 0161 772 1810.

Seminar delegate fees (exclusive of accommodation costs)

Package 1: Full seminar attendance including evening functions. APSE member: £399 + vat / Non member LA's: £559 + vat

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Package 5: Day delegate **Thursday only** including evening awards. APSE Member: £295 +vat / Non member LA's: £405 +vat

Commercial organisations - Package 1: £709 Package 2: £389 Package 3: £435 Package 4: £389 Package 5: £535

Hotel Accommodation*

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A list of nearby hotels is available from APSE for delegates wishing to arrange their own accommodation.

Option A: 3 nights special rate accommodation. Dates: 1,2,3 Sept 2015. Cost (B&B): £225 +vat*

Option B: 2 nights special rate accommodation. Dates: 2and 3 Sept 2015. Cost (B&B): £150 +vat*

(* APSE will invoice delegates for the B&B costs at the appropriate rate.

All extras must be paid direct to the hotel on departure.

Please note that all hotel bookings at this event must be reserved via APSE as the hotel will not accept any direct bookings at the above special rate.

Please indicate preferred method of payment (tick):-

VAT registration number 519 286 915

Please find enclosed cheque (made payable to APSE)

Please invoice me, my purchase order number is: _____

CANCELLATION & REFUND POLICY: Reservation is a contract. Substitution of delegates is acceptable any time in writing by post, email to vstamem@apse.org.uk or fax to 0161 772 1811. Cancellations must be made in writing at least 10 working days before the event (before 5pm on 17 August 2015) and will incur a 20% administration fee. No refunds can be given for cancellations received less than 10 working days before the event or for non-attendance. In the unlikely event of cancellation by the organisers, liability will be restricted to the refund of fees paid. The organisers reserve the right to make changes to the programme, speakers or venue should this become necessary.

Delegate Name	Delegate Position	Delegate Email	Main Contact	Operational hubs (please circle)	Delegate package (please circle)	Accommodation (please circle)
			<input type="checkbox"/>	1 2 3 4 5	1 2 3 4 5	Option A / Option B
			<input type="checkbox"/>	1 2 3 4 5	1 2 3 4 5	Option A / Option B
			<input type="checkbox"/>	1 2 3 4 5	1 2 3 4 5	Option A / Option B
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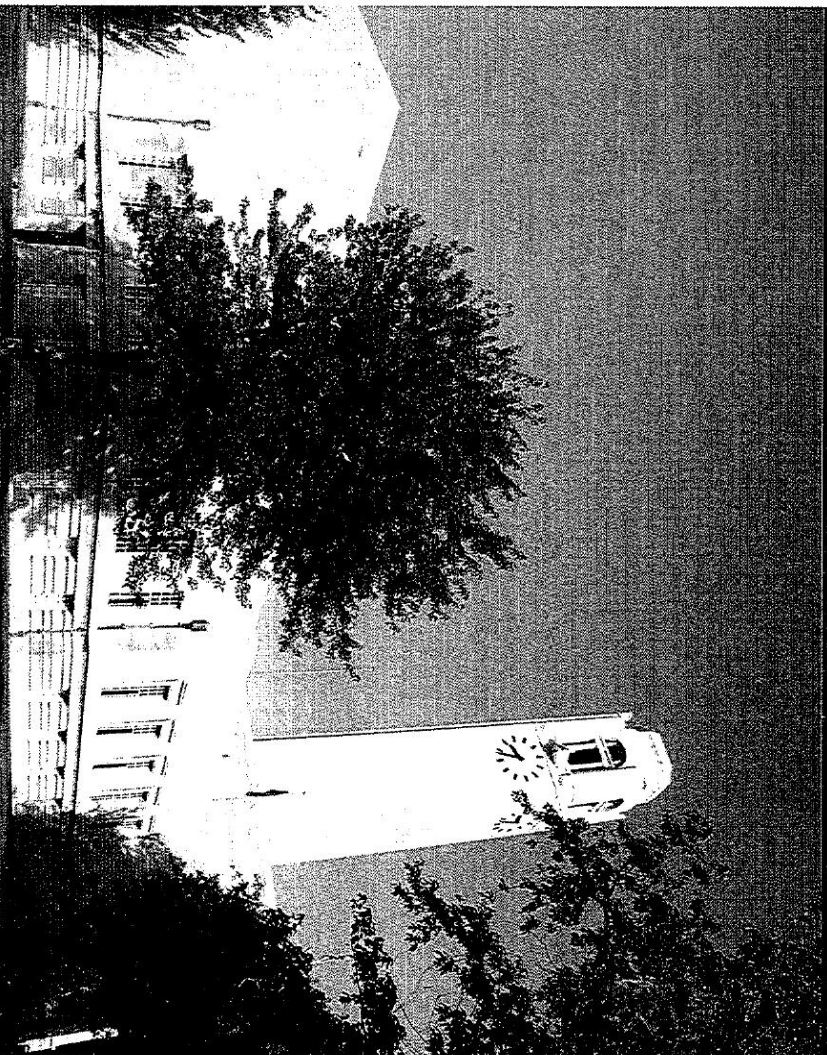
Please return completed forms to: Vicky Stammer, APSE, 2nd floor, Washbrook House, Lancasterian Office Centre, Talbot Road, Old Trafford, Manchester, M12 0PF
or fax direct to: 0161 772 1811, telephone: 0161 772 1810. E-mail: vstamem@apse.org.uk

apse annual seminar 2015

2-3 September 2015, Swansea
Brangwyn Hall, The Guildhall, Swansea, SA1 4PE

The Ensuring Council:

Time to move forward on frontline services



Featuring the APSE service awards 2015


Thursday 3 September

10:00am Session 5: Local Government Leadership Forum

What it means to Stockton on Tees to be an Ensuring Council
Speaker: Neil Schneider, Chief Executive, Stockton Council

Delivering on Transformation in North Ayrshire
Speaker: Elma Murray, Chief Executive, North Ayrshire Council

2:00pm Session 7: Upping Production; How councils are delivering on the energy challenge

In association with 
Walker Morris - experts in Municipal Energy

This special session will explore how councils can better exploit assets for green energy income, use municipal energy to address fuel poverty and develop jobs, skills and infrastructure development in local economies. All delegates will also receive a copy of APSE's latest research written and researched by lead author Philip Monaghan.

3:00pm Get Motivated!

This final session will include a motivational session for local authority Leaders and Elected Members, Chief Executives, Senior Management teams and up-coming managers to use expert tools and techniques to help deliver better services. Looking at workplace psychology, the systems of change and rising to new challenges with effective team working.

11:00am Coffee and exhibition viewing

11:30am Session 6: Innovation and demand management

Nudge budget reduce

- What factors influence how demand for services is generated?
- Can we reduce demand by using 'nudge and budget' techniques?
- The findings of APSE and NIGN research

Speaker: Simon Parker, Chief Executive NIGN

Using behaviour change sciences to reduce demand

- Randomised control test on frontline services
- Improving council tax collection rates
- Quick-Cheap: Easy: Things every council could do to reduce demand

Speaker: Toby Blume, Lambeth Council

Channel Shift your Citizens

- Shifting citizens to online interface
- Realising savings of £24 million
- Doing business differently to ensure you make the switch

Speaker: Dawn Baxendale, Chief Executive, Southampton City Council

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The APSE service awards 2015 will be hosted at Brangwyn Hall, The Guildhall, Swansea

Commencing at 7.00 for a 7.30 start

The Service Awards 2015 will be hosted by Welsh speaking TV Presenter and Meteorologist Sian Lloyd

APSE is proud to once again be supporting Parkinson's UK as our event charity this year and hopes to add to the many thousands raised at our Annual Awards in recent years for this vital charity

Annual General Meeting

The Council Chambers, Guildhall, Swansea

6:45pm: Registration
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 8:00pm: Hot supper and guest speaker

The APSE AGM is open to all member authorities and you are encouraged to ensure your own local authority is represented at this important meeting

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Hub 2: Housing and Building Maintenance

Hub 3: Refuse, Streetscene and Public Realm

Hub 4: School Meals and Facilities Management

Hub 5: Sport, Leisure and Public Health

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National Waterfront Museum
 7:30 pm to 9:30 pm With a museum tour and refreshments

9:00am Registration, coffee and exhibition viewing

10:00am Opening address:
 Lesley Griffiths, AM, Minister for Communities and Tackling Poverty, Welsh Assembly Government (Iw)

Delivering on new social housing

- Developing a local authority housing trust
- Our ambitions to deliver 80,000 new homes
- What needs to change in national housing policy?

Speaker: Clive Skidmore, Head of Housing Development, Birmingham City Council

1:00pm Lunch and exhibition viewing

2:00pm Session 3: Delivering Entrepreneurial Local Government Services

Nottingham's approach to a commercial strategy in frontline services

- Why we decided to go to a commercial strategy in frontline services
- Generating income in highways, environment and parks services
- Next steps to financial stability in frontline services

Speaker: Andy Vaughan, Strategic Director, Commercial and Neighbourhood Services, Nottingham City

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Exhibition and sponsorship opportunities 2015

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B King form

252

APSE annual seminar 2015, 2-3 September, Swansea

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Speaker: Toby Blume, Lambeth Council

Gaining on jobs, skills and infrastructure
 • How can you use green energy for local infrastructure developments
 • How do you ensure the schemes bring in jobs and skills to your council area
 • How do you use new income? What works best for your council
Speaker: Mark Bramah, Director of APSE Energy

The APSE / Infrangillis Research - You are not alone. Case studies in sustainable energy from UK councils
 • The case for transitioning to a green local economy
 • What do you need to do to get started on a green economy agenda?
Speaker: Philip Monaghan, Leading Author on Climate Change and Sustainability

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"Jennifer O'Connor -
Order of Malta Ireland -
Officer in charge - Newry
Unit"
<newry@orderofmalta.ie
>
26/06/2015 17:41

To "eddy.curtis@newryandmourne.gov.uk"
<eddy.curtis@newryandmourne.gov.uk>
cc
Subj Ambulance parking
ect

Hi Eddy

It's been a few weeks since we met and I was wondering if you have any news for me regarding where we may park our ambulances. Time is now critical concerning the relocation of the Renault Master vehicle.

I look forward to hearing from you soon.

Many thanks

Jenny

Adj. Jenny O'Connor

Officer in Charge

Newry Unit

Order of Malta Ambulance Corps

Saving Lives, Touching Lives, Changing Lives

Disclaimer: The contents of this email and any attachments are the property of Order of Malta, Ireland and intended for the addressee only. The above and/or the attached is privileged and/or confidential and is for the use only of the intended recipient. Any reader of this message who is not the intended recipient or the employee or agent responsible to deliver to the intended recipient, is notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you receive this communication in error please notify us immediately and delete all copies from your computer system. Subsequent alterations to this electronic message after its transmission will be disregarded. National Headquarters: Order of Malta Ireland - St. Johns House - 32 Clyde Road, Ballsbridge, Dublin 4 - Email: info@orderofmalta.ie - Phone: +353 1 6430000 - Charity ID: CHY4538 Accepted as a Charity in NI by Inland Revenue under Reference No XR40765

Report to:	Strategy, Policy and Resources Committee
Subject:	DoE Guidance for Local Government Performance Improvement & Assessment Arrangements for Newry, Mourne & Down DC for 2015-16
Date:	13 August 2015
Reporting Officer:	Eddy Curtis, Director of Strategic Planning & Performance
Contact Officer:	Johnny McBride, Change Manager

<u>Decisions Required</u>	
SMT are asked to:	
<ul style="list-style-type: none"> ▪ Note and approve the contents of the report. 	
1.0	<u>Purpose & Background</u>
1.1	The purpose of this report is to provide the SMT with an update concerning the Council's performance improvement arrangements for 2015-16. In doing so, the report considers recently published guidance by the Department (DoE) for local government performance improvement as well as clarification from the Northern Ireland Audit Office (NIAO) concerning the assessment arrangements for the Council in 2015-16.
2.0	<u>Key Issues</u>
DoE Guidance for Local Government Performance Improvement	
2.1	Provided at Appendix I , the purpose of the guidance is to assist on the practical operation of the provisions of Part 12 of The Local Government Act (NI) 2014 for 2015-16. The SMT will recall this legislation provides for the establishment of a new statutory performance management framework for local government.
2.3	In the absence of a Community Plan (in the case of the Council unlikely to be ready until Spring 2016 at the earliest) the Department has determined that Council performance should be linked to and assessed against the Council's Corporate Plan. Representing an interim arrangement for 2015-16, further guidance will need to be developed and produced by the Department concerning the performance improvement arrangements for future years.
Preparations in Newry, Mourne & Down	
2.4	The SMT will be aware the Council has already agreed to the implementation of a (one year) interim framework to support Council performance during the same period. The primary objectives of this interim arrangement are two-fold: (1) to cascade the Corporate Plan and its priorities down to the new Directorates, manifest as Directorate Business Plans; and (2) to baseline Council performance with the aim of establishing robust performance objectives for future years.

2.5	An important aspect of these preparations is also ensuring the Council complies with the relevant legislation in terms of both performance improvement activity and documentation requirements.
Assessment Arrangements for Newry, Mourne & Down (2015-16)	
2.6	The NIAO in recent correspondence to the Chief Executive has clarified the basis upon which Council performance during 2015-16 will be audited and assessed. A copy of the correspondence is provided at Appendix II however the key issue for the SMT to consider is that this will involve a limited performance improvement assessment to determine whether the Council has met its statutory performance improvement responsibilities for the year. This is because of the interim arrangements previously determined by the Department and outlined earlier in the report.
2.7	<p>In terms of the assessment, the NIAO will:</p> <ul style="list-style-type: none"> i. ascertain whether the Council had published its performance improvement objective(s) within its Corporate Plan by 31 July 2015; ii. ascertain whether each of the Council's performance improvement objectives meets at least one of the seven relevant criteria listed in paragraph 12 of the Guidance; iii. ascertain whether a consultation process has been conducted by the Council in accordance with paragraphs 29-32 of the Guidance; iv. ascertain whether the Council had a satisfactory timetable and plan in place, to develop and progress the specified performance improvement objective(s) in accordance with paragraph 47 of the Guidance, by 30 September 2015; and v. issue a letter of assurance (to the Council and the Department) confirming whether the above activities have taken place by 31 October 2015.
2.8	It has been confirmed with NIAO officials this assessment will reflect that of a desktop exercise whereby key Council documents (e.g. Corporate Plan, other relevant material) will be reviewed to ascertain whether legislative compliance has been achieved. The SMT is asked to note that a draft submission has already been made to the NIAO which contains the documentation requirements to support legislative compliance. Subject to feedback in mid-August, a report will be tabled for the consideration of the SMT and Strategic Planning & Resources Committee in September.
2.9	To provide the SMT with an overview of the performance improvement activity the Council is required to undertake for 2015-16 and which will form the basis of the assessment, a summary table is provided at Appendix III .
3.0	<u>Resource Implications</u>
3.1	There are no significant resource implications contained within this report as the interim arrangements for 2015-16 are not considered to be resource intensive.

4.0 **Appendices**

- **Appendix I** – DoE Guidance for Local Government Performance Improvement
- **Appendix II** – Correspondence from NIAO concerning performance improvement audit & assessment arrangements for Newry, Mourne & Down for 2015-16
- **Appendix III** – Summary providing an overview of performance improvement activity



**LOCAL GOVERNMENT CIRCULAR
26/2015**

**GUIDANCE FOR LOCAL
GOVERNMENT PERFORMANCE
IMPROVEMENT**

**DEPARTMENT OF THE ENVIRONMENT
LOCAL GOVERNMENT POLICY DIVISION
JULY 2015**

GUIDANCE FOR LOCAL GOVERNMENT PERFORMANCE IMPROVEMENT

Performance Improvement under the Local Government Act 2014

1. Part 12 of the Local Government Act (NI) 2014 (hereafter “the Act”) puts in place a new framework to support the continuous improvement in the delivery of council services, in the context of strategic objectives and issues that are important to those who receive the services. Councils will be required to gather information to assess improvements in their services and to issue a report annually on their performance against indicators which they have either set themselves or that have been set by departments.
2. This guidance is intended to assist councils with arrangements for the performance improvement framework during 2015-16, the first year of its operation. Paragraphs 46-48 and 52 specifically describe the relevant activities which will only apply during 2015-16.

Performance Improvement link with Community Planning

3. There is a clear link between the community planning process and a council’s performance improvement regime. Community planning focuses on achieving better outcomes for citizens through the collaborative working of organisations to improve service delivery and the economic, social and environmental wellbeing of citizens. A successful community plan will consist of a long term vision for the area, underpinned by a set of outcomes identified for key themes, with clear accountability and interim performance measures. The community planning process should achieve better integration of public sector services and investment resulting in performance improvements for organisations involved.
4. Each council is required to prepare an improvement plan containing improvement objectives, which includes the strategic objectives for 10 to 15 years ahead set out in the community plan. The community plan identifies long term outcomes using a solid, reliable evidence base as a baseline upon which decisions can be made and against which progress can be monitored. The council must annually monitor its performance against the objectives identified in its improvement plan

and publicise the information. In order to measure performance against its strategic objectives, the council can consider setting short to medium term objectives through action plans or their existing corporate and business plans.

5. Community planning partners should also build into their corporate and business planning regimes those commitments contained in their community plans.
6. Performance improvement and community planning should inform, and be informed by, each other. It is expected that:
 - improvement should take full and proper account of the strategic vision as set out in the community plan. This provides the frame within which many short-term improvement priorities should sit. Although there will be other such priorities which do not, either because they are too short-term or too confined to one organisation, they should at least not conflict with the community plan;
 - community planning should be based both on an understanding of what appears reasonably deliverable by a district council and/or its partners, and on continual monitoring of how effective that delivery is. If and when it becomes clear, from shorter-term information, that community planning objectives are not deliverable or no longer relevant, those objectives should change; and
 - the use of the new flexibilities and freedoms offered by the general power of competence should be influenced significantly by issues identified through the community planning process. Similarly, performance improvement considerations should influence a council's choices in using the general power of competence and how it engages with its community planning partners.

The general duty of Improvement

7. Under section 84 of the Act, councils are under a general duty to make arrangements to secure continuous improvement in the exercise of their functions.

What is Improvement?

8. 'Improvement' in the context of the Act means more than just quantifiable gains in service output or efficiency, or the internal effectiveness of an organisation. Improvement for councils should mean activity that enhances the sustainable quality of life and environment for ratepayers and communities.
9. Firstly, the duty involves 'making arrangements' to improve: there is no absolute duty to improve, nor could there be. Delivering high-quality services and addressing multiple community needs is a complex and often difficult business, and no organisation, however competent or well-intentioned, can guarantee that its efforts will be successful. Councils should put in place arrangements which allow them to understand effectively local needs and priorities, and to make best use of their resources and capacity to meet them and to evaluate the impact of their actions.
10. Secondly, the duty refers to 'continuous improvement'. As the exact local meaning of 'improvement' will vary between councils and over time, this does not mean that everything needs to carry on improving in measurable terms. Rather, councils should seek continuously to ensure that their improvement objectives remain relevant, that the best arrangements for delivering them are in place, and that they are able to understand and demonstrate the impact on the outcomes for citizens

Improvement objectives

11. Section 85 requires a council, for each financial year, to set itself improvement objectives for improving the exercise of its functions and to have in place arrangements to achieve those objectives.
12. A council must frame each improvement objective so as to bring about improvement in at least one of the specified aspects of improvement as defined in Section 86:
 - strategic effectiveness
 - service quality

- service availability
 - fairness
 - sustainability
 - efficiency
 - innovation.
13. The first of these, strategic effectiveness, is key to linking the community plan (or corporate plan, in the absence of a community plan), and the ongoing processes that underpin it, with a council's improvement processes. The Department would expect that a council's community planning outcomes and objectives should be central to that council's improvement activity. In doing this, councils should be able to develop a clear narrative around their plans for improvement that will resonate with the citizens and communities that they serve.
14. Strategic effectiveness is likely to be a key focus for a council's performance improvement activity, and the Department acknowledges that councils will require time to build the required consensus to establish their community plans. Therefore, during 2015-16, a council may select strategic objectives as performance objectives even if its community plan has not been agreed – these objectives will be part of the council's corporate plan, as noted above.
15. The next three, service quality, availability and fairness all relate to: service provision, by aiming to meet the needs of citizens, and ensuring fair ease of access to the most suitable services that meet their needs. Clearly, all of these objectives can be demonstrated individually, or collectively. Fairness can also be demonstrated by exercising non-service functions in ways which reduce disadvantage and improve social well-being, for instance by improving citizens' access to information.
16. When carrying out its functions or providing services, a council may demonstrate improvement when it operates in a way that contributes towards the sustainability of its area. Equally, on-going efficiency may also be shown if fewer resources are utilised while maintaining provision of substantially similar, or better, services. Should a council choose to alter the manner by which a service is provided, and

in so doing it uses fewer resources or more integrated services, it will not only be demonstrating efficiency, but may demonstrate improved sustainability as well.

17. The innovation aspect is slightly different. It covers any changes to service design and delivery methods that are intended to yield improvement under any other aspect, and are reasonably likely to do so. This allows councils to make changes which may not have tangible effects within the same reporting year, but are likely to in subsequent years, and still count them as improvements.

18. This is a full list of all the items that have been identified as improvements.

- priorities identified through an analysis of performance data on previous year's performance and in comparison with other organisations;
- evidence gained from consulting on improvement objectives in the previous year; and
- Programme for Government priorities as expressed by the NI Executive.

20. Improvement objectives that have been chosen as a result of the above processes should have credibility with citizens, stakeholders and the council's staff. This should translate into a better sense of ownership of the ambitions for the communities and the area.

Setting Council Improvement objectives

21. Completing the above processes should allow councils to draw up their improvement objectives for consultation. These can be in any form a council chooses, but all improvement objectives should be:

- legitimate - making a demonstrable contribution to at least one (or, probably, more than one) of the aspects of improvement listed in the Act;
- clear - setting out the visible improvement that citizens can expect;
- robust - with defined terms of success (whether quantitative or qualitative);
- deliverable - with established links to individual service programmes and budgets; and
- demonstrable - capable of being supported by objective (but not necessarily measured or quantitative) evidence.

22. The first of these points is worth further consideration. The aspects of improvement in the Act set out in broad terms the sorts of purposes which councils will wish to achieve. Many, if not most, objectives will contribute to more than one aspect of improvement - for instance, action to improve access to services might simultaneously address the 'fairness' and 'service availability' aspects, while reducing a council's carbon footprint might address 'sustainability' and 'efficiency'.

23. How many improvement objectives to set is again a matter for the council to decide. This is largely a question of an appropriate level of detail. Objectives that are too broad and aspirational may lack the ability to inform effective action and accountability (e.g. “we will support healthier communities”) and too narrow or operational may lack an overall sense of purpose (e.g. “we will refurbish our leisure centres”). Objectives should ideally both describe the overall purpose and the scope of action to deliver it (e.g. “we will provide more and better opportunities for citizens to engage in physical activity”).
24. Each council must agree its improvement objectives formally. The processes for doing so will be set out in each council’s governance arrangements and standing orders, but the importance of improvement objectives would normally dictate endorsement by the full Council. See also the section on “Role of governance and scrutiny” at paragraphs 39 and 40.
25. Councils should have regard to the general definition of improvement (see paragraph 8, above) when considering objectives. Councils must ensure that the objectives set relate to improving functions and services to their communities and citizens. Council improvement needs to be more than simply setting corporate improvement objectives. Internal improvement activity can obviously contribute to the achievement of higher level objectives, but these should not be the only improvement objectives of the council.
26. Overall, it is probably better in the interests of clarity and accountability to err on the side of having fewer objectives, with detailed links to service programmes, than to have a greater number of more detailed objectives. Either way, if the objectives taken together adequately address the main local priorities and needs, the exact number of them is less important.
27. The Act requires that councils set improvement objectives every year. However, that does not mean that all improvement objectives should change every year, or that they should all be deliverable within one year. Councils can set objectives which span more than one year, perhaps with intermediate milestones, provided that these are reviewed annually to ensure their continued relevance.

28. For the first year of the operation of the new performance arrangements (2015-16), the objectives which have been identified in the council's corporate or business plan will be sufficient to discharge the council's duties under sections 84(1), 85(2) and 89(5) of the Local Government (NI) Act 2014 (see 46-48 below).

Consulting on Improvement

29. Consulting on the general duty to improve and a council's improvement objectives can happen at any time during each year, although it would make sense to align it with established or planned community engagement processes and events. The council should aim to make the process of choosing improvement objectives as open and transparent as possible. The council should also ensure that this process is in keeping with its constitution and/or standing orders. In so doing a council should aim to develop an on-going dialogue with the communities and areas that it serves so that the setting of improvement objectives is a jointly owned process centred on a balanced assessment of the needs of the community as a whole, rather than any particular organisation or interest group within it.

30. It is recommended that a council should consult the following before setting its improvement objectives:

- citizens and stakeholders;
- local businesses and, where appropriate, potential businesses;
- its statutory and other community planning partners;
- other bodies with which collaborative working is taking place or is being planned.

31. The council should retain evidence of their consultations, or broader engagement activity, to enable it to demonstrate that improvement objectives, and the plans for meeting them, have been properly set. In the interests of good governance, scrutiny and accountability, this evidence should be retained in an easily accessible form.

32. Consultation which has been undertaken to inform council corporate plans for 2015/16 will satisfy the above requirements for consultation on improvement objectives during 2015/16 - there will not be a requirement for additional consultation in relation to the performance improvement objectives for the 2015/16 year.

Recording and reporting progress

33. Section 90 of the Act requires a council during each financial year to collect information which will allow it to assess its performance in achieving its improvement objectives and to measure its performance against performance indicators or standards set by the Department or any other indicators or standards which the council chooses to use.

34. Councils will need to collect evidence of their progress in achieving their improvement objectives during the year. Except for those indicators or standards set by the Department, it is for councils themselves to determine what constitutes the best evidence for the progress that they are seeking to make, and that is best done when improvement objectives are set. Evidence will need to meet the requirements of the Local Government Auditor (the Auditor). Evidence may include one or more of the following:

- performance indicators; both those set locally and by NI Departments;
- qualitative information such as citizen satisfaction surveys conducted by the council or by other bodies;
- progress in introducing or completing programmes, facilities or ways of working which contribute to the attainment of improvement objectives;
- the outcome of governance or scrutiny enquiries and other evidence from Members; and
- any other sources of evidence that appear to be relevant.

35. Most sound improvement objectives will probably need a range of evidence to demonstrate their accomplishment. Councils should avoid using performance indicators, targets and standards as objectives in themselves. In almost all cases

they will be too narrow and too far removed from public understanding and need. Consequently they should be seen as only one of the tools to help demonstrate improvement.

36. In collecting evidence, such as outlined above, councils should seek to collect together the body of evidence that will allow it to provide a narrative description of how successful it has been in pursuing its improvement objectives in order for it to give account for its performance to its citizens, stakeholders and the Auditor.
37. This improvement evidence should be collated together and communicated in a report or reports, which Section 92 of the Act requires councils to publish before 30 September in the following financial year. During the first year of operation of the new performance framework, councils will be unable to fully comply with the comparison requirements of this section as two financial years will not have elapsed.
38. Therefore, during the financial years 2015-16 and 2016-17, the publication of a council's performance assessment, need not refer to comparison with their own performance or that of other councils, in previous financial years.

Role of governance and scrutiny

39. Whether a council decides to operate a committee system or executive arrangements, there is a clear role for a council's governance or scrutiny function (e.g. internal audit or a scrutiny committee) in its improvement processes: as part of its role in holding local decision makers and policy makers to account, and in its policy development role. This should extend to:
- processes that a council has gone through in the discharge of the general duty to improve;
 - fitness of the council to discharge the general duty to improve;
 - processes that the council has gone through in the selection of its improvement objectives, including a review of the level of engagement with stakeholders;

- monitoring of the progress of the delivery of the council's improvement objectives; and
- promoting innovation by challenging the status quo and encouraging different ways of thinking and options for delivery.

40. If a council's governance or scrutiny processes are sufficiently developed to discharge the above, and there is clear evidence that this is the case, then this scrutiny activity can be drawn upon by the Auditor in the course of his/her dealings with the council. It will be for the Auditor to decide whether scrutiny processes are sufficiently robust to be relied upon in the exercise of his/her audit functions.

Improvement planning and information – use and publication

41. Section 91 of the Act requires a council to use this information to measure its performance against a previous year's performance and compare its performance, so far as is practicable, with the performance of other councils and other public bodies.
42. In addition, a council must use the information it collects to assess whether it can improve its performance and, based on that, must decide on steps to take to improve its performance in exercising its functions.
43. For the first year of the operation of the new performance arrangements (2015-16), councils will not have collected performance information to make the required comparison, and so that duty will only be applicable from 1 April 2016.
44. Section 92 of the Act places a requirement on a council to make arrangements to publish specified information relating to its performance before 30 September immediately following the financial year to which it relates. A council must ensure it publishes a summary of any report relating to a special inspection by the Auditor. This will not be possible in 2015/16, as there will be no previous year on which to report.

45. A council is also required to publish an 'improvement plan' which sets out its plans for discharging its duties under Sections 84, 85 and 89 for a financial year and, if appropriate, subsequent years. This must be published as soon as practicable after the start of the financial year to which it relates.

Publication and audit of Improvement objectives in 2015-16

46. For the first year of the operation of the new performance arrangements (2015-16), the objectives which have been identified as meeting the requirements of performance improvement and which have been published in the council's corporate or business plan, including those performance indicators and standards specified by the Department, will be sufficient to discharge the council's duties under sections 84(1), 85(2) and 89(5) of the Local Government (NI) Act 2014.

47. The improvement objectives as set out in the council's corporate plan for 2015-16 should be in place and published by 31 July 2015. The Department has directed the Auditor to ascertain whether or not the council's published corporate plan contains improvement objectives that are aligned to at least one of the seven criteria outlined in paragraph 12 and that they have been consulted upon as per paragraphs 29-32. The Department has also directed the Auditor to ascertain from each council a timetable and the planned activity proposed to develop and progress the specified 'improvement objectives'. This improvement timetable/plan should be in place by 30 September 2015.

48. A timetable containing an overview of the responsibilities and activities for 2015/16 in relation to both the councils and the Auditor is set out at page 18.

Role of the Local Government Auditor - inspection and assessment

49. The following section provides an overview of the statutory functions of the Auditor, as set out in the Local Government (Northern Ireland) Act 2014 and how these will operate during a financial year under full commencement of the Act. By necessity therefore, **most of the inspection and assessment activity described in this section will not apply during 2015/16. Please refer to**

paragraphs 52 and 46-48 and the table at page 18 for a summary of the inspection and assessment activities applicable for 2015/16.

50. The main piece of work for the Auditor under the performance framework programme is an annual improvement assessment (conducted under section 94 of the Act) for each council to determine whether a council is likely to comply with the requirements of Part 12 of the Act. The Auditor will also undertake an improvement information and planning audit, (as required under section 93 of the Act), in order to ascertain whether the council has discharged its duties under section 92 and the extent to which it has acted in accordance with any Departmental guidance relevant to the section.

51. In order to fulfil these statutory requirements, the Auditor will undertake the following:

- a forward looking assessment of a council's likelihood to comply with its duty to make arrangements to secure continuous improvement;
- a retrospective assessment of whether a council has achieved its planned improvements in order to inform a view as to the council's track record of improvement.

52. For 2015/16 the Auditor will ask each council to supply relevant information which will enable him/her to ascertain:

- whether the council has published its performance improvement objective(s) within its Corporate Plan;
- that each objective meets at least one of the seven relevant criteria;
- that a consultation process has been conducted; and
- whether a satisfactory timetable and plan is in place to develop and progress the specified performance improvement objective(s).

The Auditor will then issue a Letter of Assurance to each council and the Department, which will provide his/her assessment of council improvement activity for 2015/16 (paragraphs 45-48 refer). The Auditor may include a summary of the outcomes from the work performed in 2015/16 in his/her Annual Report, which will be published in 2016.

53. The Auditor may also, in some circumstances, carry out Special Inspections (under section 98), in respect of which a report will be provided to the Department and the relevant council. This report may be published (under section 99).
54. These items of work are described in more detail below. In addition, in the revised Code of Audit Practice (due to be published by 1 April 2016), the Auditor will set out the way in which he/she intends to exercise key functions in relation to the Act in accordance with the principles that:
- the Auditor's functions are exercised consistently between councils;
 - functions are discharged independently (except where directed by the Department in accordance with the Act);
 - functions are discharged proportionately and do not impose an unreasonable burden upon councils; and
 - functions are exercised with a view to assisting councils to comply with Part 12 of the Act.
55. It should be remembered that the Auditor also has functions under other legislation that lie outside the Act. In particular, the Auditor has duties and powers under the Local Government (Northern Ireland) Order 2005 to undertake studies for improving economy, efficiency and effectiveness, to ascertain whether councils have made proper arrangements for securing economy, efficiency and effectiveness in its use of resources. Similarly, the Auditor has duties to undertake the audit of the accounts of councils and report on any matters of public interest.
56. The work performed by the Auditor in discharging these other duties, whilst independent of the Act and the performance improvement framework, will be co-ordinated and used to inform work under the Act and vice –versa.

Improvement Assessment

57. The improvement assessment (Section 94 of the Act) will include a forward looking assessment and a retrospective assessment in order to inform the

Auditor's view of the council's track record of improvement. Both assessments will be informed by the improvement information and planning audit (section 93). While section 93 and section 94 each amount to distinct legal functions and are described here as distinct elements, they are linked and will be used together to inform the Auditor's assessment of each council.

58. The section 93 audit of improvement information and planning will be undertaken in two parts to align with the council's publication of its improvement plan (section 92 (4)) and its retrospective assessment of its performance (section 92(2)).
59. The Auditor will be carrying out work throughout the year to inform both assessments and will be feeding back findings to the council. The Auditor will undertake council wide reviews of relevant governance and management arrangements, supplemented where necessary by reviews of specific functions and activities. Where appropriate, the assessment may involve gathering and reviewing information from members of the public and other stakeholders, as well as information from within the council. It will also be informed by audit work done in relation to the authorities' accounts and proper arrangements.

Forward looking Assessment

60. For each financial year, the Auditor will assess each council in terms of whether it is likely to comply with the requirements of the Act. The Auditor will consider, among other things, the council's published improvement plan (section 92(4)) which will contain its improvement objectives and plans for meeting them, as well as the general duty to make arrangements to secure continuous improvement.
61. The Auditor will consider the council's track record of improvement and whether its governance and management arrangements effectively support improvement.
62. The first part of the section 93 audit will be an audit of the council's discharge of its duties under section 92(4) and (5), the publication of an improvement plan and 92(6) the extent to which the council has acted in accordance with guidance issued by the Department. This will take place during the early part of the financial

year and will inform the assessment. The exact timing of audit will depend on when the council finalises and publishes its improvement plan (section 92 (6)). Councils are required to publish their plans 'as soon is reasonably practicable after the start of the financial year'.

63. For each financial year, the Auditor will issue an Audit and Assessment Report (section 94) to each council and the Department by 30th November, unless otherwise directed by the Department. The Auditor's report will state whether it is believed that the council is likely to comply with the statutory duty to make arrangements to secure continuous improvement during the current financial year., The Auditor may also comment on whether the authority is likely to comply in subsequent years.

Retrospective Assessment

64. From 2017-18, and thereafter for each financial year, the Auditor will undertake a retrospective assessment of performance with the main purpose of tracking improvement over time. When making an assessment of performance, the Auditor will consider, among other things, the council's own published assessment of performance (section 92(2)), as part of the section 93 audit, and the findings from any work undertaken by the Auditor to assess service performance. As with the forward looking assessment, this work may, where appropriate, involve gathering and reviewing information from members of the public and other stakeholders. It will also be informed by the audit work done in relation to the council's accounts and proper arrangements.

65. The second part of the section 93 audit will be an audit of the authority's discharge of its duties under section 92 (1) to (5), the council's assessment of performance. This will inform the Auditor's performance assessment which will review:

- the overall level of improvement attained;
- progress made on meeting improvement objectives;
- inclusion of performance indicators;

- achievement of both the Department's specified and the council's self imposed performance standards;
- performance over time and against other councils (where reasonably practical); and
- arrangements for data collection and use, and the overall adequacy of performance information.

The performance assessment will be reported in the Auditor's Annual Improvement Report.

Special inspections

66. If the Auditor is of the opinion that a council may fail to comply with the requirements of the Act, or if the Department directs the Auditor to carry out an inspection, then the Auditor may carry out a special inspection of the council. Such inspections may relate to some or all of a council's functions. Before deciding whether to inspect, the Auditor must consult the Department. Where the Auditor is minded to inspect and has stated this in an assessment report, the Auditor must consider any response made by the council.

67. Where the Local Government Auditor undertakes a special inspection, a report will be issued to the council and the Department. This will set out any matters in which the authority is failing or may fail to comply with the Act.

Published annual Improvement reports

68. From 2016-17, and thereafter for each financial year, the Auditor will publish an annual improvement report on each council which:

- summarises the reports relating to section 95; and
- summarises or reproduces any special inspection reports that may have been undertaken.

69. Based on the work done during the year, the Auditor will consider, in light of the annual improvement report, whether to make a recommendation to the

Department to give a direction to the council under section 100, or exercise any other Auditor functions in relation to the council.

70. The annual improvement reports will be available on the Northern Ireland Audit Office website and will be written in such a way as to make them accessible and meaningful to members of the public.

Co-ordination of audit and assessment work

71. The Auditor will produce a timetable for each authority setting out the dates and times during which Local Government Audit staff will undertake their work in relation to the council. The Auditor will consult with the council before setting the timetable. In producing the timetable, the Auditor will follow the principles of the Audit statement of practice. For example, the Auditor will ensure that the work of the other Audit Office functions are co-ordinated so that they are taken together and exercised proportionately.

72. The timetable will take all audit and inspection activities into account and attempt to establish a programme of activity that meets the needs of the council, the Auditor and the Department to provide public assurance and drive forward service improvements and fulfil the requirements of the Auditor's relevant functions. Once set, the Auditor and the council must take all reasonable steps to adhere to the timetable. Clearly it is in the council's interests that the Auditor is able to adhere to this timetable. It is, therefore, important that councils provide any requested support to the process.

The table below is a summary of the requirements for year one 2015/16:

Timetable for Performance Improvement activity 2015/16

1	Council to identify (at least one) performance improvement objective(s). These can form part of the council corporate plan, but must be in accordance with the criteria specified in the Act and easily identifiable as performance improvement objectives.	By 31 May 2015
2	Council to consult upon its performance improvement objective(s). This consultation can be achieved as part of the corporate planning process.	By 31 May 2015
3	Council to publish its performance improvement objective(s). This can be part of the publication of the council's corporate plan.	By 31 July 2015
4	Council must put in place a timetable and plan to develop and progress the specified performance improvement objective(s).	By 30 Sept 2015
5	<p>Local Government Auditor to ascertain:</p> <ul style="list-style-type: none"> • whether a council has published its performance improvement objective(s) within its Corporate Plan; • that each objective meets at least one of the seven relevant criteria; • that a consultation process has been conducted; and • whether a satisfactory timetable and plan is in place to develop and progress the specified performance improvement objective(s). <p>Local Government Auditor to issue a Letter of Assurance (to both council and the Department) which will provide his/her assessment of the council improvement activity outlined above for 2015/16.</p>	By 31 Oct 2015



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9 July 2015

PERFORMANCE IMPROVEMENT AUDIT AND ASSESSMENTS OF NEWRY, MOURNE AND DOWN DISTRICT COUNCIL FOR 2015

1. INTRODUCTION

- 1.1 The purpose of this letter is to set out the basis on which the Local Government Auditor (LGA) will conduct her programme of Performance Improvement audit and assessment work for 2015, as required in the statutory '*Guidance for Local Government Performance Improvement 2015*', (the Guidance) issued by the Department of the Environment (the Department). This will involve a limited performance *Improvement Assessment* in order to ascertain whether Newry, Mourne and Down District Council has met its statutory performance improvement responsibilities for the year, in line with the Guidance. It also sets out the respective responsibilities of the LGA (and her staff) and yourself, as Accounting Officer.
- 1.2 This programme of work will be conducted with the objective of the LGA expressing her opinion on whether the Council has made arrangements to secure continuous improvement in the exercise of its functions in the first introductory year. For this year the Department has directed the LGA to issue a 'Letter of Assurance' (to each council and the Department).

2. SCOPE OF THE PROGRAMME

- 2.1 The programme of work will be conducted in accordance with the Guidance for Local Government Performance Improvement 2015, which sets out how Part 12 of the Local Government Act (Northern Ireland) 2014 (the Act) is to be applied in its first year of implementation. In future years the programme of work will be amended to reflect changes in the Guidance as it becomes aligned to the full statutory requirements of Part 12 of the Act.
- 2.2 The LGA will perform the duties listed at paragraph 3.2.
- 2.3 The LGA may decide to include a summary overview of the performance improvement work carried out during the year in her Annual Report. This report is published in the year after the work is performed.

- 2.4 The LGA will have no further direct responsibility in relation to the performance improvement framework in 2015.

3. RESPONSIBILITIES OF AUDITORS

- 3.1 The LGA is responsible for reporting to the Council and the Department whether, in her opinion, it has made arrangements to secure continuous improvement in the exercise of its functions in the introductory year of roll out, as required by the Department's statutory Guidance (as outlined in paragraph 49 of the Guidance).
- 3.2 In arriving at this opinion, she will perform the following duties:
- ascertain whether the Council had published its performance improvement objective(s) within its Corporate Plan by 31 July 2015;
 - ascertain whether each of the Council's performance improvement objectives meets at least one of the seven relevant criteria listed in paragraph 12 of the Guidance;
 - ascertain whether a consultation process has been conducted by the Council in accordance with paragraphs 29-32 of the Guidance
 - ascertain whether the Council had a satisfactory timetable and plan in place, to develop and progress the specified performance improvement objective(s) in accordance with paragraph 47 of the Guidance, by 30 September 2015; and
 - issue a letter of assurance (to the Council and the Department) confirming whether the above activities have taken place by 31 October 2015.
- 3.3 There are no other performance improvement matters that the LGA has a responsibility to report on in her letter for the introductory year.
- 3.4 In order to maintain her independence the LGA is unable to provide guidance or advice to **Newry, Mourne and Down District Council** on the application of Part 12 of the Act or the Guidance.

4. THE PERFORMANCE IMPROVEMENT AUDIT PROCESS

- 4.1 The audit will be conducted in accordance with the Guidance (in so far as it applies to the introductory year) and with any relevant elements of LGA's current Code of Audit Practice i.e. those parts that do not specifically relate to the audit of financial statements.
- 4.2 The LGA will obtain a high level understanding of the **Newry, Mourne and Down District Council** current performance improvement systems and any other evidence that is relevant to enabling the LGA to reach an opinion on the matters outlined above. They shall expect to obtain such appropriate evidence as they consider sufficient to enable the LGA to draw reasonable conclusions.
- 4.3 The nature and extent of our procedures will vary according to an assessment of the supporting documentation provided by the Council.
- 4.4 We will request access to all documents which are due to be issued in accordance with the timetable for 2015-16 contained in the Guidance. We shall review any submitted supporting information for consistency and we will bring such inconsistencies to your attention so that they may be resolved prior to issuing the letter.

4.5 Management representations

- 4.5.1 As part of our audit process, we may request from management written representations on matters relevant to the audit where other sufficient appropriate evidence cannot reasonably be expected to exist, and where management may have made certain oral representations

4.6 Communications

- 4.6.1 It is expected in this first year of the programme that most of the work can be performed remotely. We will request information at the relevant times to be sent by email and this may be supplemented with telephone and/or face to face meetings with relevant officers.
- 4.6.2 At the end of the fieldwork and prior to issuing the letter of assurance, we will report to you on any relevant shortcomings or issues identified.

5. COUNCIL RESPONSIBILITIES

- 5.1 As Chief Executive of Newry, Mourne and Down District Council you are responsible for ensuring that the performance improvement duties under the Act and the Department's statutory Guidance are complied with.
- 5.2 You are responsible for making available, as and when required, all relevant documents and any related information. We are entitled to require from your officers such other information and explanations as we consider necessary for the performance of the LGA's duties.

6. FEES

- 6.1 There will be no fee payable for this initial performance improvement audit. From 2016 Fees will be calculated on the basis of the time spent on Newry, Mourne and Down District Council affairs, and on the levels of skill and responsibility involved. At the beginning of each year's audit we will estimate the cost of the work and inform the Council.

7. OTHER SERVICES

- 7.1 Under the Act, the LGA may carry out Special Inspections in relation to the Performance Improvement framework. Whilst the likelihood of Special Inspection in this introductory year is likely to be low (due to the high level nature of the work programme for the year) if a Special Inspection is required it will be subject to separate terms of reference, issued in advance of work commencing.
- 7.2 Where a Special Investigation is required it may not be possible to estimate the cost of work to be undertaken in advance.

8. OTHER MATTERS

8.1 Use of Report & Confidentiality

- 8.1.1 The letter of assurance is treated as a Report and with the exception of the Department, (and unless otherwise determined by the Department with the LGAs consent), must not be provided to third parties without the LGA's prior written consent. Such consent will be granted only on the basis that the letter is not prepared with the interests of anyone other than Newry, Mourne and Down District Council in mind and that neither the LGA, nor the NIAO accept any duty or responsibility to any other party as concerns the letter.

8.1.2 Should you wish to discuss any aspects of our work programme, please do not hesitate to contact me.

8.1.3 I should be grateful if you could:

- confirm acknowledgement of this letter and its content;
- provide me with contact details of the officer to which you have delegated responsibility for this audit; and
- bring this letter to the attention of the Council's Audit Committee.

Yours sincerely



Neil Gray
Director
For and on behalf of the Local Government Auditor

Summary of the Performance Improvement Requirements for 2015-16

ID	Performance Improvement Task	Timetable	Commentary
1	Council to identify (at least one) performance improvement objective(s). These can form part of the Council Corporate Plan but must be in accordance with the criteria specified in the Act and easily identifiable as performance improvement objectives.	By 31 May 2015	<ul style="list-style-type: none"> ▪ Governance Committee agreed the final version of the Corporate Plan (2015-19) at its Meeting on the 10 February 2015. Adopted by Council at a Special Meeting on the 12 February 2015. ▪ Corporate Plan explicitly states the objective to <i>“By 2019, transformed and modernised the Council, providing accessible and value for money services”</i>. ▪ In support of the achievement of this objective, the Governance Committee agreed to the selection of the integration of the Planning (service) with Building Control as the Council’s performance improvement objective in accordance with the new statutory requirements, at its Meeting on the 14 May 2015. Adopted by the Council at its Meeting on the 1 June 2015.
2	Council to consult upon its performance improvement objective(s). This consultation can be achieved as part of the corporate planning process.	By 31 May 2015	<ul style="list-style-type: none"> ▪ Extensive public, employee as well as political consultation undertaken between July 2014 & October 2014 as part of the development of the Corporate Plan.
3	Council to publish its performance improvement objective(s). This can be part of the publication of the Council’s Corporate Plan.	By 31 July 2015	<ul style="list-style-type: none"> ▪ Corporate Plan (2015-19) published & available for download from the 1 April 2015 on the Council website.

4	<p>Council must put in place a timetable and plan to develop and progress the specified performance improvement objective(s).</p>	<p>By 30 September 2015</p>	<ul style="list-style-type: none"> ▪ Project Initiation Document (PID) & project plan developed and agreed with Director of Regulatory & Technical Services in July 2015.
5	<p>Local Government Auditor to ascertain:</p> <ul style="list-style-type: none"> • Whether the Council has published its performance improvement objective(s) within its Corporate Plan; • That each objective meets at least one of the seven relevant criteria; • That a consultation process has been conducted; and • Whether a satisfactory timetable and plan is in place to develop and progress the specified performance improvement objective(s). <p>Local Government Auditor to issue a Letter of Assurance (to both Council and the Department) which will provide an assessment of the Council improvement activity outlined above for 2015-16.</p>		

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Letter re the UN's 70th anniversary

Carol Conlin to liam.hannaway

22/07/2015 20:38

Dear Liam Hannaway

Please find attached a letter of invitation to ask you and your Council to consider marking the forthcoming 70th anniversary year of the United Nations and of the United Nations Association. We would be grateful for your support in highlighting this special year.

Best wishes from Carol

Carol Conlin
Hon. Secretary
United Nations Association - N. Ireland



Letter to Liam Hannaway, Newry, Mourne and Down Council re 70th anniversary, 22 July 2015.doc


Liam

Shld this go to Comcail
or is this smethg
Chair can do.

Comhairle Ceantair an Iúir
Mhúrn agus an Dúin
Newry, Mourne and Down
District Council

Date 03 AUG 2015

Chief Executive
Liam Hannaway



Aisling

R. deby

Can you take Mary
SF + R



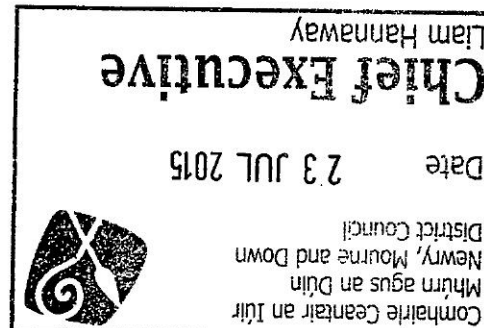
UNA NORTHERN IRELAND

Website: unani.weebly.com

Mr Liam Hannaway
 Chief Executive
 Newry, Mourne and Down Council

22 July 2015

Dear Mr Hannaway



We would like to invite you to join us in marking the 70th anniversary year of the founding of the United Nations (UN) organisation, starting from 24 October 2015.

The United Nations Association of Northern Ireland (UNA-NI), a branch and region of UNA-UK, is a non-governmental, voluntary organisation. We exist to encourage public and governmental support for the goals of the UN, to seek a safer, fairer and more sustainable world.

We are in the process of contacting a local school in your area and would request that representatives from that school, along with local UNA-NI members, could be present at a reception or meeting or photo call in the Council Office, at which you would be presented with a commemorative copy of the UN Charter for your Council.

The UN Charter declared that ‘We the Peoples of the United Nations determined:

- to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind and
- to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and
- to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and
- to promote social progress and better standards of life in larger freedom.’

We hope that you will consider participating in this historic year and we will give you more information, if required. You may be interested to know that we also hope to document local reaction to the implementation of the UN Charter on 24 October 1945, through seeking accounts, memories and photographs. We have asked local newspaper editors to carry our request for help in creating such an archive by inviting their readers to contact UNA-NI through our email address: unassocni@gmail.com.

Yours sincerely

Carol Conlin
 Hon. Secretary UNA-NI

Tel. 028 37522070

Judith Fawcett
 Chairperson UNA-NI

Tel: 028 90665063

29.05.2015

Future Council Improvements & Efficiencies

Liam Hannaway,
Chief Executive

Ag freastal ar an Dún agus Ard Mhacha Theas
Serving Down and South Armagh



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin
**Newry, Mourne
and Down**
District Council



Agenda

- Welcome, introductions & purpose
- Experiences of Donegal County Council
- Why is a programme needed in Newry, Mourne & Down?
- What might an effective programme look like & what actions are required locally?
- Agree next steps

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Experiences of Donegal County Council

Seamus Neely, Chief Executive



Why is a similar programme needed in NMD?

Eddy Curtis, SPP Director

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1. Stated Vision of LGR

- Strong dynamic local government
- Accessible, responsive, VFM services
- Vibrant, healthy sustainable communities

2. The Reality!

- Limited initial benefits arising from a reduction in Councils
- Are the resources which transferred sufficient?
- Uncertain financial future
- Significant people-related issues remain unresolved
- True transformational change has yet to begin

New local government districts

District index

- 11 new local government districts
- Antrim and Newtownabbey
- Mid and East Antrim
- Armagh, Banbridge and Craigavon
- Belfast
- Causeway Coast and Glens
- Derry and Strabane
- Fermanagh and Omagh
- Mid Ulster
- Newry, Mourne and Ards
- North Down and Ards
- Lifford and Castleisland



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The financial dilemma for NMD....

- Ambitious capital programme but need to find savings to keep rate low
- Declining resources – Stormont cuts only beginning to be felt
- Reduced investment – wider public expenditure cuts across the District
- Uncertain future - more radical cuts expected but detail unknown
- “Polyfiller” Council – increasing demand for Council intervention
- Reduced income – stagnating economy & ability of others to pay

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Newry, Mourne and Down District Council

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E.g. travel & transport etc.

E.g. various grants to external organisations / third parties

E.g. upkeep of our buildings & other property assets

E.g. loan repayments

E.g. procurement of various goods & services to assist with the delivery of Council functions

E.g. salaries & wages etc.



Other non-financial pressures

- Defining a new role & purpose
- Renewing & rationalising our infrastructure
- Integrating, standardising & improving our services
- Dealing with important legacy issues
- Meeting our ever-increasing statutory obligations

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Corporate Plan
2015-2019



Our Priorities
(Strategic Objectives)

To be true to our mission and realise our long-term vision for the development of our District, we have adopted the following eight priorities (see below). In the next section we have gone a step further and committed to a set of initiatives (a programme of work) that we believe will ensure that these priorities are met. We believe in delivery on the ground and have therefore been specific about translating our strategic intentions into actions capable of achieving measurable results.

By 2019, we will have:

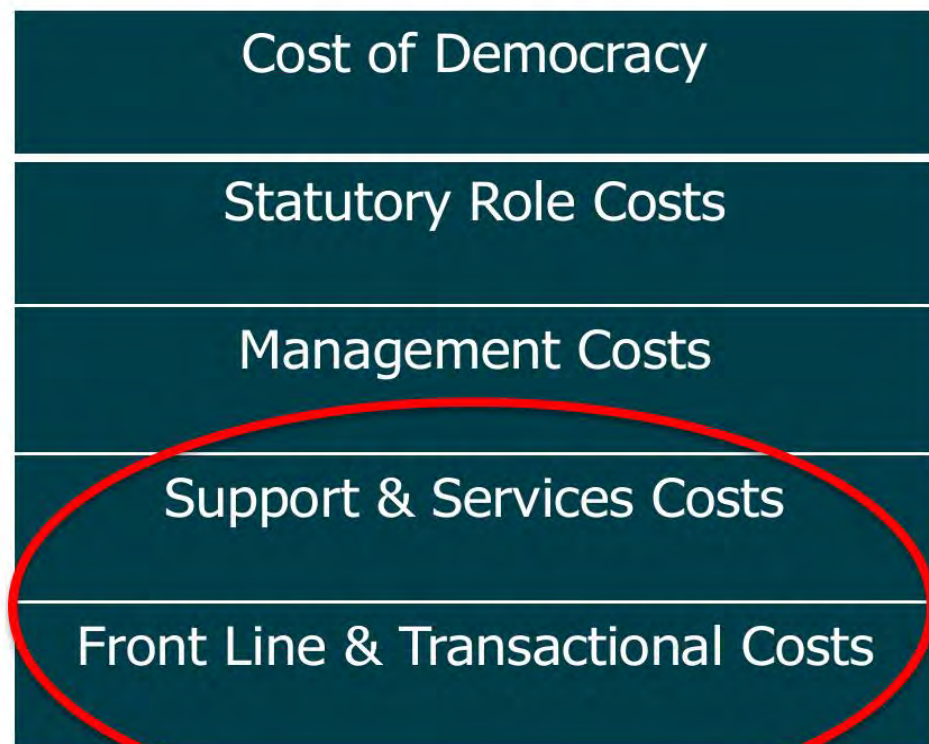
- | | | | |
|---|--|--|--|
| <p>1</p> <p>Become one of the premier tourism destinations on the Island of Ireland.</p> | <p>2</p> <p>Attracted Investment and supported the creation of new jobs.</p> | <p>3</p> <p>Supported Improved health and wellbeing outcomes.</p> | <p>4</p> <p>Protected our natural and built environment.</p> |
| <p>5</p> <p>Led the regeneration of our urban and rural areas.</p> | <p>6</p> <p>Advocated on your behalf specifically in relation to those issues which really matter to you.</p> | <p>7</p> <p>Empowered and improved the capacity of our communities.</p> | <p>8</p> <p>Transformed and modernised the Council, providing accessible as well as value for money services.</p> |

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Very little scope – reduce meetings?

Severely limited – non negotiable

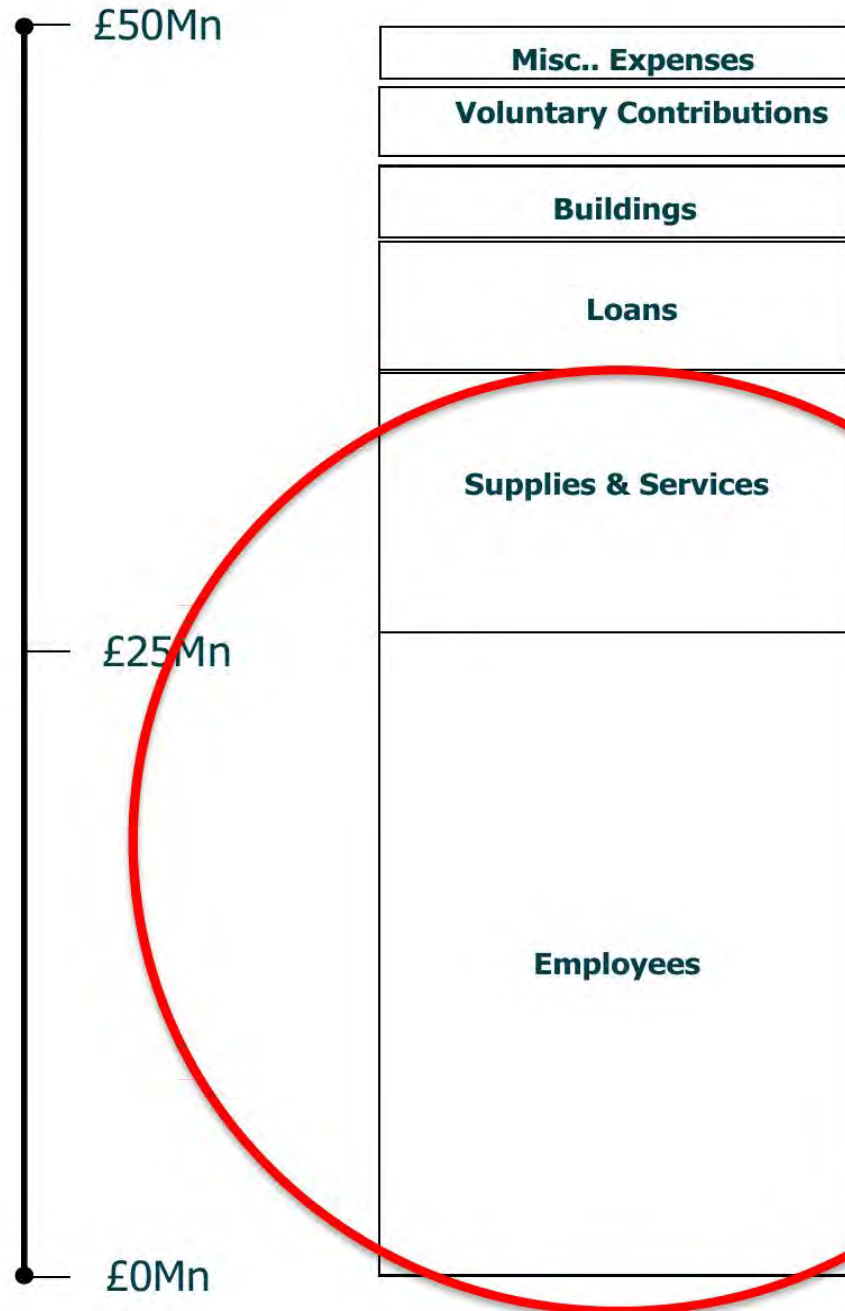
Limited – future restructuring

Real Scope – new ways of working

Real Scope – new systems, new specifications

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Limited scope

Some scope - what are the political implications?

Some scope – preventative maintenance, asset disposal etc.

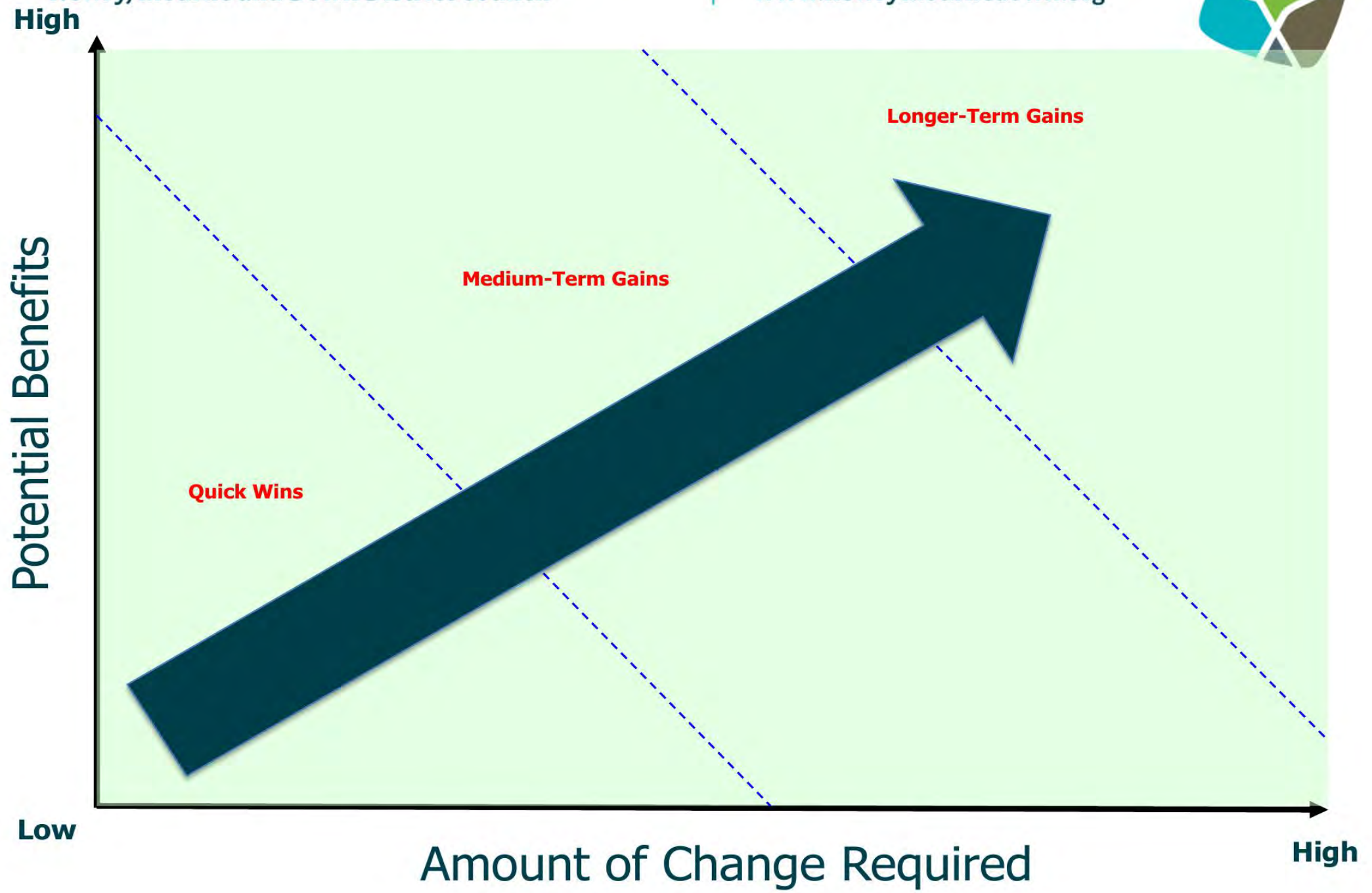
Limited scope – what alternatives financing arrangements are available?

Real potential – standardised specifications, joint procurement, reduced quality

Significant potential – new ways of working, improved processes, IT enablement, new service delivery models, leaner structures, corresponding reductions in payroll

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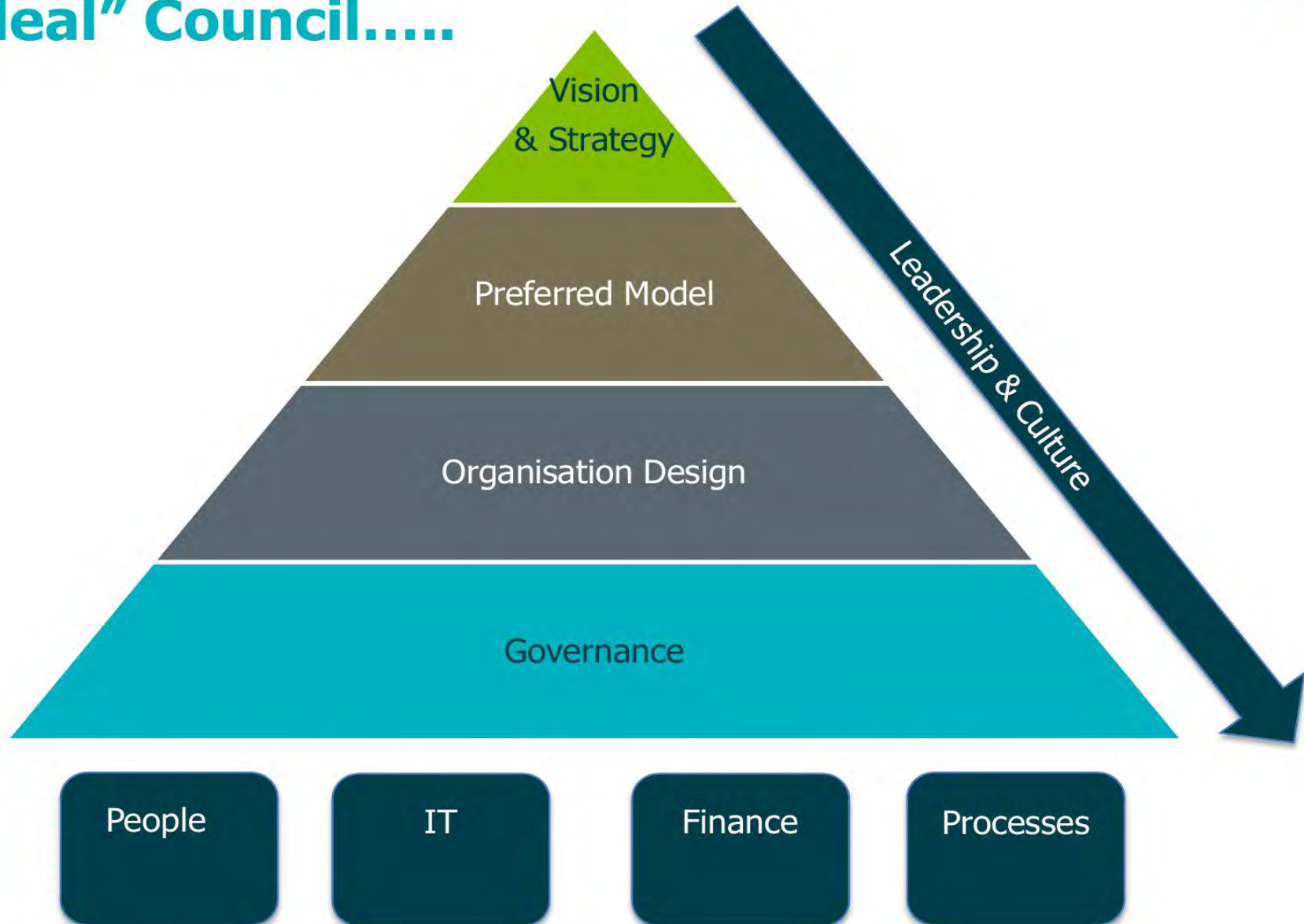


What might an effective programme look like & what actions are required locally?

Johnny McBride, Change Manager



An "ideal" Council.....





What strategic approaches / choices are available?

- “Same for less”
- “More for the same”
- “More for more”
- “More for less”



But what are the challenges?

- Political & managerial buy-in
- Capacity & the resources needed to drive the change
- Competing demands & business as usual
- Inertia, barriers & lethargy
- Increasingly uncertain financial environment



What can we learn from best practice?

- Get the vision right – longer-term view of how Council will operate & how resources used
- Strong political & managerial leadership is key!
- Difficult to achieve without resources – invest to save
- Planned & managed approach



Recommended next steps

- Establish Member Working Group / Board – explore the key issues in more detail & make recommendations to Council
- Comprised – Chairs of 4 x Standing Committees + single rep from each of the Groupings on Party Reps Forum
- Vision – authorise Officers to begin to develop this work
- Rates – Party Groupings to begin to consider indicative rates targets for 2016/17 & beyond

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Review & Close

Liam Hannaway, Chief Executive

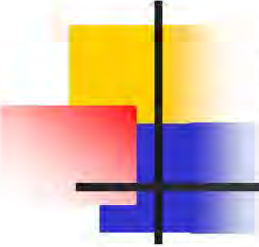


Local Government Efficiency Measures – Drivers & Outcomes

Focusing on the Period 2006 – 2012

**Seamus Neely
Chief Executive
Donegal County Council**

29th May 2015



Overview of Workshop

- Need to reduce costs
- Areas targeted
- Decisions required
- Approach taken
- What's Different?
- Stakeholder Roles & Engagement
- Resourcing the Work
- Lessons learned

Context

Revenue Expenditure 2006 - 2012



■ 2006	€168.017m
■ 2007	€174.197m
■ 2008	€176.086m
■ 2009	€156.867m
■ 2010	€153.671m
■ 2011	€153.180m
■ 2012	€140.123m
■ 2013	€133.123m

■ **Total** **€1.25Bn**

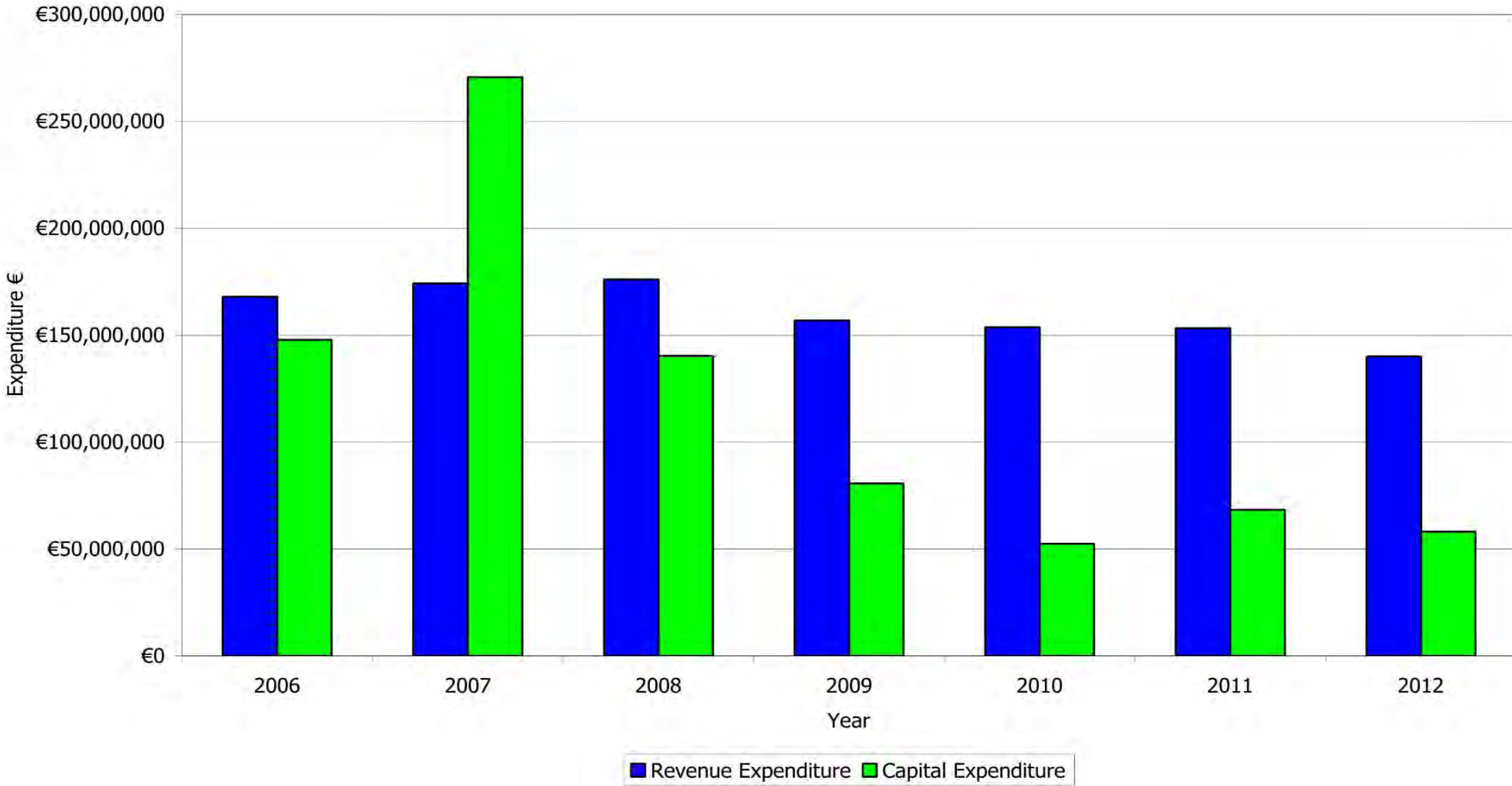
Context

Capital Expenditure 2006 - 2012

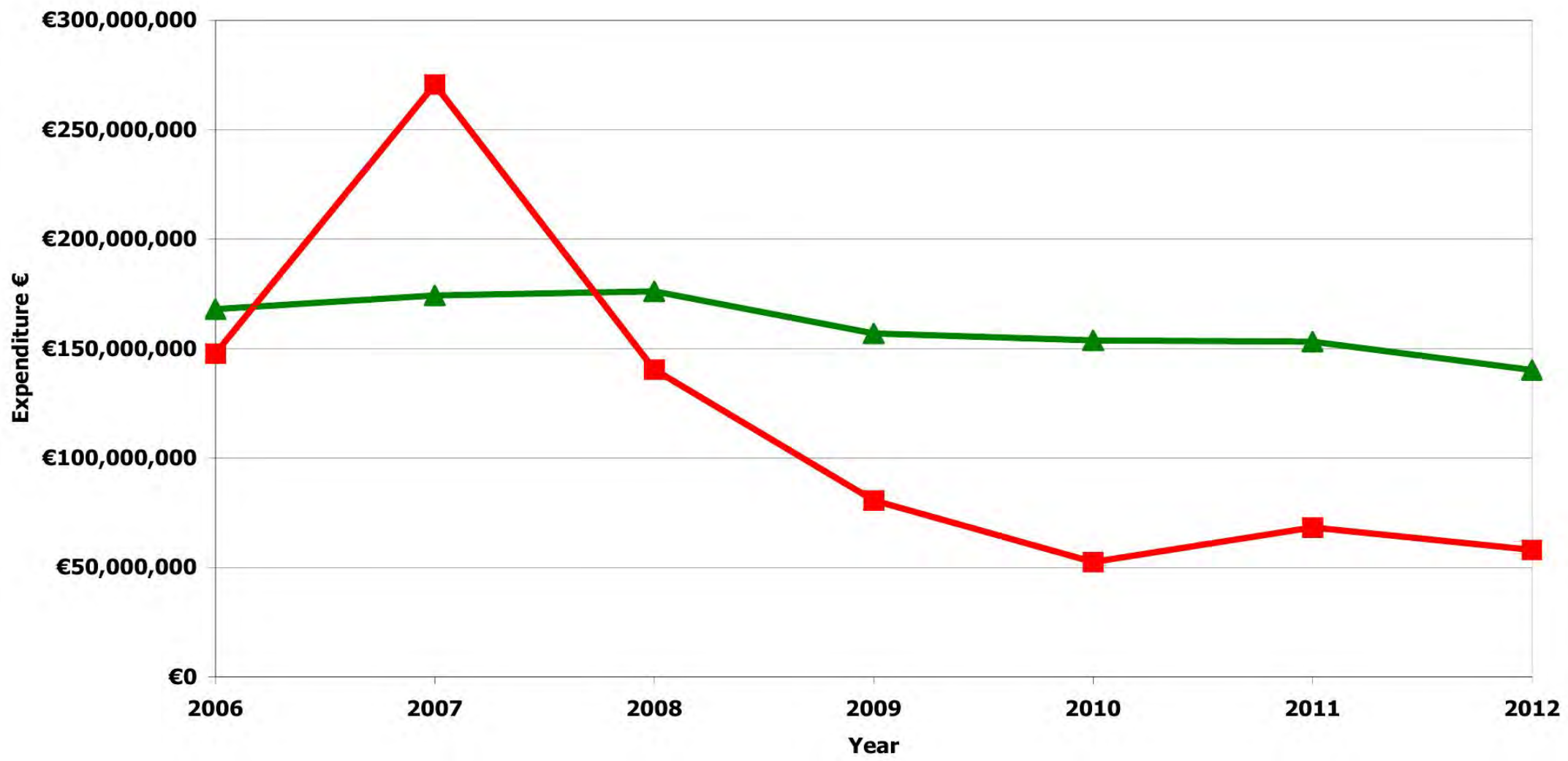


■ 2006	€147.758m
■ 2007	€270.670m
■ 2008	€140.336m
■ 2009	€ 80.625m
■ 2010	€ 52.415m
■ 2011	€ 68.275m
■ 2012	€ 58.021m
■ Total	€0.818 Bn

Revenue and Capital Expenditure 2006-2012



Revenue and Capital Expenditure 2006-2012



Revenue Expenditure Capital Expenditure

Why the need to reduce Costs / Find Efficiencies?



- Capital Debt / Revenue Deficit
- Reductions in Local Government Fund
- Collapsing Revenues
 - Planning Fees
 - Rates & Charges
 - Reductions in Government Grants
 - Reduction in Capital Spend
- Funding Redundancies
- Sustaining the Organisation

Income

Main Drivers Examined

- Local Government Fund
- County Rates
- Commercial Water Charge
- NPPR
- Rents
- Planning Fees
- Capital Programme



Expenditure

Main Drivers Examined

- Salaries & Wages
- Pensions
- Gratuities
- Loan Charges

LGF Analysis

2008 - 2012

LGF Recd by Year

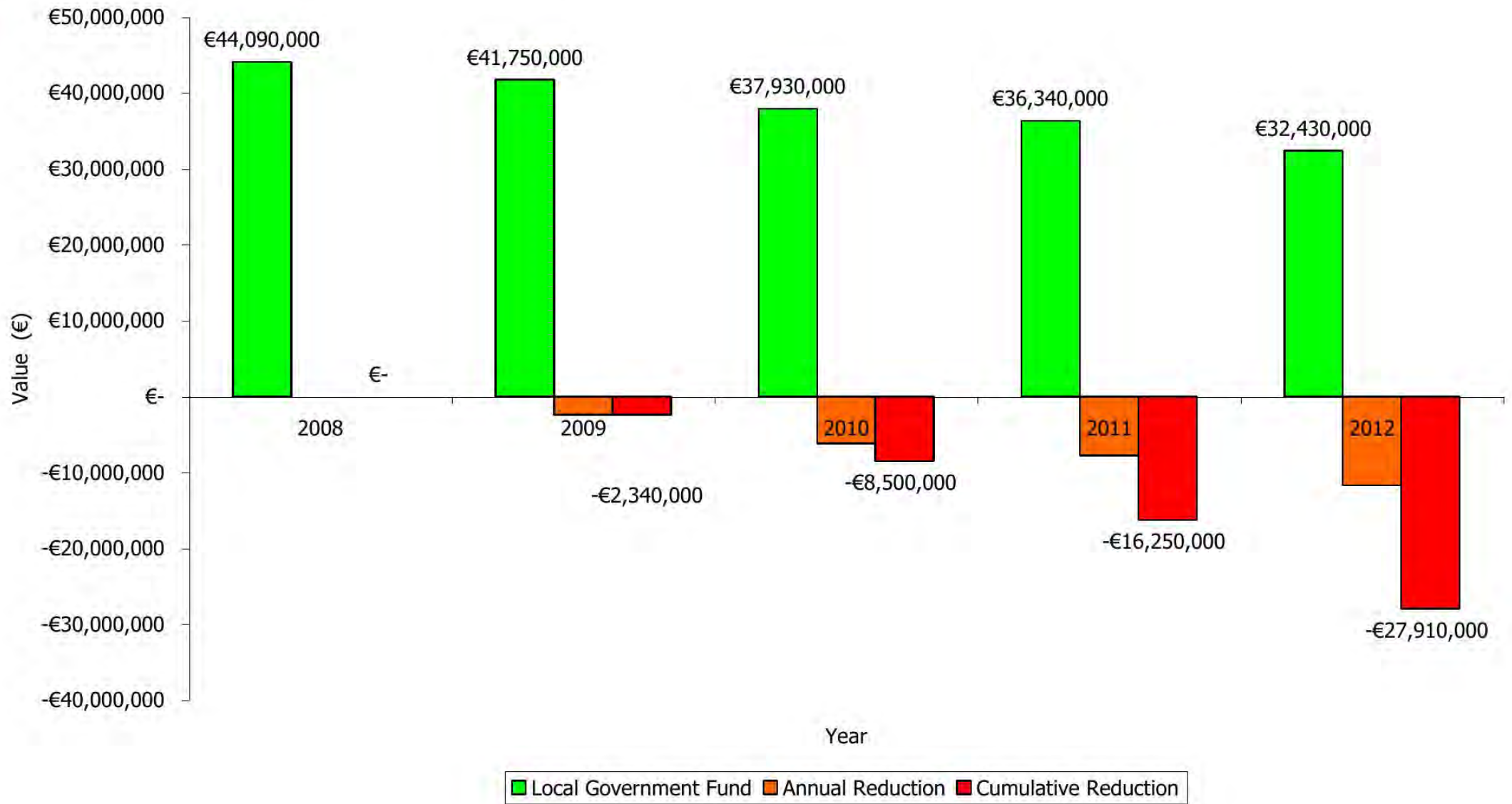
- 2008 - €44.09 m
- 2009 - €41.75 m
- 2010 - €37.93 m *
- 2011 - €36.34 m
- 2012 - €32.43 m

**€0.971 payroll*

Cumulative Reduction

- €0
- €2.34 m
- €8.50 m
- €16.25 m
- €27.91 m

Local Government Fund Analysis 2008-2012



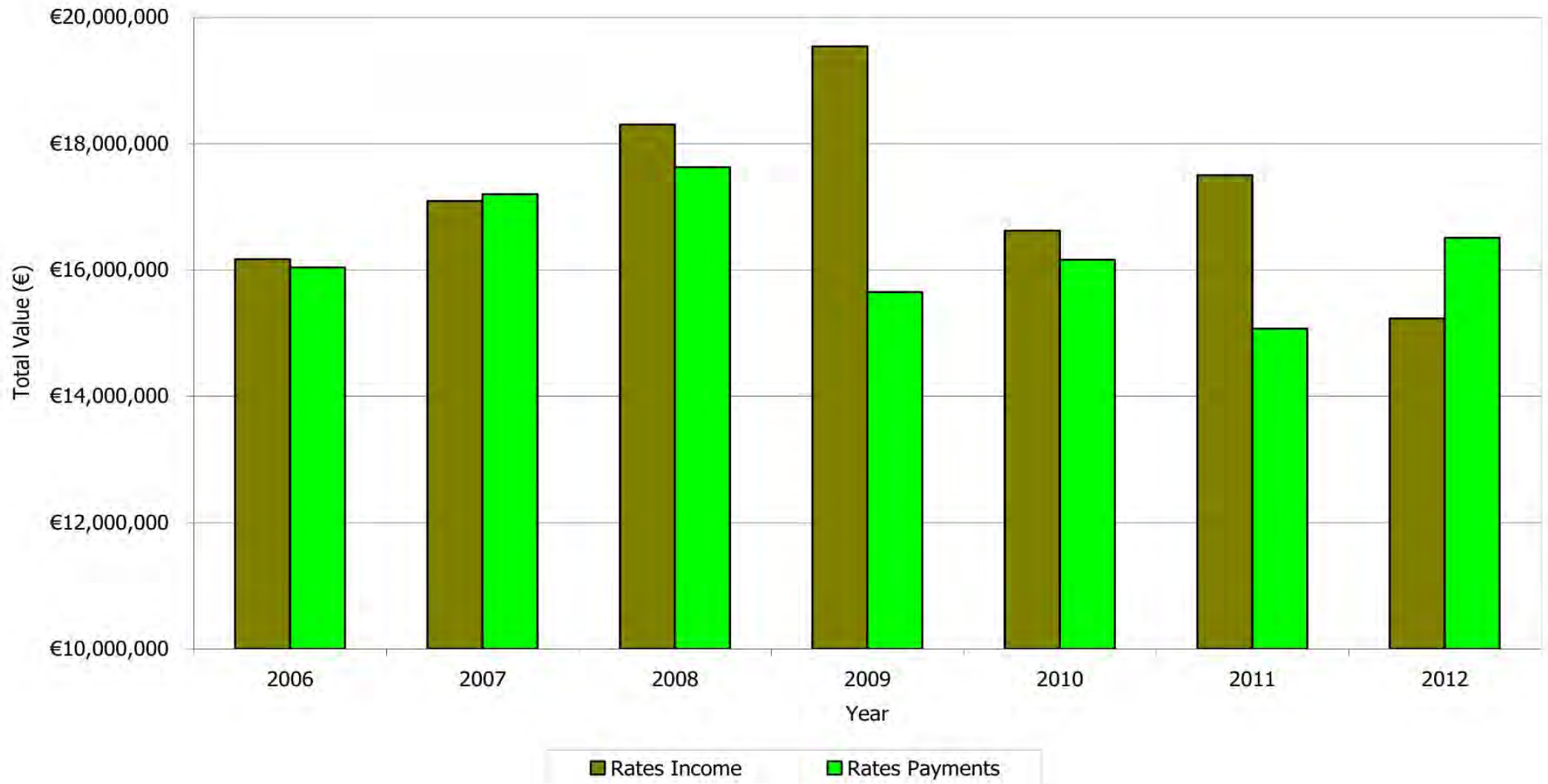
County Rates Analysis

Income vs Cash Collected 2006- 2012

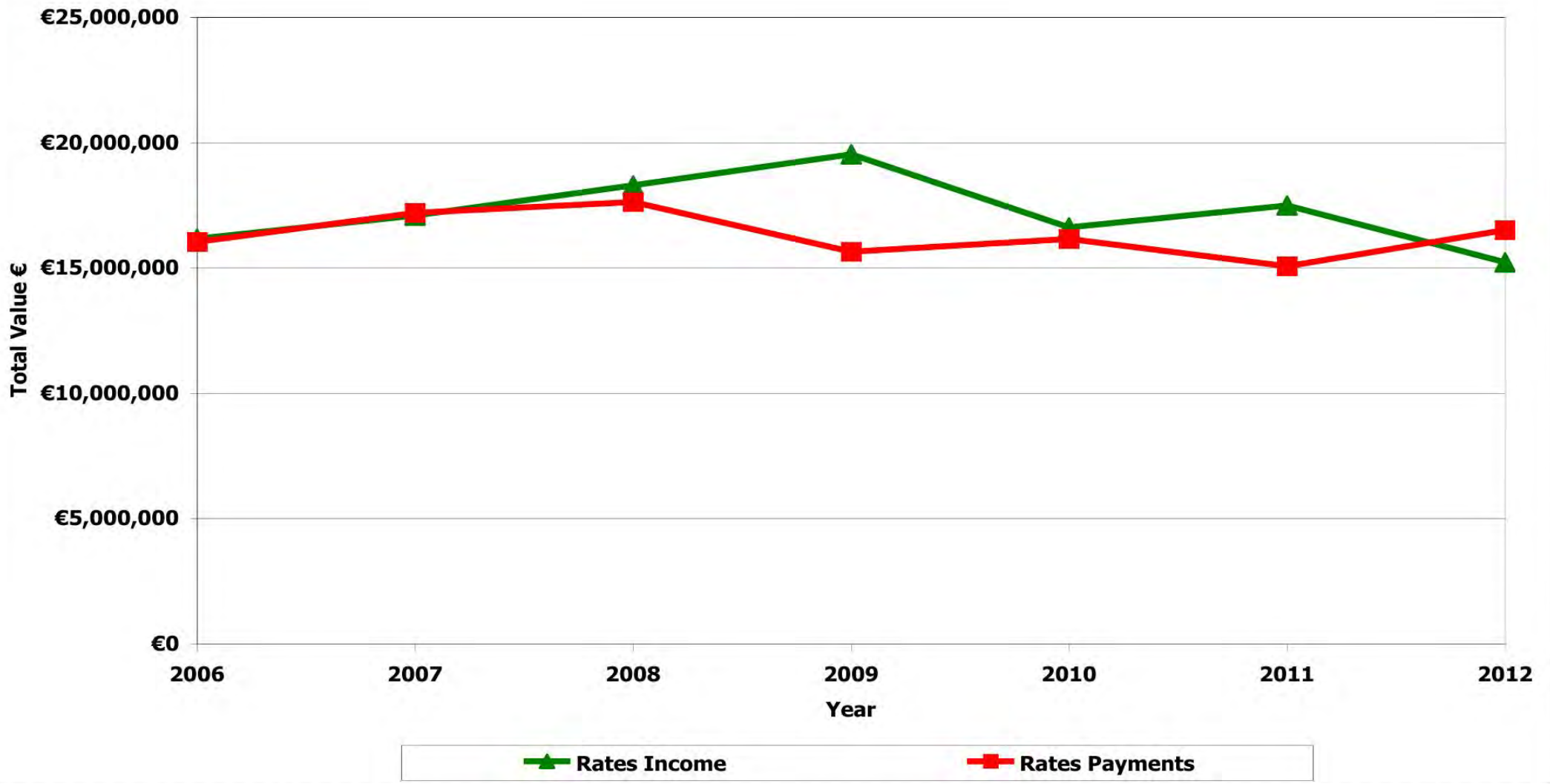


Yr	ARV	Income by Year	Payments by Year
2006	€69.85	€16.17m	€16.04m
2007	€72.29	€17.09m	€17.20m
2008	€74.46	€18.30m	€17.63m
2009	€74.46	€19.54m	€15.65m
2010	€72.23	€16.62m	€16.16m
2011	€69.70	€17.50m	€15.07m
2012	€69.70	€15.23m	€16.51m

County Rates Analysis 2008-2012



County Rate Anaysis 2006-2012



County Rates

Arrears Analysis 2008 - 2012

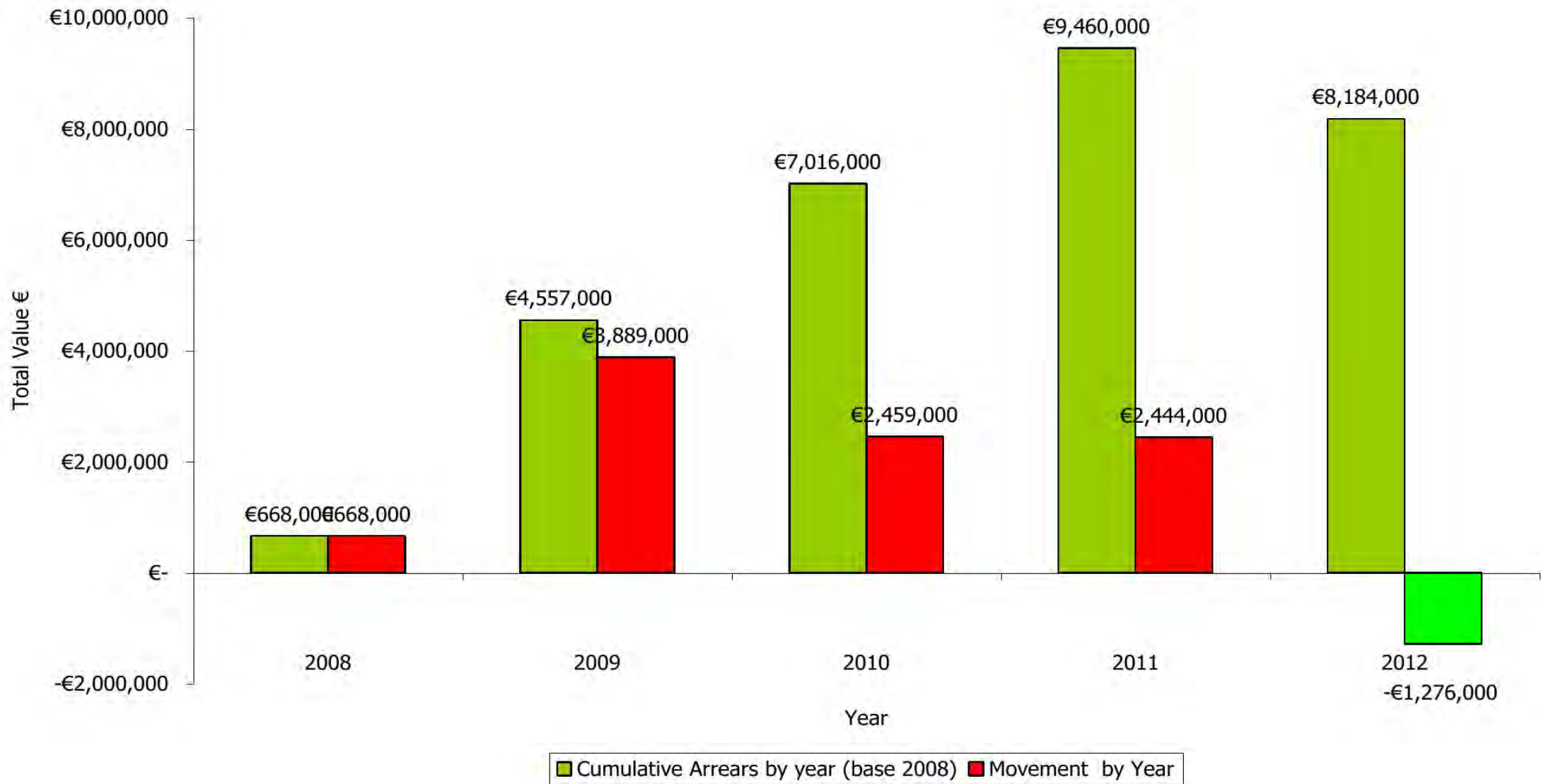
Movement by Year

2008	€0.668m
2009	€3.889m
2010	€2.459m
2011	€2.444m
2012	- €1.276m

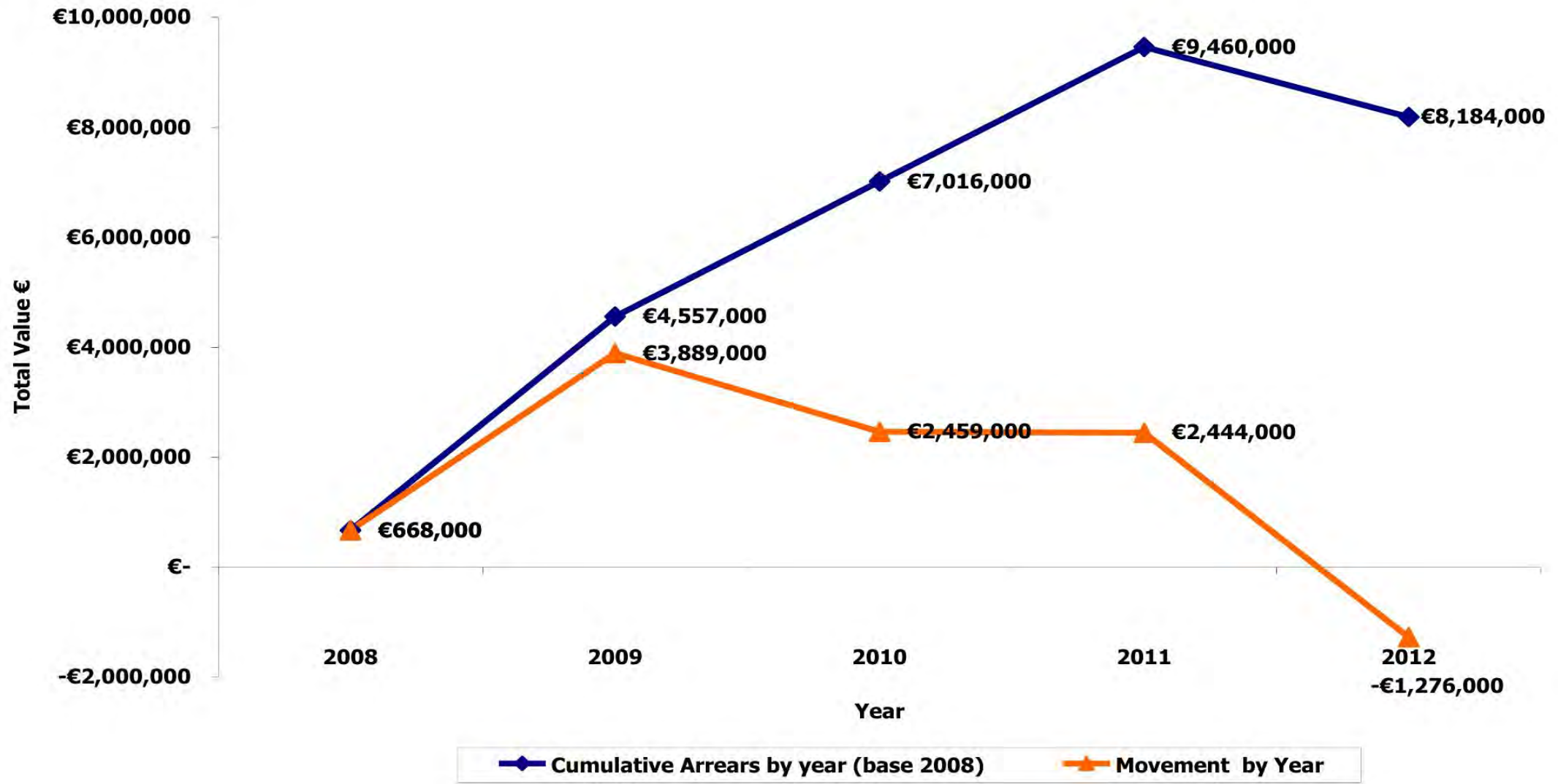
Cumulative Arrears by Year (base 1/2008)

€0.668m
€4.557m
€7.016m
€9.460m
€8.184m

County Rates Arrears Analysis 2008-2012



County Rates Arrears Analysis 2008-2012



County Rates

Accrual Change Analysis 2009 - 2012

Peak Net Accrual Year 2009 = Base Year

- 2009 Cumulative Reduction €0.000m
- 2010 Cumulative Reduction €0.919m
- 2011 Cumulative Reduction €2.966m
- 2012 Cumulative Reduction €7.280m

Water Charge Analysis

Income vs Cash 2006- 2012

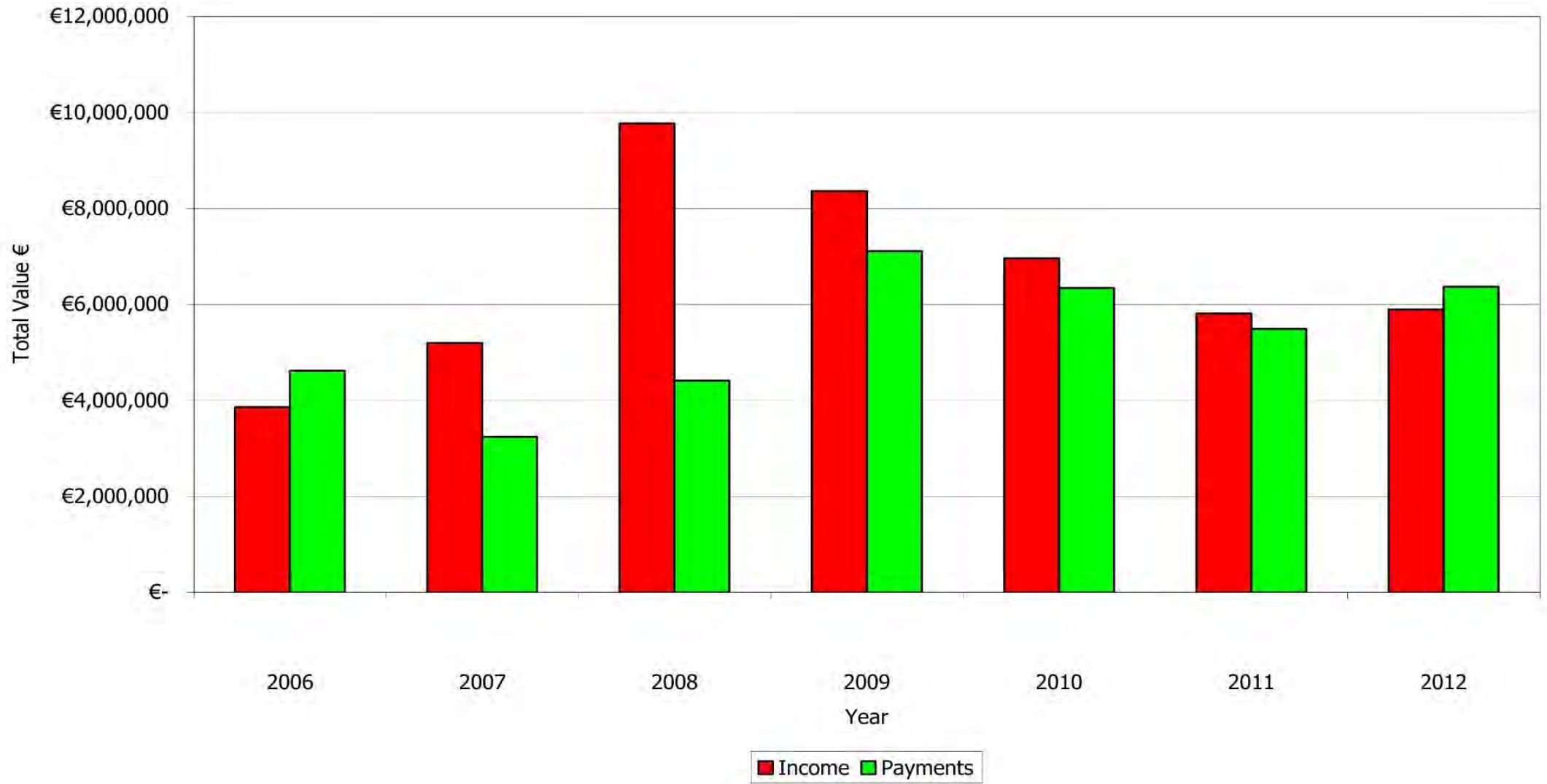
Income by Year

- 2006 - €3.86 m
- 2007 - €5.20 m
- 2008 - €9.77 m
- 2009 - €8.36 m
- 2010 - €6.96 m
- 2011 - €5.81 m
- 2012 - €5.90 m

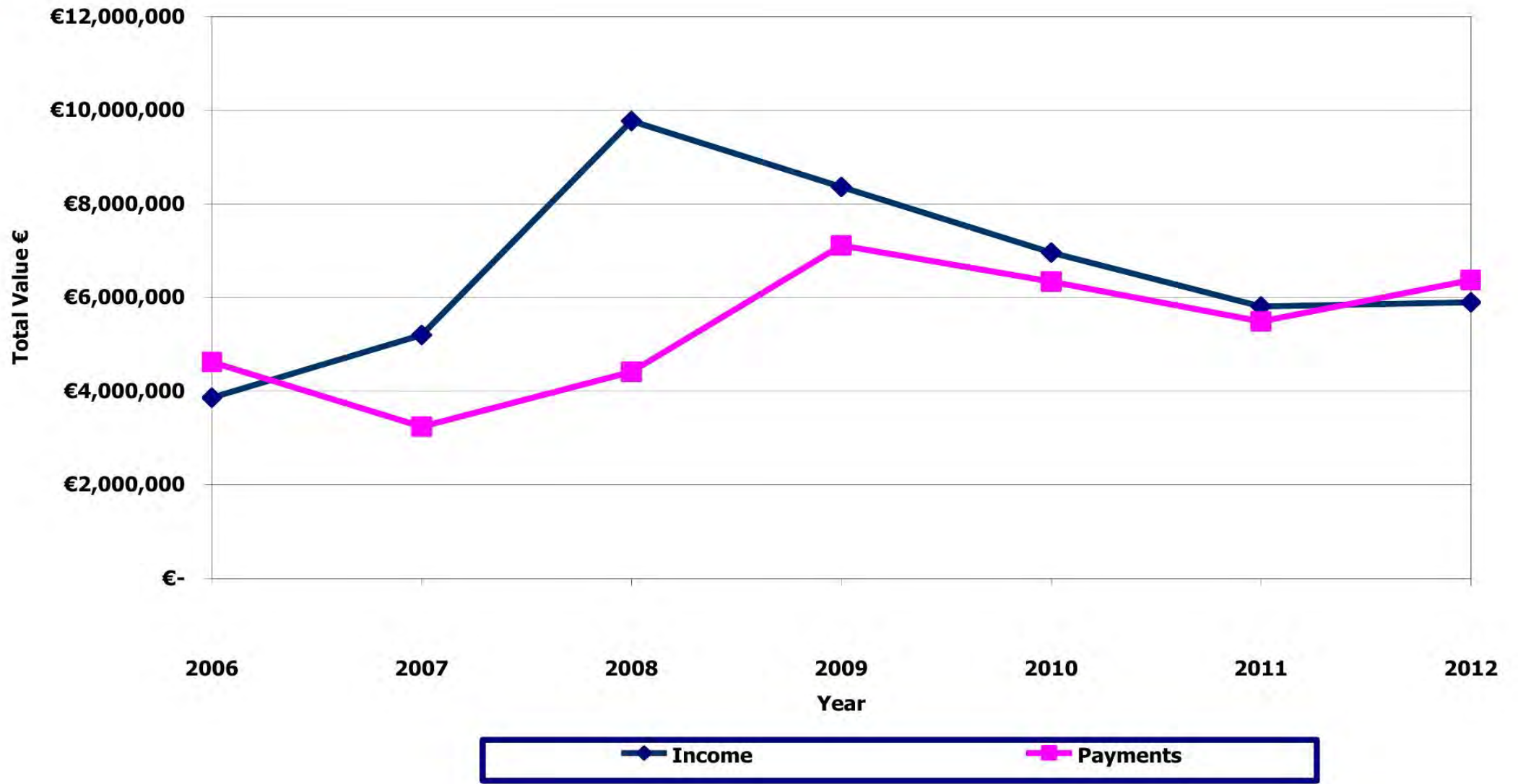
Payments by Year

- €4.62 m
- €3.24 m
- €4.41 m
- €7.11 m
- €6.34 m
- €5.49 m
- €6.37 m

Commercial Water: Income vs Cash



Commercial Water: Income vs Cash



Commercial Water

Arrears Analysis 2006 - 2012

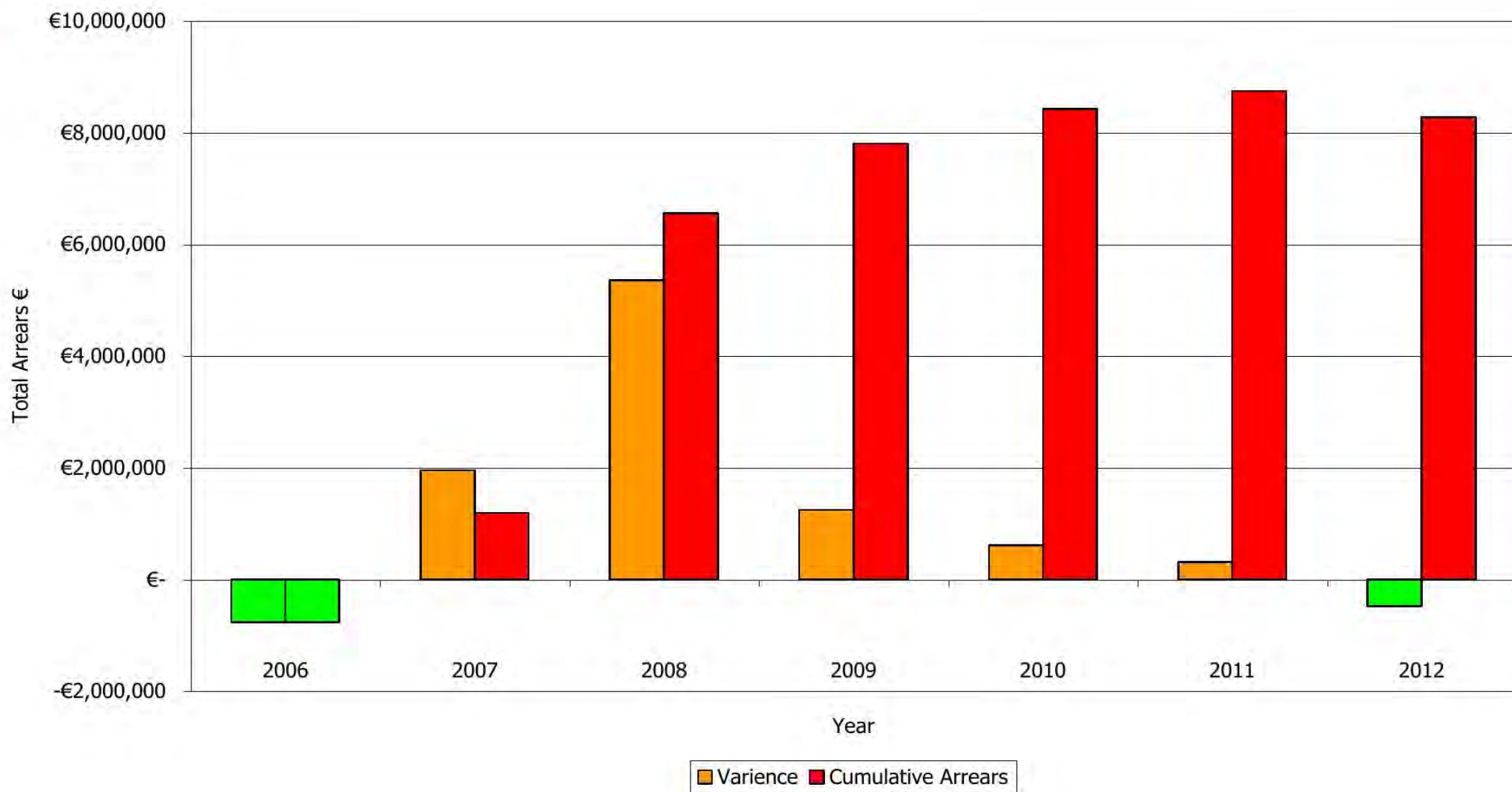
Movement by Year

- 2006, - €0.76 m
- 2007, €1.96 m
- 2008, €5.35 m
- 2009, €1.24 m
- 2010, €0.62 m
- 2011, €0.32 m
- 2012, - €0.46 m

Cumulative Arrears

- - €0.76 m
- €1.20 m
- €6.56 m
- €7.80 m
- €8.43 m
- €8.75 m
- €8.28 m

Commercial Water: Arrears Analysis 2006 - 2012



NPPR

Income 2009 - 2012



■ 2009	€2.040m
■ 2010	€2.580m
■ 2011	€3.481m
■ 2012	€3.927m

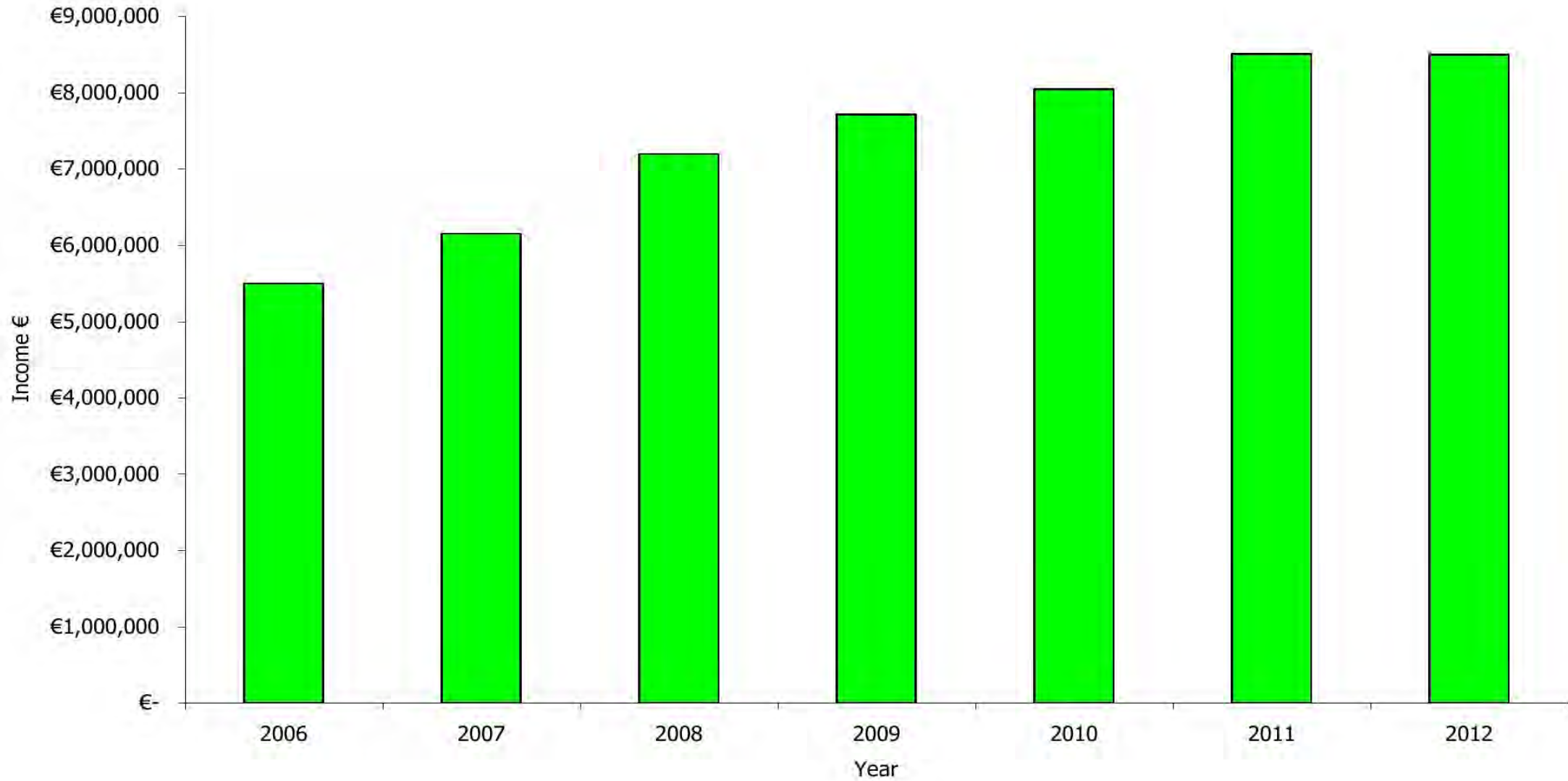
Rent

Income 2006 - 2012



■ 2006	€5.498m
■ 2007	€6.149m
■ 2008	€7.197m
■ 2009	€7.712m
■ 2010	€8.042m
■ 2011	€8.508m
■ 2012	€8.500m

Rent Income 2006-2012



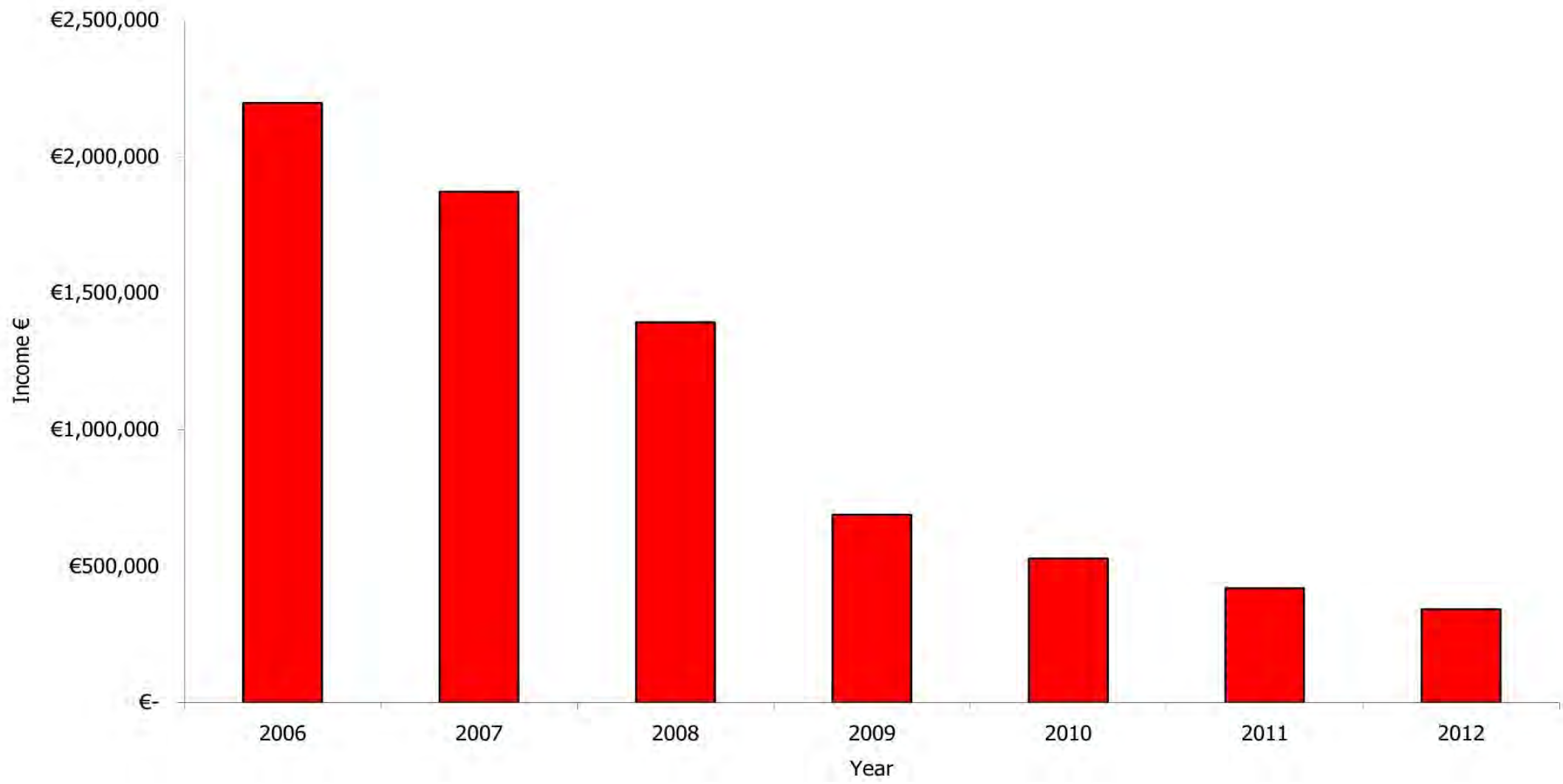


Planning Fee

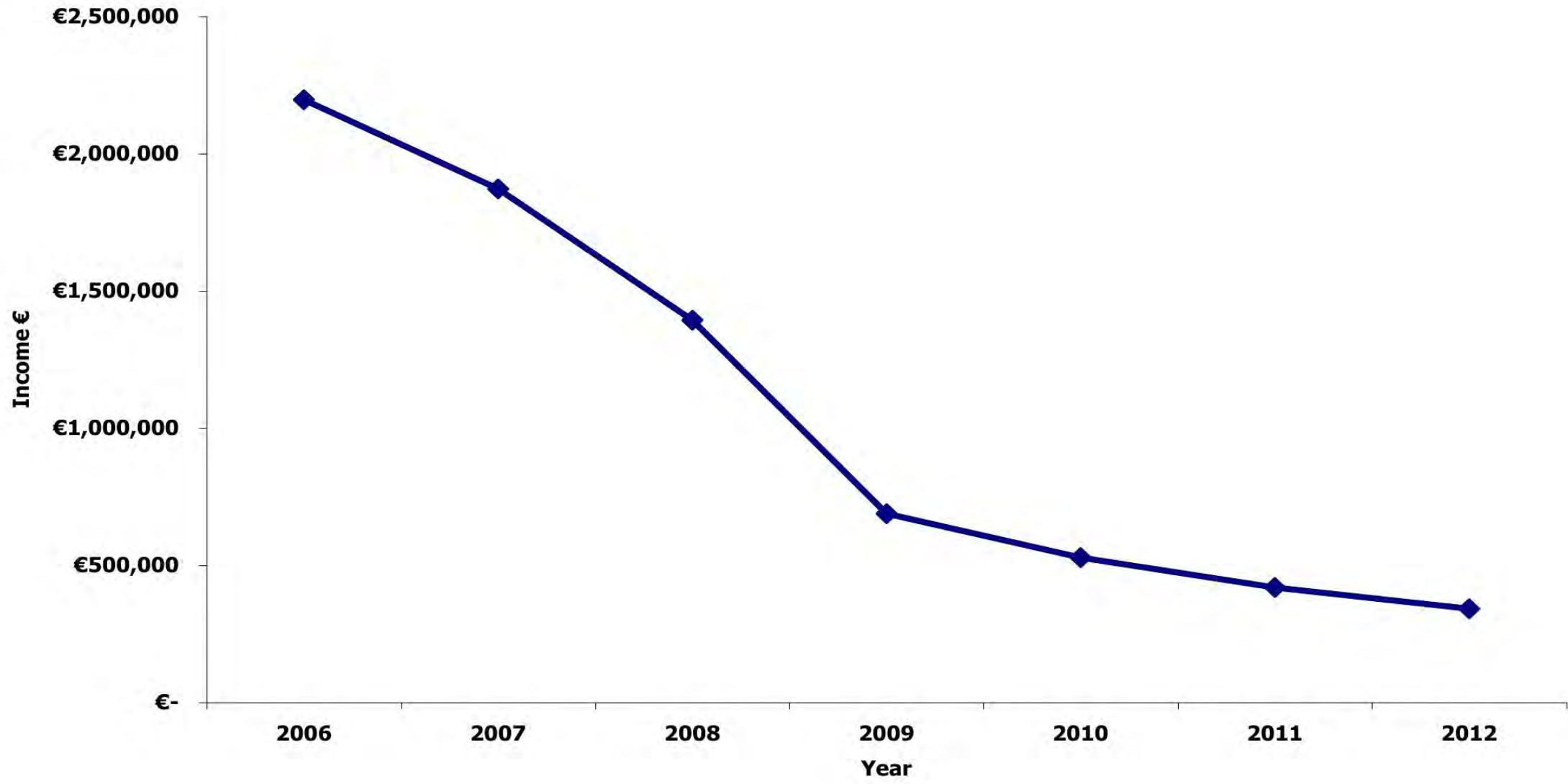
Income Analysis 2006 - 2012

■ 2006	€2.197m
■ 2007	€1.872m
■ 2008	€1.393m
■ 2009	€0.688m
■ 2010	€0.528m
■ 2011	€0.419m
■ 2012	€0.341m

Planning Fee Income 2006-2012



Planning Fee Income 2006-2012



Summary of Reduced Income

Period to 2012

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LGF	2008 - 2012	€27.91m
Rates	2009 - 2012	€7.28m
Planning	2006 - 2012	€7.94m
Capital	2008 - 2012	€15.00m
Gratuity ex/over	09 & 12	€3.75m
Total		€61.88m

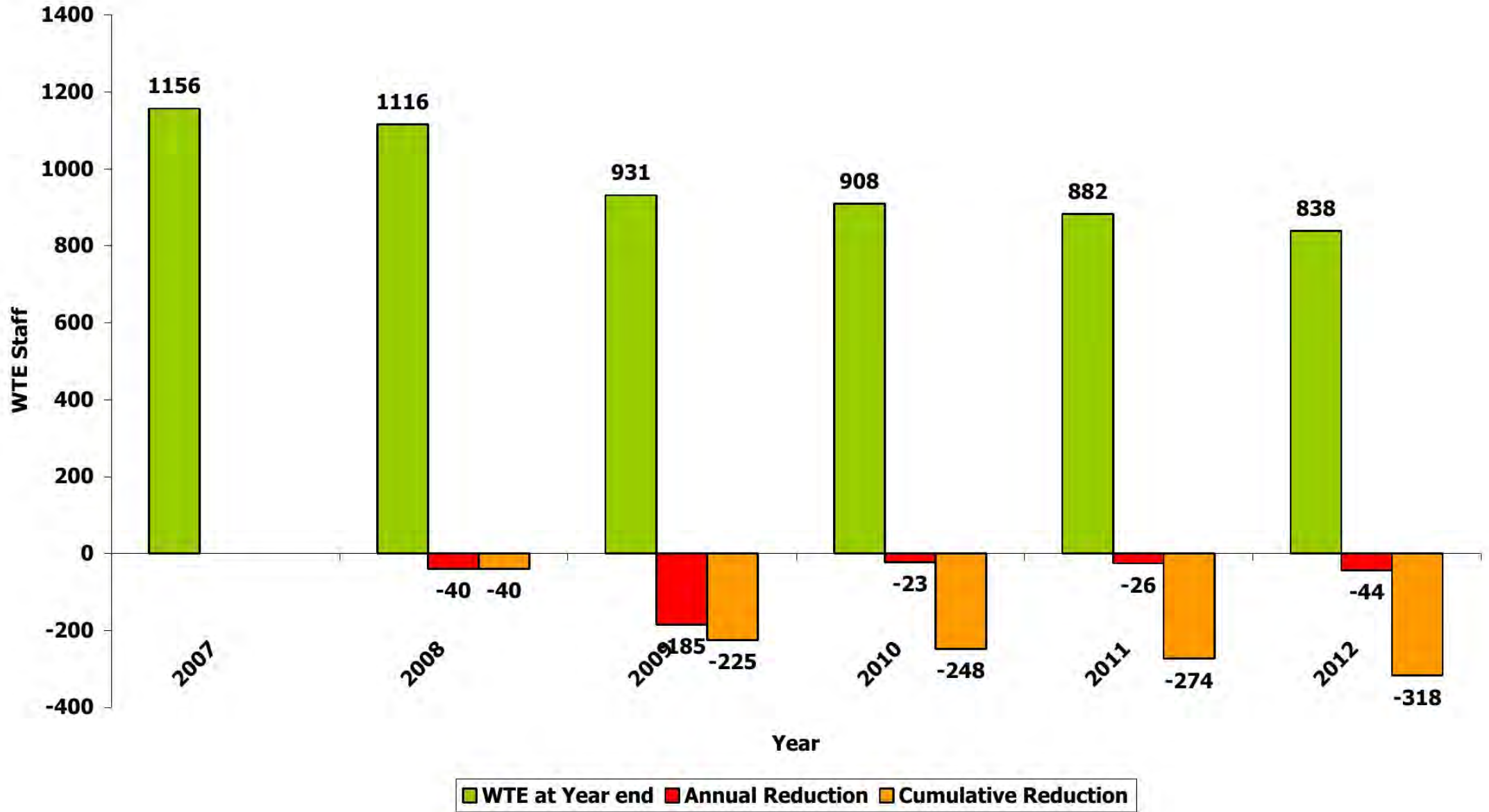
Staffing Numbers Movement

(WTE) Analysis 2008- 2012

363

Yr	No @ 1/1	No @ 31/12	Reduction	Cumulative
2008	- 1156	1116	40	40
2009	- 1116	931	185	225
2010	- 931	908	23	248
2011	- 908	882	26	274
2012	- 882	838	44	318

WTE Staff Numbers: 2008-2012



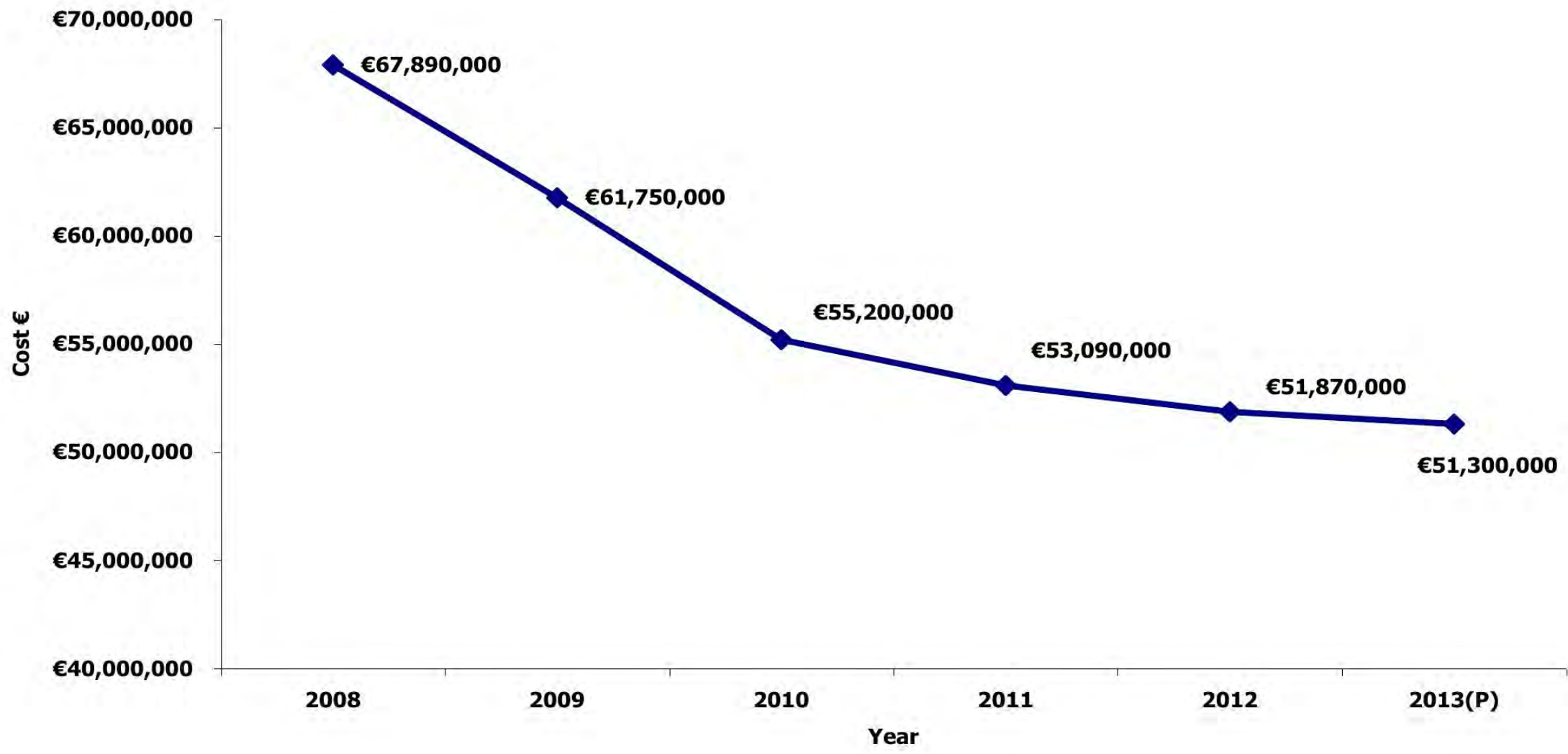
Payroll Costing

Analysis 2008- 2012

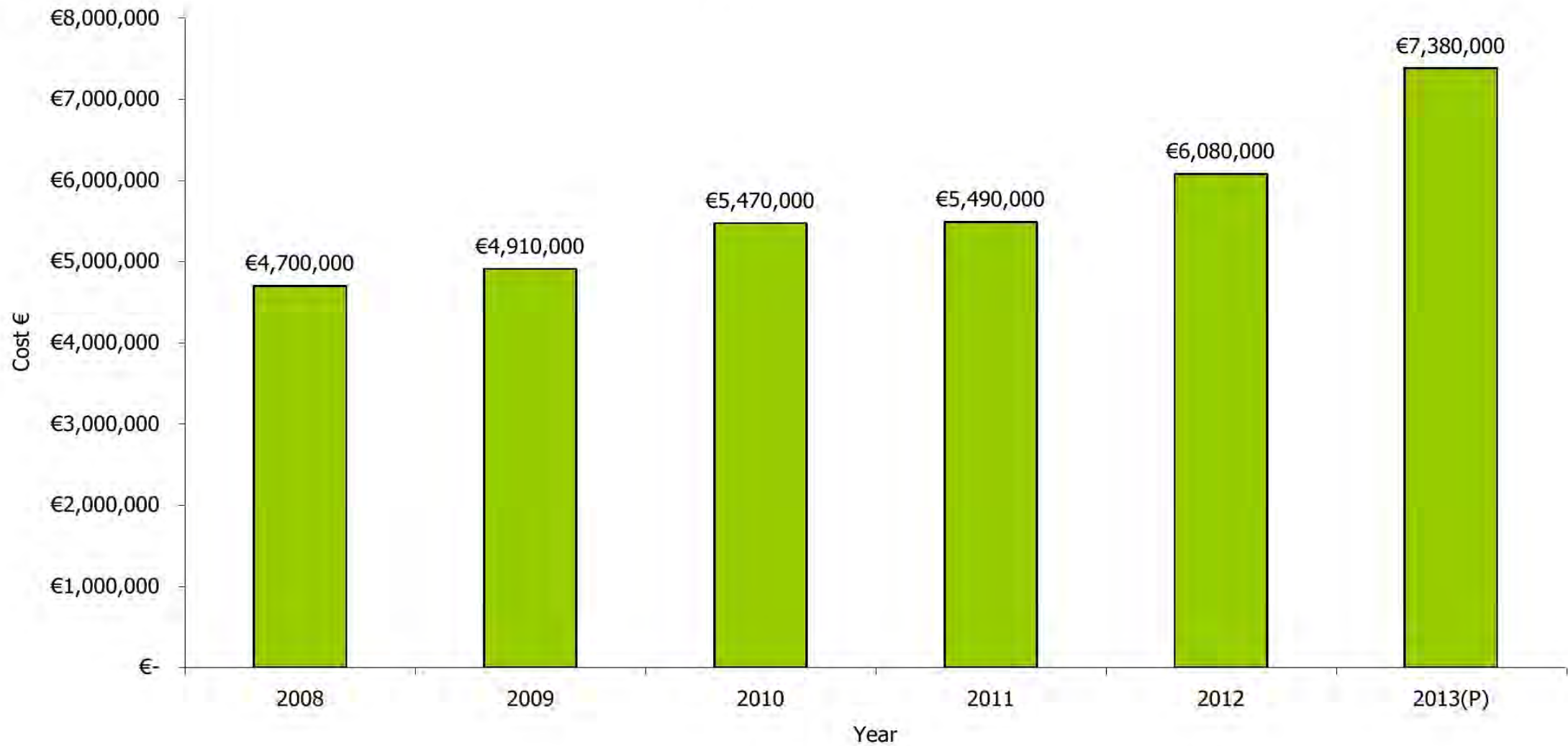


Yr	Wages/Salary	Pensions	Cumulative Reduction by Yr
2008	€67.89m	€4.70m	€0.00 m
2009	€61.75m	€4.91m	€5.93 m
2010	€55.20m	€5.47m	€17.85 m
2011	€53.09m	€5.49m	€31.86 m
2012	€51.87m	€6.08m	€46.50 m
2013	€51.30m	€7.38m	€60.41m

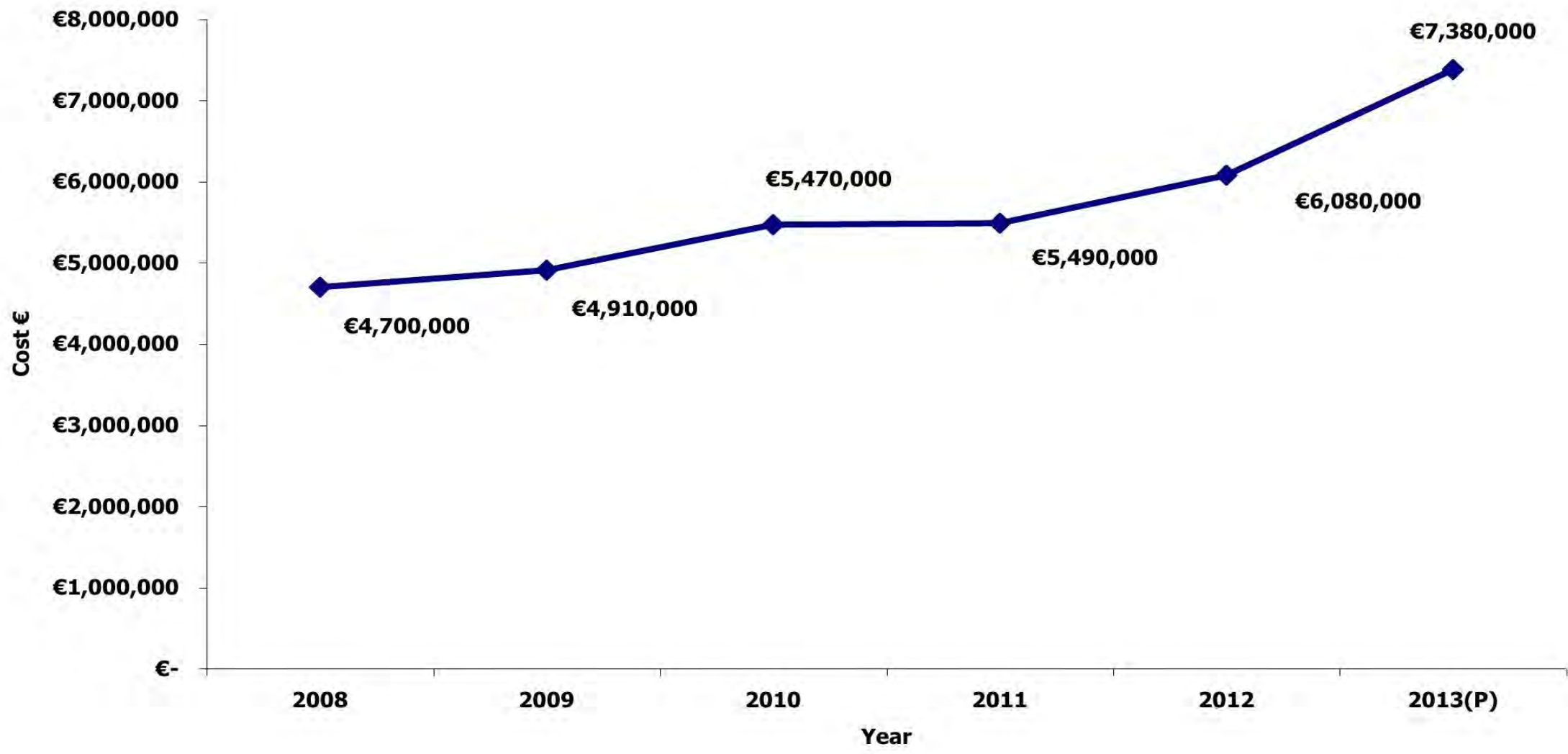
Wages and Salaries: 2008-2012



Pensions: 2008-2012



Pensions: 2008-2012



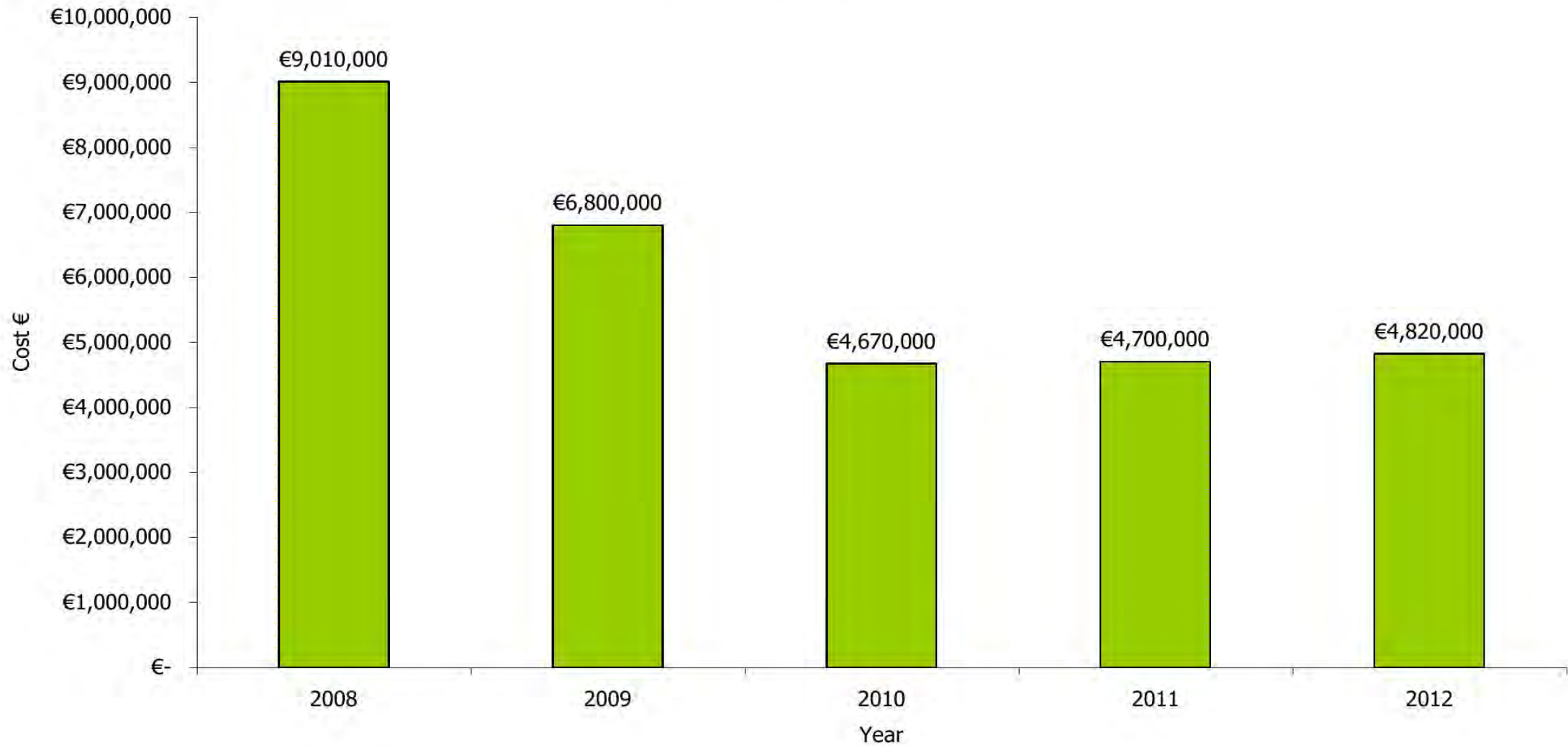
Payroll Costing

Capital Chargeability Analysis 2008- 2012



Yr	Capital Recharge	Cumulative Reduction by Yr
2008	€9.01m	€0.00m
2009	€6.80m	€2.21m
2010	€4.67m	€6.55m
2011	€4.70m	€10.86m
2012	€4.82m	€15.0 m

Capital Rechargeable Wages and Salaries: 2008-2012



Gratuity Cost

Analysis 2008- 2012



Year	Gratuity Cost	Cumulative Gratuity Cost Per Yr
2008	€1.49m	€1.49m
2009	€3.10m	€4.59m
2010	€1.20m	€5.80m
2011	€1.38m	€7.19m
2012	€2.56m	€9.75m

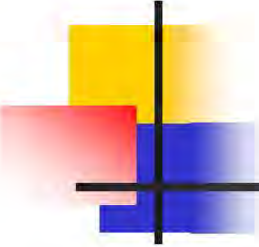
Gratuity Cost Analysis: 2008-2012



Cumulative Pay Reductions 2008 - 2012

373

€60.41 million



Loan Book 1/1/2013

Mortgage Loans	€25.196m
Non Mortgage ex Water	€95.512m
Non mortgage Water	€49.410m
Total	€170.118m



Loan Charges

Analysis 2007-2012

2007	€ 9.615m
2008	€11.172m
2009	€ 9.743m
2010	€ 8.306m
2011	€ 9.180m
2012	€ 9.557m

Loan Charges- Non Mortgage 376

Full Cost Predictions 2013-2020

2013	**€ 10.460m
2014	* € 11.004m
2015	* € 8.855m
2016	* € 7.180m
2017	* € 7.052m
2018	* € 7.040m
2019	* € 6.364m
2020	* € 6.370m

* Includes Water for comparative purposes

** Includes €3.699m of principal deferred



Approach Taken

- Reduction In Staffing Numbers
 - Annual Cost Reductions €15 million
 - Headcount reduction 500+
- Streamlining Operations
 - HQ & 5 significant district offices
- Restructure Capital Debt
- Aggressively targeted External Funding
- Targeted Shared Service Provision



Approach Taken

- Commitment to Maintaining Services
- Increased resources in Sourcing External Monies
- Critically Analysed Everything Purchased
- Established Partnerships
- Worked Closely with:
 - Community
 - Business
 - Other Agencies



Shared Services

- Computer Services – Evolved since 1970s
- Human Resources
- Industrial Relations
- National Pay Negotiations etc
- General Governance development etc
- Second Home Charge
- Local Property tax
- Septic Tank registration

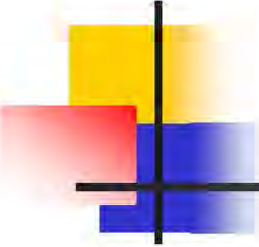


Shared Services

- Waste Collection Permitting
- Waste Planning
- Veterinary Services
- Roads Management
- Payroll & Superannuation
- Procurement & Frameworks
- Water Services Transition Office
- Sectoral Engagement

Implications of Changes in Local Government Generally

381

- 
- Irish Water;
 - Changed Role
 - Changed Responsibility
 - Changed Funding Arrangements
 - National Authority
 - Implications for Staff
 - Implications for Asset Base
 - Change of scale

Implications of Changes in Local Government Generally

382

- General;
 - Transition from LGF to LPT
 - Future of NPPR
 - Advent of Municipal Districts
 - Revised Role in Enterprise
 - Shared Services
 - Local, Regional, National
 - Across entire Public Sector
 - Examples
 - The New Council



Engaging Stakeholders

- Council Membership
- Management
- Staff & Unions
- Government Departments
- Business & Community
- Citizens Generally
- Clarity of Plan
- Clarity of Roles & Expectations



Other Simultaneous Changes

- Cost reductions
- Transfer of Water Function
- Abolition of Town Councils
- Set up of New Council
- Set up of Municipal Districts
- New Enterprise Function
- New Role in Community Funding
 - SICAP
 - LEADER & Rural Development

Resourcing the Change Programme

- Internal Only
- Significant Role for Management
- Proactive Consideration by Council
- Project Teams
- Shared Services were a strong Support
- Very good support from Staff

Learning Points

- Time input Required – enormous
- Don't Understate
- Value of ongoing engagement
- Stakeholders need to be kept informed
- Work will impact on regular business!
- Shared services do work
- It's point of service and quality that matters most

Agenda Item:	
Report to:	Strategic Planning and Resources Committee Meeting
Subject:	Office of Chairperson – intern positions
Date:	13 August 2015
Reporting Officer:	Liam Hannaway, Chief Executive
Contact Officers:	Eileen McParland, Democratic Services Manager Catrina Miskelly, Assistant Director Corporate Services (Human Resources)

Decisions Required

Members are asked to consider the report's contents and grant approval to proceed on the basis outlined.

1.0 Purpose & Background

1.1 The purpose of this report is to outline proposals for recruitment of 2 Temporary Interns to the office of the Chairperson.

2.0 Key Issues

2.1 On her appointment as the first Chairperson of Newry, Mourne and Down District Council, Councillor Bailie advised of her intention to create an internship during her term of Office.

2.2 Discussion has taken place between Council Officers and the Chairperson on this matter and it is proposed that the Council seek to appoint 2 x 20 hour positions, with the Internships running concurrently with the Chairperson's remaining term of office. It is proposed that one post holder is based in the Corporate Communications department (Downshire), with the second in Democratic Services (Newry). Duties will include assisting with the Chairperson's civic and ceremonial role and supporting her social media profile and activity.

2.3 These proposals were discussed with Party Representatives at their meeting on 29 June 2015 where it was requested that additional information be provided and a report presented to Committee for consideration.

2.4 Following the request for additional information, contact was made with training providers in Downpatrick and Newry who have confirmed that they would potentially have people on relevant training programmes with them who would benefit from the opportunity of a 20-hour contract of this type.

2.5 Creating these intern positions affords an opportunity to the Council for suitable individuals to gain valuable work experience, develop skills and strengthen their CV's, learn about local government and the role the new Councils play in society. The whole ethos of internship is that **learning** will form an important part of the process and it is therefore proposed that these opportunities will provide hands-on training, real

	experience and mentoring opportunities.
2.6	In turn the Council and Chairperson will also gain from the assistance provided by people interested in gaining insight into the Council and who may have new perspectives, fresh ideas, strengths and skills to bring to the role.
3.0	<u>Resource Implications</u>
3.1	Each of the proposed posts will be subject to the Council's terms relating to student/work placements and remunerated at Scale 1b spinal column point 6, currently £13614 per annum (based on a 37 hour working week FTE pro-rata) as per Council policy (spinal column point 5 will be deleted as from 01 October 2015 as per National Agreement).
3.2	Officers will investigate whether these internships might be eligible to receive funding which would off-set costs associated with these positions however, in the current financial environment, the availability of government funded schemes to training providers and similar is under review and cannot be guaranteed.
4.0	<u>Appendices</u>
	None

Agenda Item:	
Report to:	Strategic Planning and Resources Committee Meeting
Subject:	DOE Draft Local Government Reorganisation (Compensation for Diminution of Emoluments) Regulations (Northern Ireland) 2015, Consultation Document, For Noting & Approval
Date:	13 August 2015
Reporting Officer:	Catrina Miskelly, Assistant Director Corporate Services (Human Resources)
Contact Officer:	Catrina Miskelly, Assistant Director Corporate Services (Human Resources)

Decisions Required

Members are asked to note the contents of the consultation document and agree to the proposed response from the Council.

1.0 Purpose & Background

- 1.1 The purpose of this report is
- a) to draw Members attention to the above consultation document regarding the proposed regulations to provide a specified period of protection to a person who experiences a reduction in remuneration as a result of transferring to another post as alternative to redundancy, under local government reform.
 - b) to seek agreement from the Committee to provide the suggested consultation response to DOE.

2.0 Key Issues

- 2.1 The key issues are contained within the consultation document and proposed response appended to this report.

3.0 Resource Implications

- 3.1 Where 'pay protection' applies, affected employees would be in receipt of a higher rate of pay than a post would otherwise attract for the marked time period.
- 3.2 These regulations would facilitate the retention of experienced local government employees who wish to remain in employment with the council rather than take redundancy.
- 3.3 The consultation identifies that by avoiding the need for redundancy payments and encouraging councils to retain existing employees in new jobs, the Regulations would benefit staff, employers and the ratepayer.

4.0 Appendices

- I. The Draft Local Government Reorganisation (Compensation for Diminution of Emoluments) Regulations (Northern Ireland) 2015, DOE Consultation Document, dated 19 June 2015
- II. Newry, Mourne and Down District Council proposed consultation response



Department of the
Environment
www.doeni.gov.uk

**The Draft Local Government Reorganisation
(Compensation for Diminution of Emoluments)
Regulations (Northern Ireland) 2015**

Consultation Document

19 June 2015

**DRAFT LOCAL GOVERNMENT REORGANISATION
(COMPENSATION FOR DIMINUTION OF EMOLUMENTS)
REGULATIONS (NORTHERN IRELAND) 2015**

This Consultation Document seeks views on the draft Local Government Reorganisation (Compensation for Diminution of Emoluments) Regulations (Northern Ireland) 2015.

Comments should be sent by 13 August 2015 to:

**Local Government Policy Division 1
Department of the Environment
4th Floor, Causeway Exchange
1-7 Bedford Street
Town Parks
Belfast, BT2 7EG**

E-mail: LGPDConsultations@doeni.gov.uk

Textphone 028 9054 0642

The following people will be able to answer queries in relation to the draft regulations:

Name	E-mail	Telephone
Lynn McCracken	lynn.mccracken@doeni.gov.uk	028 9082 3393
Peter Gregg	peter.gregg@doeni.gov.uk	028 9082 3396

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**DRAFT LOCAL GOVERNMENT REORGANISATION
(COMPENSATION FOR DIMINUTION OF EMOLUMENTS)
REGULATIONS (NORTHERN IRELAND) 2015**

PURPOSE OF THE CONSULTATION DOCUMENT

1. The Local Government Act (Northern Ireland) 2014 (“the 2014 Act”) makes provision for payment of compensation for loss of office or diminution of emoluments which is attributable to any provision made as a result of the reform of local government. Section 123(2) provides for the Department to make regulations under Article 19 of the Superannuation (Northern Ireland) Order 1972 (the 1972 Order) for the purpose of the payment of compensation in respect of diminution of emoluments.

2. The Department of the Environment is seeking comments on its proposal to make the Local Government Reorganisation (Compensation for Diminution of Emoluments) Regulations (Northern Ireland) 2015, under Article 19 of the 1972 Order. The purpose of the proposed regulations is to provide a specified period of protection to a person who suffers diminution of emoluments as a consequence of local government reorganisation in Northern Ireland. If circumstances should arise where a person transfers to a new post that would result in a reduction of remuneration from that received in their previous post, then a specified period of remuneration protection shall be applied.

Local Government Reorganisation (Compensation for Diminution of Emoluments) Regulations (Northern Ireland) 2015

BACKGROUND

3. Section 123 of the 2014 Act allows for regulations to be made under Article 19 of the 1972 Order for the purpose of the payment of compensation for diminution of emoluments to any person who is employed by a local government body (means a council or joint committee of a council), and suffers a reduction of remuneration from that received in their previous post as a consequence of Local Government Reform.

THE DRAFT REGULATIONS

4. The proposed Local Government Reorganisation (Compensation for Diminution of Emoluments) Regulations (Northern Ireland) 2015 will set out the details, as required under Article 19 of the Superannuation (Northern Ireland) Order 1972.
5. The proposed Regulations will provide a bridging mechanism to compensate staff who wish to continue their careers in local government, in a role that attracts a lower rate of basic pay, allowances, pension benefits or bonuses rather than take redundancy if made available, due to reform.
6. There is a great deal of expertise in local government which new councils may not wish to lose. If employees wish to stay in local government, despite a potential reduction in pay as a result of local government reorganisation, these Regulations will ensure that they

are not disadvantaged in doing so for a specified period of time. By avoiding the need for redundancy payments and encouraging councils to retain existing employees in new jobs, the Regulations will benefit staff, employers and the ratepayer.

7. These Regulations will not compromise existing employee rights including those made available through the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) and other protections afforded to staff by employment law. The Regulations provide employers and employees with additional options in making the transition from old to new staffing structures. Terms and conditions can be changed but only with an employee's consent.

DETAILS OF THE PROPOSALS

8. The Regulations require a local government body to make provisions to an eligible person if they have suffered diminution of emoluments due to local government reform. Within the proposed Regulations a protection scheme, specific to RPA related Reform of Local Government, will be established.
9. As part of the development process the Department identified a number of policy options. These were discussed informally with the sector and whilst no agreed consensus emerged the Department has an obligation to develop regulations. Consultees are asked to consider the option of compensation in form of a mark time period for three years or until 31 December 2019, whichever is the earlier.

10. The end date of 31 December 2019 mirrors the end date for the staff severance scheme brought in for the reform of Local Government and allows sufficient time to introduce any new organisational structures in the new councils.
11. The intention is to ensure that anyone who suffers a reduction of pay as a result of a change of job, related to the reorganisation of local government reform, will have their current remuneration protected for a maximum period of 3 years.
12. During the mark time period there would be no annual incremental progression on the protected grade and pay awards would not be applied until the substantive grade is equal to or greater than the protected salary.
13. Mark time may end within three year period where:
 - the employee is successful in securing another role which is not linked to the reform of local government, or
 - the new substantive grade catches up with the protected basic salary, or
 - the person is appointed to a post where the normal remuneration is equal to or exceeds the protected remuneration, or
 - the person moves on their own application to a post with a remuneration which is equal or lower to that of the existing post;
 - the person retires or leaves the local government body.

14. At the end of the mark time period, pay will be adjusted to the substantive pay rate for the new post. There is no right of appeal at the end of the mark time period.

Question One

Do you believe that the mark time proposals outlined above should apply to Local Government?

If Yes - Why?

If No – Why not?

HUMAN RIGHTS

15. The Department believes that the proposals are compatible with the Human Rights Act 1998.

EQUALITY

16. Under the terms of section 75 of the Northern Ireland Act 1998, the Department carried out screening for equality impact and is satisfied that the proposed legislation will not lead to discriminatory or negative differential impact on any of the section 75 groups. A copy of the screening form can be viewed on the Department's website:

http://www.doeni.gov.uk/index/information/equality_unit/policies_screened_out_-_january_to_march_2015.htm

REGULATORY IMPACT ASSESSMENT

17. The Department has not conducted a regulatory impact assessment as the proposed legislation does not give rise to any associated costs or savings on business, charities, social economy enterprises or the voluntary sector.

RURAL PROOFING

18. The Department has assessed the proposed measures and considers that there would be no differential impact in rural areas or on rural communities.

FREEDOM OF INFORMATION ACT 2000 – CONFIDENTIALITY OF CONSULTATIONS

19. The Department may publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read Annex B on the confidentiality of consultations. It gives guidance on the legal position about any information given by you in response to this consultation.

ALTERNATIVE FORMAT

20. This document is available in alternative formats. Please contact us to discuss your requirements.

COMMENTS

21. Comments on the draft Local Government Reorganisation (Compensation for Diminution of Emoluments) Regulations (Northern Ireland) 2015 should be sent by **13 August 2015** to the address below or by e-mail to LGPDConsultations@doeni.gov.uk.

22. If you have any queries in relation to the proposals, you should contact:

- I. Lynn McCracken
lynn.mccracken@doeni.gov.uk
Tel: 028 9082 3393
or
- II. Peter Gregg
peter.gregg@doeni.gov.uk
Tel: 028 9082 3396

23. This Consultation Document is being circulated to persons and bodies listed in Annex B and is also available to view at:
http://www.doeni.gov.uk/index/local_government/local_government_consultations.htm

Local Government Policy Division
Causeway Exchange
4th Floor
1-7 Bedford Street
Belfast
BT2 7EG
Textphone: 028 9054 0642

DRAFT STATUTORY RULES OF NORTHERN IRELAND

2015 No.

LOCAL GOVERNMENT

The Local Government Reorganisation (Compensation for Diminution of Emoluments) Regulations (Northern Ireland) 2015

Made - - - - - ***

Coming into operation - - - - - ***

The Department of the Environment makes the following Regulations in exercise of the powers conferred by Article 19 of the Superannuation (Northern Ireland) Order 1972⁽¹⁾.

Citation and commencement

1.—(1) These Regulations may be cited as the Local Government Reorganisation (Compensation for Diminution of Emoluments) Regulations (Northern Ireland) 2015 and except as provided for in paragraph (2) shall come into operation on ** ***** 2015.

(2) Regulations 2 to 7 shall have effect from 1st April 2015.

Interpretation

2.— In these regulations—

“emoluments” means any remuneration paid to a person to whom these regulations apply, by an employer;

“local government body” means—

- (a) a council,
- (b) a joint committee of a council which has been constituted as a body corporate, or
- (c) the Local Government Staff Commission;

“mark time period” means the period of three years from the date of diminution of emoluments or until 31st December 2019 whichever is the earlier;

“remuneration” means all the salary, wages, fees and other payments paid or made by an employer to an employee for their own use and shall include the money value associated with the provision by the employer to the employee of accommodation or a motor vehicle insofar as that accommodation or motor vehicle is available for the employee’s private use, together with any allowances in kind provided or paid to the employee and appertaining to their employment, but shall not include—

- (a) any payment made by an employer to an employee in consequence of that employee undertaking additional or different duties on behalf of the employer on a temporary basis in the absence, for whatever reason, of the employee usually or formerly employed to undertake these duties,

⁽¹⁾ S.I.1972/1073 (N.I. 10).

- (b) any payment made by an employer to an employee in consequence of that employee undertaking additional duties on a temporary basis which arise from any provision of, or made under, the 2014 Act,
 - (c) unless it is a usual incident of his employment, any other payment by an employer to an employee for overtime or any bonus payment not of a kind specified in sub-paragraph (b),
 - (d) any allowance paid by an employer to an employee to cover the cost incurred by the employee in providing office accommodation, or clerical or other assistance,
 - (e) any travelling or subsistence allowance or other monies paid by an employer to an employee to be spent, or to cover expenses incurred, by the employee for the purposes of their employment,
 - (f) any payment by an employer to an employee as compensation for loss of holiday entitlement,
 - (g) any payment by an employer in lieu of notice terminating an employee's contract of employment, and
 - (h) any compensation payable to an employee under these Regulations;
- “reorganisation” means any organisational change within a local government body attributable to—
- (i) the 2014 Act,
 - (j) the Local Government (Boundaries) Act (Northern Ireland) 2008⁽²⁾, and
 - (k) the Planning Act (Northern Ireland) 2011⁽³⁾; and
- “the 2014 Act” means the Local Government Act (Northern Ireland) 2014⁽⁴⁾.

Persons to whom these regulations apply

3.— These Regulations apply to any person:-

- (a) whose rights and liabilities under a contract of employment are transferred to a local government body on 1st April 2015 under a transfer scheme made in pursuance of section 122 of, and Schedule 8 to, the 2014 Act;
- (b) whose remuneration is reduced with his agreement by that local government body; and
- (c) in respect of whom that local government body has determined that he has suffered a diminution of emoluments by reason of reorganisation.

Compensation

4.—(1) Compensation is payable to a person to whom these regulations apply under this regulation.

(2) The amount of compensation shall be the sum equal to the diminution of emoluments.

(3) Compensation is not payable where a person—

- (a) refuses an offer of a post within their employing authority which attracts (at the time of the offer) remuneration equal to or in excess the remuneration payable to them immediately prior to the first diminution of his emoluments; or
- (b) retires or leaves the local government body.

(4) In determining whether there has been a diminution in emoluments, a local government body shall disregard any reduction in remuneration which occurred immediately prior to reorganisation and is attributable to—

- (c) sickness absence;
- (d) maternity leave;
- (e) paternity leave;

⁽²⁾ 2008 c. 7 (NI)
⁽³⁾ 2011 c. 25 (NI)
⁽⁴⁾ 2014 c.8 (NI)

- (f) career break; or
- (g) authorised unpaid leave.

Sealed with the Official Seal of the Department of the Environment on ***2015.

Name
A senior officer of the
Department of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for payment of compensation to those who suffer a diminution of emoluments by reason of reorganisation of local government and to whom the regulations apply (regulation 3).

Regulation 4 provides for payment of compensation, the amount of compensation, how it is to be calculated, and when it is not payable..

Annex B**The Freedom of Information Act 2000 – confidentiality of consultations**

1. The Department may publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.
2. The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity should be made public or be treated as confidential.
3. This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
 - the Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature; and
 - acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.
4. For further information about confidentiality of responses please contact the Information Commissioner's Office (or see website at: <http://www.informationcommissioner.gov.uk>).

Annex C**List of Consultees**

All 11 Councils

Local Government Staff Commission

National Association of Councillors

Committee for the Environment

Executive Departments

Northern Ireland Local Government Association

NIPSA

Unite

GMB

SIPTU

Public Service Commission

**DOE Draft Local Government Reorganisation (Compensation for Diminution of Emoluments) Regulations (Northern Ireland) 2015
Consultation Document
Draft Consultation Response**



Comhairle Ceantair
**an Iúir, Mhúirne
agus an Dúin**
**Newry, Mourne
and Down**
District Council

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Question One:

YES. This Council considers it appropriate that a period of protection should apply to a person who suffers diminution of emoluments as a consequence of local government reorganisation in Northern Ireland.

Newry Mourne and Down Council would wish to ensure that any employees wishing to stay in local government, despite a potential reduction in pay as a result of local government reorganisation, are not disadvantaged in doing so for a specified period of time.

The Council considers it important that the regulations should recognise that employees cannot dictate the alternative employment in order to avail of 'pay protection'. The organisation also has to consider its business and financial imperatives. An employee who secures alternative employment at a lower rate of pay should be eligible for 3 year 'pay protection' provided it is mutually accepted that the position is regarded as a suitable alternative employment to redundancy. This will avoid the potential for any misapplication or potential inappropriate advantage being taken of a scheme which is intended to protect employees.

Marked Time:

This Council considers that a marked time period of three years maximum is appropriate and reflects the 'pay protection' arrangements which existed in the legacy councils of Down District Council and Newry and Mourne District Council, as negotiated with the recognised Trade Unions when implementing the respective 'Single Status' arrangements. On that basis under TUPE, these arrangements would prevail in the absence of the Department issuing regulations in this regard. Nonetheless, the Council is responding to this consultation in the event that the Department considers it necessary to issue legislation on this matter.

This Council notes however that the draft regulations provide for a mark time period of three years or until 31 December 2019; whichever is the earlier and would submit that the three year 'marked time' should apply equally to anyone affected. It would not be considered proper that someone who accepted redeployment in 2017 at a lower earnings rate should be afforded a shorter period of 'pay protection' than three years applied to others.

Freeze and Catch Up:

Council would support paragraph 12 on page 4 of the consultation document – this mirrors the approach taken previously by the legacy councils known as 'Freeze and Catch Up'.

**DOE Draft Local Government Reorganisation (Compensation for Diminution of Emoluments) Regulations (Northern Ireland) 2015
Consultation Document
Draft Consultation Response**



Comhairle Ceantair
**an Iúir, Mhúir,
agus an Dúin**
**Newry, Mourne
and Down**
District Council

407

Total Pay:

'Remuneration' is set out at paragraph 2 of the regulations at Annex A. This Council considers that if any employee's historic basic pay has gone down and (s)he is financially worse off, protection should be based on the historic basic pay – i.e. contractually guaranteed earnings when comparing 'old' and 'new' jobs and take account of total earnings in alternative role. Please refer to enclosed illustrative Appendix.

There appears to be no reference in the consultation document or the regulations on how the reduction should be calculated. This Council would recommend point at which an employee would transfer into an alternative role on a lower spinal column range should be determined by their length of service in their previous post.

Exclusions:

Council comments regarding the exclusions set out under 'remuneration' in items (a) to (k) are as follows:

- a) On the basis that these regulations are intended to compensate employees who accept alternative roles rather than take redundancy, it is not considered that any differences should be made between temporary and permanent redeployment.
- b) Agree at (a) and (b) that any protection should be based on an employee's substantive post and not on the basis of any 'acting up' or temporary/'honorary' payments. Protection should be against actual loss of basic contracted pay which would otherwise occur (refer to illustration set out on enclosed Appendix).
- c) Refer to earlier 'total pay' response
- d) Refer to earlier 'total pay' response
- e) Refer to earlier 'total pay' response
- f) Referring to point 5 on page 2 of the consultation document, it is considered unlikely that there would be loss of holiday entitlement connected to redeployment as this is generally a contractual entitlement associated with length of service
- g) Any PILON payment would be based on an individual's prevailing contracted rate of pay at date of termination

Right of Appeal:

In the interests of equality, it is not considered appropriate that there should be a right of appeal regarding the mark time period – the arrangements should be applied consistently to all employees in these circumstances.

In the event that any employee wishes to raise a RPA related grievance, (s)he may do so under the provisions contained within LGRJF/10 February 2015.

**DOE Draft Local Government Reorganisation (Compensation for Diminution of Emoluments) Regulations (Northern Ireland) 2015
Consultation Document
Draft Consultation Response**



Comhairle Ceantair
**an Iúir, Mhúir,
agus an Dúin**
**Newry, Mourne
and Down**
District Council

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APPENDIX

Job Title:

Issued to:

Date Issued:

ILLUSTRATION ONLY – DOE CONSULTATION RESPONSE	OLD	NEW
Grade	SO1	Scale 6
Spinal Column Points (scp)	29-31	26 - 28
Historic Basic Pay	£27,123	
Assimilation Point to New Scale		Point 28
New Basic Pay		£24472
Working Arrangements		
Working Week (full time equivalent)	yy hours per week	yy hours per week
Contracted hours	yy hours per week	yy hours per week
First Aid allowance		£200
Shift Working Allowance of 10%	No	£2447
New Annual Salary⁴		£27,119

NOTES:

HISTORIC BASIC PAY - Historical earnings (in previous role) which consists of scp, basic pay (unique hourly rate) or a combination of basic pay and other payments (for example bonus). Overtime payments and other non-contractual allowances have not been included in this calculation.

SHIFT WORKING ALLOWANCE – Redeployed role attracts a 10% shift working allowance.

NEW ANNUAL SALARY – Includes all contractual earnings and illustrates that the actual loss is much less (i.e. £4 per annum) and not what first appeared to be at £2651.