



March 25th, 2016

Notice Of Meeting

You are requested to attend the Council meeting to be held on **Monday, 4th April 2016 at 6:00 pm** in **Mourne Room, Downshire.**

Agenda

- 1 **Apologies and Chairperson's Remarks**
- 2 **Declarations of Interest**
- 3 **Action Sheet arising from Council Meeting held on 7 March 2016**

[Council 07032016.pdf](#)

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Council Minutes For Adoption and Signing

- 4 **Minutes of Council Meeting held on 7 March 2016**

[Council Minutes 07-03-2016.pdf](#)

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- 5 **Minutes of Special Council Meeting held on 29 February 2016**

[Special Council Meeting Minutes 29-02-2016.pdf](#)

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Committee Minutes for Consideration and Adoption

- 6 **Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 14 March 2016**

[ERT Minutes - Monday 14 March 2016.pdf](#)

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- 7 **Minutes of Strategy, Policy and Resources Committee Meeting held on 15 March 2016**

[Strategy Policy and Resources Committee Meeting 15-03-2016.pdf](#)

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- 8 **Minutes of Active and Healthy Communities Committee Meeting held on 21 March 2016**

9 Minutes of Regulatory and Technical Services Committee Meeting held on 23 March 2016

RTS Minutes - 23 March 2016.pdf

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Correspondence and Conferences

10 Correspondence received from DHSSPSNI regarding Consultation on Draft Diabetes Strategy Framework and Implementation Plan

dhsspsni11032016.pdf

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11 Correspondence received from Diane Dodds MEP regarding Southern Relief Road

european parlia21032016.pdf

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12 Correspondence from NI Pensioners Parliament - Event in Newry 8 April 2016. (Party Representatives' Forum 22 March 2016 recommended appointment of 5 Councillors to the panel discussion - 2 SF;2 SDLP;1 DUP;1 UUP;1 other

Pensioner Parliament.pdf

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Consultation Documents

13 Consultation received from Department of Justice - Proposal to Increase Court Fees

NICTS Consultation Paper Court Fees 0.pdf

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14	Consultation received from DARD re: Additional Information relating to Consultation on Designation of Areas of Natural Constraint	
	<u>designation-of-areas-of-natural-constraint.pdf</u>	Page 165
	<u>list-of-wards-constrained-within-map-a-of-consultation-document.pdf</u>	Page 197
	<u>list-of-wards-constrained-within-map-b-of-consultation-document.pdf</u>	Page 200
	<u>list-of-wards-constrained-within-map-2-annex-a-of-consultation-document.pdf</u>	Page 203
15	Consultation received from Department of Education - Strategy for Improving Pupil Attendance at School	
	<u>Strategy for Improving Pupil Attendance at School.pdf</u>	Page 205

Sealing Documents

- 16 Documents for Sealing**
1. Warrenpoint Public Realm Scheme - Bond and Form of Agreement documents to be signed and sealed to comply with the contract requirements.
 2. Licence Agreement for use of land at Jonesborough, County Armagh

Notices of Motion

- 17 Notice of Motion received from Councillor P Clarke**
- “That this Council writes to the offices of the First and Deputy First Minister calling on the Northern Ireland Executive to now urgently prioritise and address the current number of homeless people sleeping rough across Northern Ireland and also urges the Northern Ireland Executive to dedicate more resources and funding in conjunction with developing a strategy plan with all major stakeholders including the community, voluntary, and private sector and Ministerial Government departments which can address and tackle the homeless situation that is affecting many vulnerable people across Northern Ireland.”
- 18 Notice of Motion received from Councillors Brown and Enright**
- ‘This Council recognises that local government should always strive for the greatest degree of transparency and accountability and therefore agrees that the following measures be taken to increase transparency: video recording and live streaming of all full council meetings, audio recording of all statutory committee meetings and online publication of Councillor’s register of interests. The Council asks that a cost analysis and delivery timetable for this be presented to next month’s SPR meeting for approval’.

Notice of Motion received from Councillor Enright

"This Council is concerned about the interaction between management and Councillors in the governance of the decision making process. Council requests the Audit Committee to draw up a clear end-to-end policy for the decision making process with a clear distinction between the roles of Councillors and of management and the manner in which Council decisions may be influenced or overturned by management legitimately ."

Invitees

Cllr. Terry Andrews	terry.andrews@downdc.gov.uk
Cllr. Naomi Bailie	naomi.bailie@nmandd.org
Cllr. Patrick Brown	patrick.brown@nmandd.org
Cllr. Robert Burgess	robert.burgess@downdc.gov.uk
Cllr. Stephen Burns	stephen.burns@downdc.gov.uk
Cllr. Michael Carr	michael.carr@newryandmourne.gov.uk
Cllr. charlie casey	charlie.casey@newryandmourne.gov.uk
Cllr. Patrick Clarke	patrick.clarke@downdc.gov.uk
Cllr. Garth Craig	garth.craig@downdc.gov.uk
Cllr. Dermot Curran	dermot.curran@downdc.gov.uk
Cllr. Laura Devlin	laura.devlin@downdc.gov.uk
Ms. Louise Dillon	louise.dillon@newryandmourne.gov.uk
Cllr. Sean Doran	sean.doran@newryandmourne.gov.uk
Cllr. Sinead Ennis	sinead.ennis@nmandd.org
Cllr. Cadogan Enright	cadogan.enright@downdc.gov.uk
Cllr. Gillian Fitzpatrick	gillian.fitzpatrick@newryandmourne.gov.uk
Mr. Patrick Green	patrick.green@downdc.gov.uk
Cllr. Glyn Hanna	glyn.hanna@nmandd.org
Mr. Liam Hannaway	liam.hannaway@nmandd.org
Cllr. Valerie Harte	valerie.harte@newryandmourne.gov.uk
Cllr. Harry Harvey	harry.harvey@newryandmourne.gov.uk
Cllr. Terry Hearty	terry.hearty@newryandmourne.gov.uk
Cllr. David Hyland	david.hyland@newryandmourne.gov.uk
Miss Veronica Keegan	veronica.keegan@downdc.gov.uk
Cllr. Liz Kimmins	liz.kimmins@nmandd.org
Cllr. Mickey Larkin	micky.larkin@nmandd.org
Mr. Michael Lipsett	michael.lipsett@downdc.gov.uk
Cllr. Kate Loughran	kate.loughran@newryandmourne.gov.uk
Mrs. Regina Mackin	regina.mackin@newryandmourne.gov.uk
Cllr. Kevin Mc Ateer	kevin.mcateer@nmandd.org
Mr. Johnny Mc Bride	johnny.mcbride@newryandmourne.gov.uk
Cllr. Colin Mc Grath	colin.mcgrath@downdc.gov.uk
Collette McAteer	collette.mcateer@newryandmourne.gov.uk
Cllr. Declan McAteer	declan.mcateer@newryandmourne.gov.uk
Cllr. Harold McKee	harold.mckee@newryandmourne.gov.uk
Eileen McParland	eileen.mcparland@newryandmourne.gov.uk
Catrina Miskelly	catrina.miskelly@downdc.gov.uk
Cllr. Roisin Mulgrew	roisin.mulgrew@nmandd.org
Cllr. Mark Murnin	mark.murnin@nmandd.org
Mrs. Aisling Murray	aisling.murray@newryandmourne.gov.uk
Cllr. Barra O Muiri	barra.omuiri@nmandd.org

Cllr. Pol O'Gribin	pol.ogribin@nmandd.org
Mr. Canice O'Rourke	canice.orourke@downdc.gov.uk
Ms. Patricia Oakes	patricia.oakes@downdc.gov.uk
Cllr. Brian Quinn	brian.quinn@newryandmournen.gov.uk
Cllr. Henry Reilly	henry.reilly@newryandmournen.gov.uk
Ms. Alison Robb	Alison.Robb@downdc.gov.uk
Cllr. Michael Ruane	michael.ruane@newryandmournen.gov.uk
Cllr. Gareth Sharvin	gareth.sharvin@downdc.gov.uk
Cllr. Gary Stokes	gary.stokes@nmandd.org
Sarah Taggart	sarah-louise.taggart@downdc.gov.uk
Cllr. David Taylor	david.taylor@newryandmournen.gov.uk
Caroline Taylor	Caroline.Taylor@downdc.gov.uk
Cllr. Jarlath Tinnelly	jarlath.tinnelly@nmandd.org
Ciara Toman	ciara.toman@downdc.gov.uk
Cllr. William Walker	william.walker@nmandd.org
Mrs. Marie Ward	marie.ward@downdc.gov.uk
Cllr. Clarke William	william.clarke@downdc.gov.uk

ACTION SHEET- COUNCIL MEETING – MONDAY 7 MARCH 2016

1

AGENDA ITEM	SUBJECT	DECISION	FOR COMPLETION BY DIRECTOR – including actions taken/date completed or progress to date if not yet completed
C/51/2016	Minutes of Council Meeting held on 15 February 2016	<p>It was agreed that a strategic review would be undertaken of the terms of reference for all committees, and Councillor D McAteer's suggestion would be picked up at that point.</p> <p>It was agreed that business planning applications would be given priority and that applications which could be processed quickly, were being dealt with first. Councillor Reilly to forward details of the business/es being referred to so that the matter could then be followed up.</p> <p>It was agreed that the Chief Executive would investigate the Epic planning portal not working properly.</p> <p>It was agreed that the Chief Executive would send Members further information on what information they could bring to the pre-application meetings.</p>	<p>Review will be undertaken after the annual meeting.</p> <p>Being progressed</p> <p>Being progressed</p> <p>Being progressed</p>
C/53/2016	Minutes of Strategy, Policy and Resources Committee Meeting held on 11 February 2016	<p>SPR/32/2016 – Land at Altnaveigh, Newry It was agreed that an item on the leasing for sporting clubs would be brought to SPR Committee in April or May 2016</p> <p>SPR/38/2016 – Invitation to Kirovsk It was agreed that a report be brought to SPR Committee on how the programme was working and the benefits to the Council.</p>	<p>Ongoing</p> <p>Ongoing</p>
C/57/2016	Report from Chief Executive on Risk Management Policy	It was agreed that the Risk Management Policy be approved.	Completed

AGENDA ITEM	SUBJECT	DECISION	FOR COMPLETION BY DIRECTOR – including actions taken/date completed or progress to date if not yet completed
C/59/2016	Conference on Housing Policy in Northern Ireland	It was noted that any Member wishing to attend the above conference, inform Democratic Services.	No uptake
C/60/2016	Correspondence received from Post Office regarding temporary closure of Bryansford Post Office.	The correspondence received from the Post Office was noted.	Noted
C/61/2016	Correspondence from Boundary Commission for NI re: 2018 Review of Parliamentary Constituencies	The correspondence received from the Boundary Commission for NI was noted.	Noted
C/62/2016	Correspondence received re: Rates Support Grant	It was agreed that a briefing be organised after the May election for all parties regarding the Rates Support Grant and the rates relief for small businesses, an invitation for which would be extended to the other Councils in receipt of the Rates Support Grant.	Briefing to be organised following the elections.
C/63/2016	Correspondence received from Cormac Sharvin, Ardglass Golf Club	The correspondence received from Cormac Sharvin was noted.	Noted
C/64/2016	Correspondence received from Apostolic Nunciature in	The correspondence received from Apostolic Nunciature in Ireland regarding invitation to Pope Francis was noted.	Noted

AGENDA ITEM	SUBJECT	DECISION	FOR COMPLETION BY DIRECTOR – including actions taken/date completed or progress to date if not yet completed
	Ireland regarding Invitation to Pope Francis		
C/65/2016	Correspondence received from DHSSPS re: Helicopter Emergency Medical Service (HEMS)	The correspondence was noted.	Noted
C/66/2016	Ballynahinch EI Scheme – Progress on Adjudication	This item was withdrawn – awaiting further information.	Withdrawn
C/67/2016	Sealing Documents	It was agreed to sign and seal the following documents: <ol style="list-style-type: none"> 1. Use of Council lands at Middlebank, Albert Basin, Newry 2. Europe for Citizens Programme - Networks of Towns 9 3. Licence Agreement - Use of Castle Park Car Park by Ulster Bank Ltd for Mobile Banking Service. 4. Licence Agreement – Use of Council Lands at Middlebank, Albert Basin, Newry, by Fossett Brothers Circus Limited. 5. Licence Agreement – Use of Council Lands at Middlebank, Albert Basin, Newry, by Cullen’s Amusements. 6. Assisted Car Purchase – Environmental Health Officer 	Signed and sealed
C/68/2016	Notice of Motion – EU Membership	It was agreed on the proposal of Councillor Stokes, seconded by Councillor D McAteer "that this Council recognises the important economic and social benefits of the UK staying within the EU, particularly the benefits that EU membership can bring to Newry, Mourne and Down, including its businesses, public sector and civil society. We recognise the social benefits of multiculturalism and the	Noted

AGENDA ITEM	SUBJECT	DECISION	FOR COMPLETION BY DIRECTOR – including actions taken/date completed or progress to date if not yet completed
		free movement of peoples, and the benefits of an open border with the Republic of Ireland.”	
C/69/2016	Notice of Motion – Downe Hospital Emergency Services	It was agreed on the proposal of Councillor Reilly, seconded by Councillor Walker that the Council requests that the Minister for Health reinstates the services that were removed from the Downe Hospital under the premise of emergency situations.	Letter sent to Health Minister

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

Minutes of Council Meeting held on Monday 7 March 2016 at 6pm in the Mourne Room, Downshire Civic Centre, Downpatrick

In the Chair: Councillor M Ruane

In attendance: **(Councillors)**

Councillor T Andrews	Councillor P Brown
Councillor R Burgess	Councillor S Burns
Councillor M Carr	Councillor C Casey
Councillor P Clarke	Councillor W Clarke
Councillor G Craig	Councillor D Curran
Councillor L Devlin	Councillor S Doran
Councillor S Ennis	Councillor G Fitzpatrick
Councillor G Hanna	Councillor V Harte
Councillor H Harvey	Councillor L Kimmins
Councillor M Larkin	Councillor K Loughran
Councillor D McAteer	Councillor C McGrath
Councillor H McKee	Councillor R Mulgrew
Councillor M Murnin	Councillor P O'Gribin
Councillor B O'Múiri	Councillor B Quinn
Councillor H Reilly	Councillor G Stokes
Councillor D Taylor	Councillor JJ Tinnelly
Councillor B Walker	

(Officials)

Mr L Hannaway, Chief Executive
 Mr E Curtis, Director of Strategic Planning and Performance
 Mr M Lipsett, Director of Active and Healthy Communities
 Mr C O'Rourke, Director of Regulatory and Technical Services
 Mrs M Ward, Director of Enterprise, Regeneration and Tourism
 Mrs C Miskelly, Assistant Director Corporate Services, Human Resources
 Mrs E McParland, Democratic Services Manager
 Miss S Taggart, Democratic Services Officer
 Mrs C Taylor, Democratic Services Officer

C/45/2016

APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Bailie, Byrne, Enright, Hearty, K McAteer and Sharvin.

C/46/2016 DECLARATIONS OF INTEREST

There were no declarations of interest.

C/47/2016 ENVIRONMENTAL YOUTH SPEAK WINNERS

The Chairperson congratulated the District's senior winner of Environmental Youth Speak - Lucia Orsi, and welcomed her to the meeting. The Chairperson said the junior winners, Michael O'Grady and Clare Reel of Carrickrovaddy Primary School, had been unable to attend the meeting.

The Chairperson wished Lucia (representing the Assumption Grammar, Ballynahinch) well at the NI Grand Final of the Environmental Youth Speak and invited her to make a 5 minute presentation to Council.

The Chairperson passed on Council's condolences to the families of Patrick Cunningham of Kilkeel and Niall Quinn of Silverbridge, who recently lost their lives due to tragic accidents.

C/48/2016 ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 1 FEBRUARY 2016

Read: Action Sheet from Council Meeting held on 1 February 2016 (copy circulated)

NOTED: **The Action Sheet from Council Meeting held on 1 February 2016 was NOTED.**

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/49/2016 MINUTES OF COUNCIL MEETING HELD ON 1 FEBRUARY 2016

Read: Minutes of Council Meeting held on 1 February 2016 (copy circulated)

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

C/50/2016 MINUTES OF SPECIAL COUNCIL MEETING HELD ON 10 FEBRUARY 2016

Read: Minutes of Council Meeting held on 10 February 2016 (copy circulated)

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

C/51/2016 **MINUTES OF COUNCIL MEETING HELD ON 15 FEBRUARY 2016**

Read: Minutes of Council Meeting held on 15 February 2016 (copy circulated)

Councillor D McAteer referred to the adoption of the new planning procedures and asked management to consider giving the Planning Committee additional independent functions, as currently matters relating to planning were also linked to the remit of the Strategy, Policy and Resources Committee and the Regulatory and Technical Services Committee.

AGREED: Mr Hannaway, Chief Executive explained that a strategic review would be undertaken of the terms of reference for all committees, and Councillor D McAteer's suggestion would be picked up at that point.

AGREED: In response to a query from Councillor Reilly regarding planning applications from small businesses being prioritised, Mr Hannaway said business planning application were being given priority and that applications which could be processed quickly, were being dealt with first. He asked Councillor Reilly to forward to him the details of the business/es being referred to and said this matter could then be followed up.

AGREED: In response to Councillor Carr's issue regarding the E pic planning portal not working, Mr Hannaway undertook to have this matter looked at.

AGREED: In response to Councillor Burns' query regarding pre-application guidelines, Mr Hannaway undertook to send Members further information on what information they could bring to the pre-application meetings.

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

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION**C/52/2016 MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 8 FEBRUARY 2016**

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 8 February 2016 (copy circulated)

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

C/53/2016 MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 11 FEBRUARY 2016

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 11 February 2016 (Copy circulated).

SPR/32/2016 - Land at Altnaveigh, Newry

AGREED: Mr Hannaway advised officers were starting a piece of work on a policy to cover all elements of leases for sporting clubs which would be brought to Party Representatives Forum in April, and then to Strategy, Policy and Resources in April or May 2016.

SPR/38/2016 - Invitation to Kirovsk

AGREED: In response to Councillor Taylor, Mr Curtis said the Russian Kirovsk programme had been very successful and agreed to bring a report back to Strategy, Policy and Resources Committee on how the programme was working and the benefits to Council.

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

C/54/2016 MINUTES OF REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON 17 FEBRUARY 2016

Read: Minutes of Regulatory and Technical Services Committee Meeting held on 17 February 2016 (Copy circulated).

RTS/24/2016 – Integration of Ballyward Bin Collection

In response to Councillor Craig's query regarding the Service Level Agreement with Armagh, Banbridge and Craigavon Borough Council for brown bin collection in the Ballyward area, Mr O'Rourke explained that the intention was to continue with this brown bin service for the time being. From April 2017, Council would be required to provide an organics collection across the District, and the Ballyward area would be standardised at this point.

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

C/55/2016 **MINUTES OF ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 22 FEBRUARY 2016**

Read: Minutes of Active and Healthy Communities Committee Meeting held on 22 February 2016 (Copy circulated).

AGREED: The minutes were agreed as an accurate record and adopted on the proposal of Councillor Kimmins , seconded by Councillor O'Múiri.

AHC/25/2016 – DCAL Response

Councillor D McAteer said the Council should look into the equality of provision of Council owned gaelic pitches, as he had seen figures for his area which showed there were only 6 gaelic pitches owned by the Council, but 32 Council owned soccer pitches.

Councillor Taylor said there was no attempt by Council to deny gaelic players the use of pitches and in his opinion, this was not an equality issue.

Councillor O'Múiri said that the Council did not need any more GAA pitches. He advised that all the GAA clubs in his area owned their own grounds.

C/56/2016 **MINUTES OF AUDIT COMMITTEE MEETING HELD ON 28 JANUARY 2016**

Read: Minutes of Audit Committee Meeting held on 28 January 2016 (Copy circulated).

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

C/57/2016 REPORT FROM CHIEF EXECUTIVE ON RISK MANAGEMENT POLICY

Read: Report to Council on Risk Management Policy Version 1.0 and Risk Management Policy v.1.0 (copy circulated)

In response to a query from Councillor Reilly, Mr Hannaway advised that this policy related to total risk management, that it was an evolving document and risks would be picked up as the organisation evolved.

AGREED: It was agreed on the proposal of Councillor Murnin, seconded by Councillor Tinnelly, that the Risk Management Policy (Version 1.0) be approved.

NOTED: The need to more fully integrate/embed risk management into key decisions going forward.

C/58/2016 MINUTES OF ELECTED MEMBER DEVELOPMENT WORKING GROUP HELD ON 4 FEBRUARY 2016

Read: Minutes of Elected Member Development Working Group held on 4 February 2016 (Copy circulated).

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

CORRESPONDENCE AND CONFERENCES

C/59/2016 CONFERENCE ON HOUSING POLICY IN NORTHERN IRELAND

Read: Policy Forum for Northern Ireland Keynote Seminar – Housing in Northern Ireland: meeting market demand and reforming the social housing sector (Copy circulated).

NOTED: It was noted that any Member wishing to attend the above conference, inform Democratic Services.

C/60/2016 CORRESPONDENCE RECEIVED FROM POST OFFICE REGARDING TEMPORARY CLOSURE OF BRYANSFORD POST OFFICE

Read: Correspondence received from Post Office re: temporary closure of Bryansford Post Office (Copy circulated).

NOTED: The correspondence received from the Post Office regarding Bryansford Post Office was noted.

FOR NOTING

C/61/2016 **CORRESPONDENCE FROM BOUNDARY COMMISSION FOR NI RE: 2018 REVIEW OF PARLIAMENTARY CONSTITUENCIES**

Read: Correspondence dated 24 February 2016 received from Tim Johnston, Office Manager, Boundary Commission for Northern Ireland re: 2018 Review of Parliamentary Constituencies (copy circulated)

NOTED: The correspondence received with regard to 2018 Review of Parliamentary Constituencies was **NOTED**.

C/62/2016 **CORRESPONDENCE RECEIVED RE: RATES SUPPORT GRANT**

Read: Correspondence dated 16 February 2016 received from Margaret Ritchie MP and Megan Fearon MLA dated 18th February 2016 regarding Rates Support Grant (copies circulated).

In response to Councillor Curran's query, Mr Hannaway confirmed a response had been received from the Minister advising that the Rates Support Grant had been restored however, this would be a longer term issue which would be dealt with by the new Executive after the May election.

Councillor Craig said this was an important issue which should be lobbied on from the start of the new executive. He suggested requesting a meeting regarding the Rates Support Grant when the new Minister was in place and to include rates relief for small businesses.

Mr Hannaway advised that correspondence on this matter had been sent to the MLA's for the area.

AGREED: A briefing to be organised after the May election for all parties regarding the Rates Support Grant and the rates relief for small businesses, an invitation for which would be extended to the other 5 Councils in receipt of the Rates Support Grant.

C/63/2016 CORRESPONDENCE RECEIVED FROM CORMAC SHARVIN, ARDGLASS GOLF CLUB

Read: Correspondence dated 17 January 2016 received from Cormac Sharvin, Ardglass Golf Club (copy circulated)

NOTED: The correspondence received from Cormac Sharvin was NOTED.

C/64/2016 CORRESPONDENCE RECEIVED FROM APOSTOLIC NUNCIATURE IN IRELAND REGARDING INVITATION TO POPE FRANCIS

Read: Correspondence dated 3 February 2016 from Apostolic Nunciature in Ireland regarding invitation to Pope Francis (copy circulated)

NOTED: The correspondence received from Apostolic Nunciature in Ireland regarding invitation to Pope Francis was NOTED.

C/65/2016 CORRESPONDENCE RECEIVED FROM DHSSPS RE: HELICOPTER EMERGENCY MEDICAL SERVICE (HEMS)

Read: Correspondence dated 10 February 2016 received from DHSSPS re: Helicopter Emergency Medical Service (HEMS) – Public Consultation (copy circulated)

NOTED: The correspondence received was NOTED.

ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE LOCAL GOVERNMENT ACT (NI) 2014

C/66/2016 BALLYNAHINCH EI SCHEME – PROGRESS ON ADJUDICATION

This item was withdrawn – awaiting further information

SEALING DOCUMENTS

C/67/2016 SEALING DOCUMENTS

AGREED: It was agreed to sign and seal the following documents on the proposal of Councillor Doran, seconded by Councillor Craig:

1. Use of Council lands at Middlebank, Albert Basin, Newry
2. Europe for Citizens Programme - Networks of Towns

3. Licence Agreement - Use of Castle Park Car Park by Ulster Bank Ltd for Mobile Banking Service.
4. Licence Agreement – Use of Council Lands at Middlebank, Albert Basin, Newry, by Fossett Brothers Circus Limited.
5. Licence Agreement – Use of Council Lands at Middlebank, Albert Basin, Newry, by Cullen's Amusements.
6. Assisted Car Purchase – Environmental Health Officer

AGREED: **In response to a query from Councillor McGrath, Mr Hannaway undertook to check whether the Welfare of Animals Act (NI) 2011 was applicable to the request by Fossett Brothers Circus Ltd to use Council lands.**

NOTICES OF MOTION

C/68/2016

NOTICE OF MOTION – EU MEMBERSHIP

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

"That this Council recognises the important economic and social benefits of the UK staying within the EU, particularly the benefits that EU membership can bring to Newry, Mourne and Down, including its businesses, public sector and civil society. We recognise the social benefits of multiculturalism and the free movement of peoples, and the benefits of an open border with the Republic of Ireland. This Council calls upon Prime Minister David Cameron, Secretary of State Teresa Villiers and First Minister Arlene Foster to campaign for an 'in' vote in the forthcoming referendum."

In proposing the motion, Councillor Brown stated the threat of Brexit could have serious economic and social impacts upon the people of Northern Ireland. He said 80% of large and small businesses would like to remain in the EU and with agriculture being one of Northern Ireland's most important infrastructures, turning over £4.5billion a year, and with the single farm payment keeping many in business, many farmers would like to see UK remaining in the EU.

Councillor Brown stated those on the pro-Brexit side of the argument would say that the UK would have more economic opportunities outside of the EU. However, although the UK would save a lot of money by leaving the EU, this money was unlikely to be ploughed back into Northern Ireland. He went on to say that politically there were no positive reasons to leave and he found it interesting that those Parties who claimed to be pro-union would advocate leaving the EU as it would likely lead to Scotland becoming independent.

Councillor P Clarke seconded the motion stating historically the EU has been very beneficial towards Northern Ireland, bringing peace and structure funding. He stated that if the UK left the EU it would likely lead to old border controls being put in place and the requirement to pay taxes on goods and services.

Members discussed the issue at length and those in support of the motion made the following points:

- SDLP support the motion to stay in Europe however would like to see the last line of the motion removed.
- The benefits to Northern Ireland in terms of transport, business, peace, agriculture and INTERREG funding have been immense over the last number of years.
- Border areas will be wrecked if the UK leave the EU as passport control and border control will need to be set up.
- Many business people and those in agriculture were already speaking in support of staying within the EU because if money went back to Whitehall, it was unlikely to make its way back into Northern Ireland.
- Scotland were likely to seek independence therefore dissolving the United Kingdom.
- Sinn Fein support the motion.
- Peace and democracy across the EU are more stable.
- Trading within a huge group rather than as individual countries was more beneficial.
- People are free to travel and work in EU countries.
- For those who don't support the motion, were there any guarantees that funding in Northern Ireland would be continued by the British Government.

Those Members who spoke against the motion made the following points:

- Within the 1949 Ireland Act, the UK does not regard Republic of Ireland people as foreign and this would not change therefore there would not be any additional passport controls.
- The EU gave the UK zero hours contracts, and the free movement of people was designed to lower wages, workers mean nothing in the EU.
- If the UK leave the EU as agriculture is a pivotal industry, it will retain foreign support and investment.
- As the EU expands eastwards and southwards to include Bosnia & Herzegovina, Turkey etc. all farm support and funding will be challenged into these smaller countries.
- Transatlantic trade and investment partnerships would see all agricultural tariffs from the USA being removed which in turn would decimate Irish and British agriculture.
- Councils and the NHS will be open to privatisation by huge American multi-nationals.
- The EU were already setting aside money to alleviate the pressures from those who will lose their jobs.
- UK need to take their sovereignty back and take control of their own laws again.
- The people within the fishing industry are not in favour of staying in Europe as they feel the EU has destroyed the fishing industry in Ireland in particular.
- There should be more border controls and policies such as the ones they have in Australia and Canada should be adopted.
- A lot of the people who were in the country should not be, there seems to be a lot of Eastern Europeans in the courts in Newry.

- There are quite a considerable amount of farmers who are not in favour of staying in the EU as they feel the single farm payments are not fair.
- The EU can be overly bureaucratic and there were genuine concerns about public services.
- The USA was the largest investor in Northern Ireland. If a product was good, people would buy it and being competitive was the key to successful trading.
- Farmers' payments had not increased since 2003 and would reduce even further when more countries joined the EU.

Councillor W Clarke reminded Councillors they needed to be mindful of what they said in a public arena as this could have negative consequences within the community and could result in hate crime. He stated the comments regarding Eastern Europeans 'filling up the courthouses' was disgusting and damaging and he asked Councillor Hanna to withdraw these comments.

Councillor Stokes proposed an amendment to the motion and asked that the motion be accepted without the final sentence, to read: **"That this council recognises the important economic and social benefits of the UK staying within the EU, particularly the benefits that EU membership can bring to Newry, Mourne and Down, including its businesses, public sector and civil society. We recognise the social benefits of multiculturalism and the free movement of peoples, and the benefits of an open border with the Republic of Ireland."**

This was seconded by Councillor D McAteer.

Councillor Stokes also asked that Councillor Hanna withdraw his racist comments, and if he did not, that the recording of the meeting be forwarded to the PSNI for them to investigate whether the comments were an incitement to hatred.

The amendment, as proposed by Councillor Stokes, seconded by Councillor D McAteer, was put to a vote, with voting being as follows:

FOR:	10
AGAINST:	1
ABSTENTIONS:	17

The amendment was CARRIED and became the substantive motion, and was then put to a vote - voting being as follows:

FOR:	25
AGAINST:	8
ABSTENTIONS:	0

The substantive motion was CARRIED.

AGREED:	It was agreed on the proposal of Councillor Stokes, seconded by Councillor D McAteer "that this Council recognises the important economic and social benefits of the UK staying within the EU, particularly the benefits that EU membership can bring to Newry,
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Mourne and Down, including its businesses, public sector and civil society. We recognise the social benefits of multiculturalism and the free movement of peoples, and the benefits of an open border with the Republic of Ireland."

Councillor Hanna clarified his remarks stating that undesirables were not welcome in this country from any part of the world and that there should be some mechanism in place that they be filtered out.

C/69/2016

NOTICE OF MOTION – DOWNE HOSPITAL EMERGENCY SERVICES

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

"That this Council requests that the Minister for Health reinstates the services that were removed from the Downe Hospital under the premise of emergency situations."

In proposing his motion, Councillor Reilly stated the 24hour A&E and designated coronary care provision at the Downe Hospital were removed to take doctors and equipment to other hospitals and called on the Minister for Health to reinstate these. He stated young doctors were leaving the country to go to Australia as the packages there were more attractive and suggested that Council could assist the Health Trust in offering attractive recruitment packages to keep young doctors here.

Councillor Walker seconded the motion stating services need to be returned to the Downe Hospital the level of trolley waits in the Ulster was unacceptable, whilst the Downe was empty.

Members spoke in support of the motion raising the following points:

- The Council and members of the public campaigned for 40 years for a new hospital and now that it was in place it should be used as intended.
- A task and finish group has already been set up by the Council to action the points raised in the motion. Members should be wary of using issues as political footballs as part of electioneering campaigns.
- Equality of access was required for people living in rural areas.

In summing up, Councillor Reilly stated the matter was not being raised as a political football. He said critical decisions were being made at present in relation to the Downe Hospital and it was an outstanding facility that should be used more extensively.

The motion was CARRIED unanimously.

AGREED:

It was agreed on the proposal of Councillor Reilly, seconded by Councillor Walker that the Council requests

that the Minister for Health reinstates the services that were removed from the Downe Hospital under the premise of emergency situations.

There being no further business, the meeting concluded at 7.45pm

Signed:

Chairperson

Chief Executive

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/SC/

Minutes of Special Council Meeting held on Monday 29 February 2016 at 6pm in the Mourne Room, Downshire Civic Centre, Downpatrick

In the Chair: Councillor M Ruane

In attendance:

(Councillors)

Councillor R Burgess	Councillor S Burns
Councillor M Carr	Councillor C Casey
Councillor W Clarke	Councillor D Curran
Councillor G Hanna	Councillor V Harte
Councillor T Hearty	Councillor M Larkin
Councillor K Loughran	Councillor D McAteer
Councillor R Mulgrew	Councillor M Murnin
Councillor P Ó'Gribín	Councillor H Reilly
Councillor G Stokes	Councillor J J Tinnelly

(Officials)

Mr L Hannaway, Chief Executive
 Mrs E McParland, Democratic Services Manager
 Mr I Sands, Health, Safety and Emergency Planning Officer
 Miss S Taggart, Democratic Services Officer
 Mrs C Taylor, Democratic Services Officer

Also in attendance: Mr R Larkin, Director of Finance and Regulation, NI Water
 Mr G Millar, Head of Wastewater Networks Capital Delivery, NI Water
 Mr I Jackson, Head of OCMC, NI Water
 Mr J Martin, Rivers Agency
 Ms C Noble, Transport NI

SC/22/2016

APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Bailie, Craig, Devlin, Ennis, Enright, Harvey, Kimmins, McKee, Quinn, Taylor and Walker

The Chairperson extended congratulations to Councillor Bailie and her husband, upon the birth of their baby girl earlier that day.

SC/23/2015

DECLARATIONS OF INTEREST

There were no declarations of interest.

SC/24/2015

PRESENTATION BY NI WATER

The Chairperson welcomed Mr Ronan Larkin, Mr Grahame Millar and Mr Ivan Jackson from NI Water and invited them to make their presentation, after which, flooding issues would be dealt with.

Mr Larkin thanked the Chairperson for the opportunity to present to Council and said he had appreciated the support from Council since the meeting last year. Mr Larkin said NI Water wished to provide 21st Century water and waste water services to the Councillors' constituents. He said he saw NI Water's role as key to health, economy and the environment within the Council District stretching from Rowallane to Slieve Gullion. (Copy of the presentation is appended to these minutes).

The Chairperson thanked the delegation for their presentation and invited questions from the Members.

Members asked the following questions:

- When would the work start on Camlough Lake as from a tourism point of view, it was important the works were completed by 2017.
- When would the new waste water treatment plant at Ardtole be fully operational?
- Were there capacity issues at Ballynahinch waste treatment plant as during heavy rainfall a smell could be detected in houses on the Hillsborough Road, Limetrees and in some town centre properties.
- Would the overgrown footpaths be cut back at the Silent Valley?
- The leaking pipes on the Ballinra Road had been reported twice, but had not yet been fixed – why did this keep re-occurring?
- When would the new pipeline from Ballymartin to Kilkeel be fully operational?
- It was difficult to get a response from the NI Water Elected Member Helpline number, and if the public helpline number was rung, the same person answered who answered the Elected Member helpline.
- It was difficult to reach the tier 2 engineers/managers through the NI Water Elected Member helpline.
- A very bad odour was given off during mild weather at the sewage works in Kilkeel and it had been necessary for residents to leave their homes.
- Reinstatement of the roads after utility works had been carried out was not always first class.
- There were on-going problem with sewage in the river at Annalong, despite several attempts to resolve them.
- The water had been cut off at Ballynoe for 18 hours on Sunday 28 February, which had caused problems for housed livestock. Farmers in the area would like assurance that the infrastructure was up to speed.
- What were the latest figures for leakages in the District?
- Annsborough waste water treatment works – why were the blowers on more frequently when wet? How many times had the works gone into overdrive in the past years and what was the environmental impact of this?
- NI Water had agreed to paint the façade next to the mosaic to the fishing disaster in Newcastle. When would this take place?

- The legacy Council had bought the generator house at the waste water treatment plant in Newcastle, but it had not yet been handed over. The community were keen to work with Council to gain ownership and start using the building. Initiatives to speed this up would be welcome.
- Could NI Water provide an update on the price for a full review of the new metering system for commercial properties.
- There were over 10 houses on the Drumboy Road - why was there no mains water? Also, the Magheramayo Road leading to Dolly's Brae – there was no mains water.
- There was a problem during heavy rainfall with the grating at the sewage works on the Old Grand Jury Road, Saintfield.
- Could the capacity of the pumping station on the Crossgar Road, Saintfield be tested?
- Was NI Water's helpline a premium number?

Representatives from NI Water responded to Members queries as follows:

- NI Water would make every effort to ensure the works at Camlough Lake were completed on time which included clearing the planning process as quickly as possible so that contractors could be brought onto the site and could finish as soon as possible.
- The waste water treatment plant at Ardtole was now fully operational.
- The treatment plant at Ballynahinch was completed. NI Water were not aware of any odour complaints, although it was possible for odour to be present at times of heavy rainfall.
- There was no charge for calls to the NI Water helpline, although it did depend on which mobile was used.

Mr Larkin, Director of Finance and Regulation, NI Water undertook to come back to Members with answers to the following questions:

- Why was untreated water still being pumped into the waste water treatment plant at Ardtole.
- Why was there a strong odour in some properties in Ballynahinch during heavy rainfall, particularly town centre properties and those on the Hillsborough Road.
- The capacity of the pumping station on the Crossgar Road, Saintfield.
- The cost for calling the NI Water helpline.

Councillor Carr said the money spent by NI Water in the past year was to be appreciated and that a scheme could make a big difference to an area. He thanked NI Water for solving issues in the Warrenpoint area.

The Chairperson thanked the delegation for their presentation and invited the representatives from Rivers Agency and Transport NI to answer Members questions on flooding issues.

Crotlieve Area Issues:

- Rostrevor Road floods even when tide is out. Gulley cleaning is not happening on a regular enough basis.
- Moygannon River coming over the bank and flooding stables.
- St Colmans and St Jude's, Rostrevor – foul coming up through households into gulleys.
- Roads around Green Park Road and Knockbarragh– the gulleys at the lower end are packed with silt.
- Ongoing issue on Crossan Road, landowners most affected are extremely frustrated as they thought they issue had been resolved.
- Investigations into issues around Derryleckagh Bridge need to be carried out.
- Burren Road area has river overflowing onto it and travelling across the Avenue which then becomes joined with water running down Milltown Street.
- Piles of stones are lying on roads and gulleys are blocked.
- Glen Road may be a landowner issue.
- Burren Bridge Road, water lies on the road before the pitch.
- Bann Road and Aughnagun Road, gulleys are causing problems.
- Rostrevor-Warrenpoint, the arch at St Leonards – meetings have been held with residents, Rivers Agency and TransportNI, however the road still floods and has been closed on numerous occasions over the past few years. Residents need to see action as they were told 2 years ago a culvert would be put in to alleviate the flooding.
- Derryleckagh – problem at Brady's Lane, something needs to be done as it is continuously flooding.

Rivers Agency and TransportNI Responses:

- A new culvert to alleviate flooding is planned for St Leonard's, however this will not happen before the summer programme. The plan however is to have the work completed this year.
- Moygannon/Rath Road – a feasibility study will be undertaken at that area.
- Drumsesk – developer working with Rivers Agency and will be putting pipes in and work will be done to the outlet.
- Derryleckagh – historical flooding – levels were at their highest in 40 years and Rivers Agency are examining the area again on a cost/benefit basis.
- Crossan Road – Rivers Agency have researched the flood location and are unable to find the path of the original water course so would appreciate any local knowledge being passed onto them.
- Donaghguy Road – footpath scheme ongoing at present and TransportNI are investigating the drainage on Milltown Street which connects into Avenue to alleviate the problem of water on the road.

Rowallane Area Issues:

- A7 – Ballygowan turnoff at Doran's Rock – still flooding.

- Floods on Windmill Road and the bridge outside the high school in Saintfield.
- Carryduff Road only 3 gratings out of 37 are working, the rest are full.
- Main Street in Saintfield at the roundabout the grating isn't working and flooding occurs onto Lisburn Road.
- TransportNI should investigate ways of drilling holes into the bridge to allow the water to run into the river.

Rivers Agency and Transport NI responses:

- Depending on the design and structure of the bridge, the matter of drilling holes could be investigated. It is not possible to drill through maintenance arch structures which many of the older bridges are.

Slieve Croob Area Issues:

- Sewage flooding in O'Donnell Close, Castlewellan is happening all the time. Could investigations be made into changing the equipment?
- Annsborough flooding – the flood wall has a flat valve, when the river rises above the wall, does the valve open?
- What were the pumps that are pumping up to the waste water treatment designed for? A sud system may be more beneficial given the recurring flooding that has been occurring.
- Magheratimpany Road and Ballymaclave Road – is there any means of logging the flooding occurrences during the year rather than at peak times.
- Drumaness Road just above Mill Bridge – manhole in the centre of the road on the lane heading to Newcastle, causes ponding on the Spa Road.
- Leitrim Village constantly flooding.
- Magheramayo Road – farmer diverted water out of field onto the road which causes flooding on this road.
- How many gully cleaners are there in Newry and in Down and are they in mechanical working order?
- Ballylough Road – issue with local farm owner.

Rivers Agency and Transport NI responses:

- The flat valve works on the balance of water. If the water in the river is higher then it closes and opens if it is under.
- Leitrim Village – an artificial watercourse exists and Rivers Agency did not have this mapped.
- Ballylough Road - Rivers Agency raised the issue with the landowner and they have agreed to remove the blockage when the ground conditions improve.

Newry Area Issues:

- Gulleys throughout Newry need investigated, there is a lot of work required to alleviate flooding on all the streets.
- Can an update be provided on Windmill Road as it is a serious issue?

- Monkshill Road also needs investigated.
- Kilmorey Street, Quay Street and Mary Street through to the market are constantly flooding.
- Event space at Marcus Square has water lying in it which makes it difficult for people to manoeuvre around.
- Monaghan Street turning into the old creamery – the water blocks up here.

Rivers Agency and Transport NI responses:

- Windmill Road has an undesignated watercourse which runs down through 2 properties. Residents have been told of their responsibilities regarding this.

Mournes Area Issues:

- There are persistent rumours that landowners will be abandoned to look after their own drainage.
- The AOH Clubhouse and graveyard at Aughlisnafin are flooded.
- Bay Park Road in Rathfriland – homes were saved from flooding due to the sandbags received from TransportNI. Rivers Agency are designating flat land as flood plain.
- Killowen-Ballyedmond Road is very dangerous as water accumulates at the A2 from Campbell's Garage – drains should be cut into the road and let the water drain into the sea.
- Gulleys are not being emptied and weeds are growing out of the top of them therefore the water is not clearing.
- Kilcreggan Road – no maintenance to the sheughs.
- Storm drains are not getting into the river due to the floodwall on the Burren River.
- Beechfield, Burren Park and Dunwellan Park in Newcastle – flat valves should be installed.
- Mourneview in Newcastle need a scheme to remedy the flooding that occurs there.
- Is there any update on the Shimna River feasibility study to protect houses on the Bryansford Road.
- Main Street in Newcastle has areas of continual flooding due to a problem with two drains.
- Corrags Road and Burren Bridge Road – landowners are blocking drains and the water is not getting away.
- A2 Bloody Bridge to Annalong – some work carried out but still not sufficient, road continues to flood.
- Head Road between Silent Valley and Drinnigh water.
- Ballinran Road – pipe burst and has been running for a long time.
- The trees need trimmed back on the road between Bloody Bridge and Kilkeel as HGV lorries and buses are losing wing mirrors and swerving out in the road to avoid the branches.
- What plans are in place to deal with potholes around the District?

Rivers Agency and Transport NI responses:

- Designated water courses will be maintained within the Rivers Agency regime. Undesignated water courses are the responsibility of the landowner. There are no plans in place to withdraw maintenance of the designated water courses.
- Flood plains are protected from development in order to prevent increasing floods elsewhere.
- Burren river scheme – local area office require design drawings and will investigate flooding of back gardens.
- Shimna River feasibility study is complete and the department are awaiting funding to progress the scheme. This can be confirmed to Councillors in writing.

Slieve Gullion Area Issues:

- Bessbrook – row of houses and the graveyard just waiting to flood.
- Camlough's Mountain Road – subsidence in some ditches, gulleys need emptied and potholes need mended.
- Keggall Road has serious damage to the tarmac, the gulleys need cleaned and the huge potholes need repaired.
- Dromintee Road, Killeavy – farmer had re-seeded ground and put landbridge at the bottom of the mountain which caused serious flooding in 2014 and the water has been diverted down the fields.
- Is there any way of putting a fence around the river at Forkhill/Mullaghbawn to prevent anyone falling into the river?
- Some roads are in a terrible state due to potholes, surveying needs to be carried out.
- The surface has come off the Molly Road, is there any intention to resurface these roads.

Rivers Agency and Transport NI responses:

- TransportNI have an inspection cycle, however due to funding issues this was recently changed therefore unclassified roads will only be inspected twice a year now. Repairs are not carried out on unclassified roads. The Department was successful in getting small pots of additional funding that was used to patch some of the surface defects around the District.
- Unable to complete gully cleaning and pothole repairs due to lack of funding and as there were no repairs carried out last year there is a backlog.
- Dromintee Road, Killeavy – unaware of this issue however would like information from the Councillor.
- Rivers Agency are only tasked with the drainage function of watercourses and would not put fences up. There was an issue with the bend at the bridge therefore safety fencing was removed.

Downpatrick Area Issues:

- Serious flooding occurred in lower Market Street and the junction of Stream Street and St Patrick's Avenue at the top end which has never happened before.
- Strangford Road, Downpatrick – cleaning was completed however the flooding is back again. A co-ordinated approach is required to manage the flooding. The water is coming up through the grating in the middle of the road.
- Is it possible to investigate flooding coming from a field at Ballystew Road as it is running down into the back of houses?
- Can the open trench in Dunleath Park be grated over to avoid a child slipping into it?

Rivers Agency and Transport NI responses:

- The new pumping station is up and running in Downpatrick however these pumps have finite capacity therefore the risk of flooding cannot be eliminated altogether, just reduced. Councillors can work with community groups to prepare and learn how to recover from flooding incidents. Grants are available for individual property protection. NIW officers are happy to meet with each DEA to discuss ways to prevent flooding such as more permeable surfaces for public realm work etc.
- The flooding that occurred at the junction of Stream Street and St Patrick's Avenue is on an unadopted watercourse and discussions are ongoing as to who owns the pipe.

Ian Sands advised Members the list that was circulated was not finalised however was based on the questionnaires which Councillors had responded to. The plan is to work towards a system through the DEAs to find out what the issues and priorities are so that these can be tracked into a consolidated spreadsheet.

Councillor Reilly asked if there were legal issues to people filling in potholes themselves.

Ms Noble advised that TransportNI were the legal owner of the road and although there was no legal impediment to people filling potholes in themselves, it may not be advisable to do so from a health and safety point of view.

Councillor W Clarke proposed that consideration be given to the establishment of a Task and Finish group to look strategically at preventative measures to tackle flooding, perhaps through a thematic grouping at community planning level. This was seconded by Councillor Burns.

Agreed: **It was agreed on the proposal of Councillor W Clarke, seconded by Councillor Burns that consideration be given to the establishment of a Task and Finish group to look strategically at preventative measures to tackle flooding, perhaps through a thematic grouping at community planning level.**

There being no further business, the meeting concluded at 8.05pm.

For adoption at Meeting of Newry, Mourne and Down District Council to be held on Monday 4 April 2016.

Signed:

Chairperson

Chief Executive

NEWRY MOURNE AND DOWN DISTRICT COUNCIL

27

Minutes of the Enterprise, Regeneration & Tourism Committee Meeting held on Monday 14 March 2016 at 3.00pm in the Boardroom, District Council Offices, Monaghan Row, Newry

Chairperson: Councillor D Curran

Deputy Chairperson: Councillor R Mulgrew

In Attendance: **(Committee Members)**

Councillor T Andrews

Councillor R Burgess

Councillor W Clarke

Councillor P Byrne

Councillor G Hanna

Councillor V Harte

Councillor H Harvey

Councillor T Hearty

Councillor D McAteer

Councillor M Ruane

(Non Members)

Councillor H Reilly

Officials in Attendance: Mr L Hannaway, Chief Executive
Ms M Ward, Director Enterprise Regeneration & Tourism
Mr J McGilly, Assistant Director Enterprise Regeneration & Tourism
Mr M Mohan, Senior Tourism Initiatives Manager
Ms M Boyle, Tourism Development Officer
Ms L Dillon, Democratic Services Officer

ERT/28/2016: APOLOGIES AND CHAIRPERSON'S REMARKS

Councillor Curran welcomed everyone to the meeting. He referred to an article in the Sunday Times newspaper which featured places to visit in Northern Ireland and was delighted to see that Ardglass had been voted number one best place to visit.

The following apologies were received:

Councillor B Quinn
Councillor G Stokes

Councillor S Ennis

28

ERT/29/2016: DECLARATIONS OF INTEREST

Councillor V Harte declared an interest in the agenda item relating to Newry Business Improvement District as she was a member of Newry City Centre Management Partnership.

**ERT/30/2016: ACTION SHEET
MINUTES OF ENTERPRISE REGENERATION & TOURISM
COMMITTEE MEETING
MONDAY 8 FEBRUARY 2016**

Read: Action Sheet arising out of the Minutes of the Enterprise Regeneration & Tourism Committee Meeting held on Monday 8 February 2016. (Copy circulated)

AGREED: It was agreed to note the Action Sheet arising out of the Minutes of the Enterprise Regeneration & Tourism Committee Meeting held on Monday 8 February 2016.

PRESENTATIONS

**ERT/31/2016: PRESENTATION BY TEAM
RE: DEVELOPMENT OF TOURISM STRATEGY**

Ms S Scott from TEAM Consultants explained she would deliver a presentation on the development of the Tourism Strategy for the Council. She said the presentation would focus on a number of key elements which included the following:

- Industry performance, ie, assessing this against performance in other parts of Northern Ireland and the country
- Policy context, ie, to ensure full alignment with other strategies and ongoing work
- Market and industry trends on a global and national scale.
- Overview of Visioning Workshop which was attended by 45 members from the various stakeholder groups.

When the presentation concluded discussion took place during which Members raised a number of points as follows:

- TEAM Consultants should ensure part of the process involves meeting with local elected representatives in order to gain a better knowledge of areas.
- Proposals for further workshops – local elected representatives should be included in these workshops.
- Low spend figures indicate the need to focus on how to encourage visitors to stay over when they are visiting the District.
- Proposals to link main towns along the coast as tourist destinations.

- Bed nights - off peak business opportunities
- Look at ancient events/sites/myths/legends in various areas which link into the Eastern corridor.

NOTED: Further workshops will be held during May/June together with ongoing consultation with the public and industry stakeholders.

Consultants are looking specifically at linking towns as being the main driver for spend and are currently mapping attractions, visitor accommodation, retail, places to eat. They are also working on a review of the Masterplan and this will be key to driving spend forward.

A Tourism Strategy project website is due to be launched on 15 March 2016 which will allow people to register their views via an online survey.

The project will complete by July 2016 and TEAM Consultants will ensure interim updates are provided to the Council.

Councillor Curran thanked Ms Scott TEAM Consultants, for attending the meeting.

ENTERPRISE, EMPLOYMENT & REGENERATION ITEMS

ERT/32/2016: REGIONAL START INITIATIVE - EXTENSION

Read: Report dated 14 March 2016 from Mr M Patterson, Enterprise Development Officer regarding an extension to the Regional Start Initiative (RSI) and recommending Newry, Mourne and Down District Council agree to extension of the Regional Start Initiative Programme to include Marketing until October 2016. (Copy circulated)

AGREED: **On the proposal of Councillor Hanna seconded by Councillor W Clarke it was agreed Newry, Mourne and Down District Council agree to the extension of the Regional Start Initiative Programme to include Marketing, until October 2016, as per recommendation contained in Report dated 14 March 2016 from Mr M Patterson, Enterprise Development Officer.**

ERT/33/2016: EUROPEAN SOCIAL FUND REQUEST FROM SOUTHERN REGIONAL COLLEGE

Read: Report dated 14 March 2016 from Mr J McGilly, Assistant Director of Enterprise, Employment and Regeneration regarding a request from the Southern Regional College for Council to match fund an offer of funding received from the European Social Fund for the Rise Project. (Copy circulated)

Mr McGilly explained the Southern Regional College had confirmed that it would not be possible for the Rise Project to proceed on the basis of reduced contributions from NMDDC and ABC and that the project would not be proceeding.

AGREED: On the proposal of Councillor Andrews seconded by Councillor Hanna it was agreed as follows: -

- (a) **The Council note the position of the Southern Regional College and that while it cannot contribute to the full level of match funding requested the Council are not the sole source of match funding.**
- (b) **Council Officials continue to work with Southern Regional College and SERC to explore the potential for other joint initiatives where there are benefits for Council in delivery on corporate objectives.**

ERT/34/2016: HERITAGE LOTTERY FUNDING - TOWNSCAPE

Read: Report dated 14 March 2016 from Ms M Quinn, Project Development Manager regarding Townscape Heritage Schemes under the Heritage Lottery Fund.
(Copy circulated)

AGREED: On the proposal of Councillor Andrews seconded by Councillor Harvey it was agreed as follows: -

- (a) **To approve the development of a proposal for Irish Street, Downpatrick as an initial project for a Townscape Heritage Scheme for submission to the Heritage Lottery Fund.**
- (b) **That a phased approach to future Townscape Heritage Schemes is adopted with projects being ranked in order of feasibility and the level of commitment from property owners with potential match funding etc.**
- (c) **Consideration to be given to the development of project ideas in those areas where Heritage Lottery Fund Projects have not been delivered or where previous plans have been developed but not delivered but could be revisited from the following areas:**
 - **Scotch Street, Downpatrick**
 - **Castlewellan**
 - **Killough**
 - **Killylea**
 - **Ardglass**
 - **Bessbrook**
 - **Newry**

• **Strangford**

NOTED: Council Officials were actively exploring possible funding from Heritage Lottery Fund for other areas in the District which due to their present state are currently below the threshold for eligibility for conservation funding

ERT/35/2016: NEWRY BUSINESS IMPROVEMENT DISTRICT

(Councillor Harte left the Meeting at 3.40pm)

Read: Report dated 14 March 2016 from Mr J McGilly, Assistant Director of Enterprise, Employment and Regeneration regarding a Newry Business Improvement District.

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

- (a) The Council to release an advance, at the start of 2016/2017 financial year, £10,000 estimated levy costs on Council properties in the Business Improvement District Area.**
- (b) To release £30,000 to the Business Improvement District budgeted for City Centre Management.**
- (c) The above will be subject to normal monitoring and governance arrangements being in place.**

(Councillor Harte re-joined the meeting at 3.45pm)

ERT/36/2016: HOTEL DEVELOPMENT

Read: Report dated 14 March 2016 from Mr J McGilly, Assistant Director of Enterprise, Employment and Regeneration regarding hotel accommodation needs. (Copy circulated)

Several Members stressed the need for hotel development in the District, in particular Downpatrick, South Armagh and Newcastle areas and concerns were expressed at the closure of Hillyard House in Castlewellan.

Mr Hannaway explained the Strategic Investment Working Party would be looking at how the Council can use its assets to lever a number of identified capital strategic projects.

AGREED: On the proposal of Councillor Hanna seconded by Councillor W Clarke it was agreed Newry, Mourne and Down District Council commission site option appraisal and business case/appraisal for hotel provision in Downpatrick and Newcastle.

Noted: The Council are actively working with the private developer at the proposed Killeavy Castle Hotel. Council are currently reviewing land holdings in Newry City to put forward development proposals for the area. Council Officials have been in discussions regarding a proposed hotel in the Rostrevor/Warrenpoint.

ERT/37/2016: APPOINTMENT OF MEMBERS TO NEWRY, MOURNE AND DOWN ECONOMIC FORUM

Read: Report dated 8 March 2016 from Ms M Ward, Director of Enterprise, Regeneration and Tourism regarding the appointment of members to the Newry, Mourne and Down District Council Economic Forum.

Noted: This matter was discussed at the Party Representatives Forum on 3 March 2016 with the recommendation that the make-up of the Taskforce be increased by 1 to 7 Elected Members, with the breakdown being as detailed: -

2 Sinn Fein
2 SDLP
1 DUP
1 UPP
1 Representative from either Alliance/Independents Grouping or TUV

AGREED: It was unanimously agreed appointments of Members to the Newry Mourne and Down Economic Forum be made as follows:

**2 No. Members to be appointed from Sinn Fein
(names will be forwarded in due course)**

**2 No. Members to be appointed from SDLP
(Councillor D Curran / 2nd name to be forwarded in due course)**

**1 No. Member from DUP
(Councillor H Harvey)**

**1 No. Member from UUP
(Councillor R Burgess)**

**1 No. Member from either Alliance/Independent/TUV
(name to be forwarded in due course)**

ERT/38/2016: APPOINTMENT OF MEMBERS TO MARINE TASKFORCE

Read: Report dated 8 March 2016 from Ms M Ward, Director of Enterprise, Regeneration and Tourism regarding appointment of members to the Marine Taskforce.

Noted: This matter has been discussed at the Party Representatives Forum on 3 March 2016 with the recommendation that the make-up of the Marine Taskforce be as follows: -

2 Sinn Fein
2 SDLP
1 DUP
1 UUP
1 Representative from either Alliance/Independents Grouping or TUV

AGREED: **It was unanimously agreed appointments of Members to the Marine Taskforce be made as follows:**

**2 No. Members to be appointed from Sinn Fein
(names will be forwarded in due course)**

**2 No. Members to be appointed from SDLP
(names to be forwarded in due course)**

**1 No. Member from DUP
(Councillor G Hanna)**

**1 No. Member from UUP
(Councillor R Burgess)**

**1 No. Member from either Alliance/Independent/TUV
(name to be forwarded in due course)**

TOURISM, CULTURE AND EVENTS ITEMS

ERT/39/2016: IAGTO NA – GOLF CONVENTION REPORT

Read: Report dated 24 February 2016 from Ms M Boyle, Tourism Development Officer regarding the International Golf Association of Tour Operators (IAGTO) Conference to be held in June 2016 at Pine Hurst North Carolina.
(Copy circulated)

AGREED: **On the proposal of Councillor Hanna seconded by Councillor McAteer it was agreed to appoint 1 No. Council Official to attend the IAGTO North**

America Golf Conference to be held from 26 – 29 June 2016 in Pine Hurst North Carolina.

34

ERT/40/2016: **RESPONSE TO DECAL**
RE: CONSULTATION ON CULTURE, ARTS AND STRATEGY

Read: Report dated 14 March 2016 from Ms M Magill, Enterprise, Regeneration and Tourism Department regarding a response to The Department of Culture, Arts and Leisure (DECAL) regarding a strategy for Culture and Arts 2016 to 2026.
 (Copy circulated)

AGREED: On the proposal of Councillor Andrews seconded by Councillor Harvey it was agreed to approve the response contained in Report dated 14 March 2016 from Ms M Magill, Enterprise, Regeneration and Tourism Department regarding a response to DECAL regarding the strategy for Culture and Arts 2016 to 2026.

ERT/41/2016: **RURAL TOURISM CALL**

Read: Report dated 14 March 2016 from Mr J McGilly, Assistant Director of Enterprise, Regeneration and Tourism regarding the Rural Tourism Scheme 2015/2020.
 (Copy circulated)

Several members referred to projects in other areas and said they needed to be advanced to a more progressed stage which would allow these projects to qualify for funding, ie, Narrow Water Keep, Silent Valley, Tollymore Park, Annalong Harbour.

AGREED: On the proposal of Councillor Hanna seconded by Councillor Andrews it was agreed as follows: -

- (a) The Council grant retrospective approval to submit EOI applications and based on the outcome develop full application or carry out necessary development work for next call.**
- (b) Council Officials explore other potential projects for further calls under this theme.**
- (c) A copy of the criteria for Rural Tourism Call funding be forwarded to Councillors for information.**

ERT/42/2016: **EVENTS PROGRAMME 2016/2017**

Read: Report dated 14 March 2016 from Ms M Ward, Director of Enterprise, Regeneration and Tourism regarding tourism events 2016/2017.
 (Copy circulated)

AGREED: On the proposal of Councillor Mulgrew seconded by Councillor Harvey it was agreed to approve the schedules of events for 2016/2017.

**ERT/43/2016: INVITATION - DR MARY MCALEESE
OPENING OF EXHIBITION
"WOMEN IN NEWRY AND MOURNE IN THE 20TH CENTURY"**

Read: Report dated 9 March 2016 from Mr K Abraham, Assistant Curator regarding an invitation to Dr Mary McAleese to open a forthcoming exhibition in Newry and Mourne Museum entitled "Women in Newry and Mourne in the 20th Century."

AGREED: On the proposal of Councillor Andrews seconded by Councillor Burgess it was agreed the Council forward the invitation to Dr Mary McAleese to open an exhibition in Newry and Mourne Museum called "Women in Newry and Mourne in the 20th Century" on 22 May 2016 at 7.00pm.

ITEMS TO BE CONSIDERED BY THE PRESS AND PUBLIC EXCLUDED

**ERT/44/2016: AGREEMENT – RNLI
RE: LIFEGUARD SERVICES**

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

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

Agreed: When the Committee came out of closed session, the Chairman reported it was agreed on the proposal of Councillor Hanna seconded by Councillor Burgess, that the Council continue with the contractual agreement with RNLI for Lifeguard Services for 2016 at Cranfield, Murlough and Tyrella.

**ERT/45/2016: SERVICE LEVEL AGREEMENT
RE: (ORNI) OUTDOOR RECREATION NORTHERN IRELAND**

Agreed: On the proposal of Councillor McAteer seconded by Councillor Hanna it was agreed to exclude the public and press from the meeting during

discussion on this matter which related to exempt information by virtue of Paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – information relating to the financial or business affairs of any particular person (including the Council holding that information).

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

Agreed: When the Committee came out of closed session, the Chairman reported it was agreed on the proposal of Councillor Andrews seconded by Councillor Harvey, to approve the terms contained in the Service Level Agreement for (ORNI) Outdoor Recreation Northern Ireland, for the purposes of developing forest parks for tourism.

It was also agreed the Council write to Forestry Service requesting they arrange to have signage repaired in Donard Forest.

**ERT/46/2016: SERVICE LEVEL AGREEMENT
RE: ST PATRICK'S VISITOR CENTRE**

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

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

Agreed: When the Committee came out of closed session, the Chairman reported it was agreed on the proposal of Councillor Burgess seconded by Councillor Harvey, to approve the terms contained in the Service Level Agreement for St Patrick's Visitor Centre for the period 2016/17.

FOR NOTING

ERT/47/2016: UPDATE RE: BROADBAND VOUCHER SCHEME

Read: Report dated March 2016 from Mr M Forster Business Support Coordinator providing an update regarding DARD Connection Vouchers and DETI Satellite Broadband. (Copy circulated)

AGREED: It was unanimously agreed to note that the Satellite Broadband Scheme appeals to those residents and businesses that cannot achieve adequate speeds using Fibre. DARD and RCVS Schemes cannot be promoted further.

ERT/48/2016: UPDATE RE: REGIONAL START INITIATIVE (RSI)

Read: Report dated 14 March 2016 from Mr M Patterson Enterprise Development Officer providing an update regarding the Regional Start Initiative (RSI). (Copy circulated)

AGREED: It was unanimously agreed to note report from Mr M Patterson Enterprise Development Officer providing an update regarding the Regional Start Initiative (RSI).

ERT/49/2016: HOLIDAY WORLD 2016

Read: Report dated 2 March 2016 from Ms M McKeown providing an update regarding Holiday World 2016. (Copy circulated)

AGREED: It was agreed to note update report from Ms M McKeown Assistant Tourism Development Officer regarding Holiday World 2016.

Councillors Andrews extended thanks to the Council Officers for presenting the report to the Committee and paid tribute to staff for their hard work during the Holiday World events in promoting and showcasing the District.

**ERT/50/2016: UPDATE RE:
PUBLIC REALM SCHEME WARRENPOINT
PUBLIC REALM SCHEME – NEWRY CATHEDRAL QUARTER
NEWRY LINKAGES REVITALISATION – TASK & FINISH**

Read: Report dated 14 March 2016 from Mr J McGilly Assistant Director Enterprise Employment and Regeneration providing updates on the following:
Public Realm Scheme Warrenpoint
Public Realm Scheme Newry Cathedral Corridor
Newry Linkages Revitalisation
(Copy circulated)

AGREED: It was unanimously agreed to note and approve recommendations contained in the following Reports:

- Report of Newry Cathedral Corridor Public Realm Scheme Task & Finish Steering Committee Meeting held on 16 February 2016.

- **Report of Warrenpoint Public Realm Scheme Task & Finish Steering Committee Meeting held on 22 February 2016.**
- **Report of Newry Linkages Revitalisation Task & Finish Steering Committee Meeting held on 25 February 2016.**

The Meeting concluded at 4.30pm.

For consideration at the Council Meeting to be held on Monday 4 April 2016.

Signed: **Councillor D Curran**
 Chairperson

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

NEWRY MOURNE AND DOWN DISTRICT COUNCIL

Minutes of Strategy Policy & Resources Committee Meeting held on Tuesday 15 March 2016 at 2.00pm in the Mourne Room, Downshire Civic Centre, Downpatrick.

In the Chair : Councillor G Craig

In Attendance:	Councillor T Andrews	Councillor P Brown
	Councillor M Carr	Councillor W Clarke
	Councillor D Curran	Councillor B Quinn
	Councillor H Reilly	Councillor B Walker

Officials in Attendance:

Mr L Hannaway, Chief Executive
 Mr E Curtis, Director of Strategic Planning & Performance
 Mr C O'Rourke, Director, Regulatory and Technical Services
 Ms C Miskelly, Assistant Director, Human Resources
 Ms R Mackin, Assistant Director, Corporate Planning and Policy
 Ms A Robb, Assistant Director, Corporate Services (Administration)
 Ms V Keegan, Marketing Manager
 Mr P Green, Legal Advisor
 Mr C Moffett, Equality Officer
 Mr J McBride, Change Manager
 Ms S Burns, Programme Manager
 Mrs E McParland, Democratic Services Manager
 Mrs C Taylor, Democratic Services Officer

SPR/53/2016:- APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Burns, Burgess, Kimmins, Ó'Muirí, Ruane and Ms H McKee, Assistant Director of Community Planning.

As an apology had been received from Councillor R Burgess and the Vice Chair, Councillor H Reilly, was not present at commencement of the meeting. A nomination to chair the meeting was therefore sought from the floor.

AGREED: It was agreed on the proposal of Councillor Walker, seconded by Councillor Andrews, that Councillor Craig chair the meeting in the absence of the Chair and Vice-Chair of Committee.

Councillor Craig assumed the Chair.

SPR/54/2016:- DECLARATIONS OF INTEREST

There were no Declarations of Interest.

SPR/55/2016:- ACTION SHEET OF THE STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 11 FEBRUARY 2016

Read: Action Sheet of the Strategy, Policy and Resources (SPR) Committee Meeting held on 11 February 2016 (circulated).

SPR/48/2016 – Land for Sale at Upper Dromore Road, Warrenpoint

Mr Curtis advised that Council officials had been asked to investigate the acquisition of land for sale at Upper Dromore Road, Warrenpoint and a valuation had been obtained. However as a substantially higher bid than the valuation obtained by Council had been submitted from the private sector, the offer of this land to Council had not been progressed further.

Councillor Carr thanked Mr Curtis for his efforts regarding the land, but said that for the development of sports in Warrenpoint, this piece of land was crucial to the overall bigger plan.

Councillor Carr requested all options be explored regarding acquiring the land at Upper Dromore Street.

AGREED: It was agreed that a meeting of Crotlieve DEA Councillors would be organised by Council officers which would include a full briefing and Council's options, in relation to acquiring the land.

SPR/49/2016 – Review of Agency Workers

In response to a query from Councillor Andrews, Mr Curtis said as this item had been taken as an exempt item at the February meeting, an update would be given when the Committee was considering other exempt items, and an update would be given at the same time regarding the Severance Application.

Agreed: The Action Sheet of the Strategy, Policy and Resources Committee held on 11 February 2016, was agreed.

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

SPR/56/2016 FUNDAMENTAL SERVICE REVIEW OF GRAPHIC DESIGN (INCORPORATING ADVERTISING SERVICES)

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

Read: Report from Ms V Keegan, Marketing Manager, dated 15 March 2016, regarding the Fundamental Service Review of Graphic Design Services (incorporating Advertising Services).

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

Agreed: When the Committee came out of closed session, the Chairperson reported that it had been agreed on the proposal of Councillor Andrews, seconded by Councillor Walker, that recommendations 7.2 – 7.13 and 8.6 – 8.10 within the report be accepted relating to the Fundamental Service Review of Graphic Design Services (incorporating Advertising Services), with voting being as detailed below and Councillor Carr expressing concerns about the recommendations of the Officer's report.

FOR: 4
AGAINST: 1
ABSTENTIONS: 1

SPR/57/2016 REPORT ON PROVISION OF COUNCIL'S LEGAL SERVICES

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

2014 - Information relating to the financial or business affairs of any particular person (including the Council holding that information).

Read: Report from Mr L Hannaway, Chief Executive, dated 15 March 2016, regarding Provision of Council's Legal Services, recommending the Council retain the SLA with Belfast City Council and second a Solicitor from Belfast City Council for a period of 12 months, subject to review in March 2017.

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

Agreed: When the Committee came out of closed session, the Chairperson reported that it had been agreed on the proposal of Councillor Curran, seconded by Councillor Walker, that the recommendations within the report be accepted relating to the provision of Council's Legal Services.

SPR/58/2016 **ACTION SHEET OF THE STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 11 FEBRUARY 2016**

SPR/49/2016 – Review of Agency Workers

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

In response to Councillor Andrews' earlier query, Ms Miskelly provided an update on the Review of Agency Workers.

Agreed: On the proposal of Councillor Andrews, seconded by Councillor Walker, it was agreed the Committee come out of closed session and the Chairperson reported that an update had been provided by Ms Miskelly on the review of agency workers.

SPR/51/2016 – Severance Application

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

Mr Curtis provided an update on the Severance Application tabled at previous SPR Committee Meeting.

Agreed: On the proposal of Councillor Andrews, seconded by Councillor Walker, it was agreed the Committee come out of closed session and the Chairperson reported an update had been provided by Mr Curtis in relation to a severance application.

CORPORATE SERVICES – DEMOCRATIC SERVICES

SPR/59/2016:- REPORT ON PRESENTATIONS TO COUNCIL AND COMMITTEE MEETINGS

Read: Report from Mr L Hannaway, Chief Executive, dated 15 March 2016 regarding Presentations to Council and Committee Meetings.

Ms McParland advised that the timetable of presentations was for noting as Party Representatives Forum had authority to agree the timetabling of presentation arrangements. She added the Pensioners Parliament would be directed to Active and Healthy Communities Committee and all Members invited to attend and the request from Pensionwise would be progressed through Council's HR department. She said the request from Mr Scott Moore to make a presentation to Council had been refused with regret by Party Representatives Forum.

In response to Councillor Andrews query, Ms McParland advised that a proforma would be devised which Councillors could complete with their concerns prior to presentations from Transport NI, with the aim that more strategic matters would be dealt with at the Council meeting.

AGREED: It was agreed that a proforma would be sent to Councillors to enable them to detail their concerns prior to the presentations from Transport NI.

In response to Councillor Brown's concerns regarding the refusal of Mr Scott Moore's request to present to Council, Mr Hannaway advised that Council had no decision making powers regarding schools and education. He confirmed that a cross party political view had been sought at Party Representatives Forum, which was to refuse with regret. The matter had been referred back to Strategy, Policy and Resources Committee which had responsibility for policy.

Councillor Walker referred to the Downpatrick traffic congestion scheme, the Ballynahinch Bypass and Doran's Rock, saying these 3 schemes could be discussed with Transport NI at DEA meetings.

Councillors Andrews, W Clarke and Quinn all agreed that the statutory agencies should make presentations to Council on strategic projects and be held to account.

Agreed: It was agreed that the timetable of presentations to Council/Committee meetings as agreed at Party Representatives Forum held on Wednesday 2 March 2016, be noted. Details attached at Appendix 1.

SPR/60/2016 COUNCIL MEETINGS DURING ELECTION WEEK

Read: Report from Mr L Hannaway, Chief Executive, dated 15 March 2016, regarding Meeting arrangements during election week (week commencing Monday 2 May 2016).

Agreed: It was agreed on the proposal of Councillor W Clarke, seconded by Councillor Andrews, the arrangements for meetings during the week of Assembly elections – Monday 2 – Friday 6 May 2016, be agreed as detailed in recommendations 1 – 3 as set out below:

1. Council meeting proceed as planned on Tuesday 3 May at 6pm, with the agenda being kept as brief as possible and Members aiming not to include Notices of Motion, if they can be directed to an alternative meeting date.
2. Chief Executive Appraisal Meeting also take place on Tuesday 3 May at 3pm, as it would be difficult to reschedule the Independent Assessor who attends.
3. No other meetings to be organised during Election week.

CORPORATE SERVICES - FINANCE

SPR/61/2016 INSURANCE

Read: Report from Mr R Dowey, Head of Finance, regarding Insurance premiums.

Councillor Carr expressed concerns regarding the high amount of excess on each claim and said that the NI Fire Service were self-insuring.

Agreed: **After discussion, it was agreed that a report would be brought back by the Director of Corporate Services through the Efficiencies Working Group prior to the 2017/18 rates, regarding the possibility of Council self-insuring.**

Agreed: **It was agreed on the proposal of Councillor W Clarke, seconded by Councillor Andrews, that the recommendations 1–6 as detailed below, be approved:**

SPR/62/2016 CORPORATE CREDIT CARD

Read: Report from Mr E Curtis, Director of Strategic Planning and Performance, dated 15 March 2016, regarding Corporate Credit Card.

Agreed: **It was agreed on the proposal of Councillor Andrews, seconded by Councillor Curran, that contents of the report be agreed and that the Council increase the credit limit of the Purchasing Officer, David Barter's credit card from £4000-£8000 for an interim period of 3 months with the card being used for the purchase of all and conferences.**

CORPORATE SERVICES

SPR/63/2016 PILOT OF NICS IDENTITY VERIFICATION SYSTEM

Read: Report from Mrs A Robb, Assistant Director, Corporate Services (Administration) dated 15 March 2016, regarding Pilot of NICS Identity Verification Solution.

In response to concerns from Councillor Quinn, Mr Curtis advised that this pilot would offer the NICS Identity Verification System to residents in the area and there was no additional cost to Council.

Councillor Quinn expressed concerns regarding the lack of free and easily accessible car parking at Newry Town Hall and suggested centres be identified which were easy to access.

Agreed: It was agreed on the proposal of Councillor W Clarke, seconded by Councillor Walker, that Council runs a pilot of a NICS Identification Verification Solution in conjunction with DFPNI for a period of 12 months from 1 April 2016, with a report to be brought back to Council after an initial 6 months period on usage and service satisfaction.

ESTATE

SPR/64/2016 LEASE OF AMENITY AREA AT SPELGA DAM

Read: Report from Mrs A Robb, Assistant Director, Corporate Services (Administration) dated 15 March 2016, regarding Lease of Amenity Area at Spelga Dam.

Councillor Quinn expressed concerns regarding the locked barriers at Cranfield caravan car park.

Agreed: The issue of the locked barriers at Cranfield caravan car park be referred to Active and Healthy Communities Committee.

Agreed: It was agreed on the proposal of Councillor Walker, seconded by Councillor Quinn, that agreement be given for the renewal of Council's existing lease with DRD in respect of the Amenity Area at Spelga Dam.

SPR/65/2016 REQUEST TO USE FORMER COUNCIL BUILDING, STRANGFORD ROAD, DOWNPATRICK

Read: Report from Mr E Curtis, Director of Strategic Planning and Performance, dated 15 March 2016, regarding Licence for Former Building Control Offices at Strangford Road, Downpatrick to Social Enterprise Projects.

Mr Curtis advised that if Members agreed, Downpatrick Social Enterprise Projects could be considered for a short term licence as this site was currently in the process of sale to the Department of Education for the development of the new Down High School. Therefore a discussion would be necessary with the Department of Education to ensure the proposed licence had no impact on the development of the school.

Councillor Walker raised concerns about such an arrangement, saying CAPPa, a group working with children with Autism, had previously asked to use the former offices, and been refused.

In response, Mr Curtis advised that the costs involved had been high and CAPPa had not wished to meet those costs. Mr Curtis offered to speak to CAPPa and Downpatrick Social Enterprise Projects to come to a solution, but stressed that it would be short term due to the sale to the Department of Education. He added that he wished to speak to the Department of Education to ascertain deadlines for the sale. He said the building may also need to be considered for use for Council staff.

Councillor Andrews welcomed Mr Curtis's commitment to speak with CAPPa and Downpatrick Social Enterprise Projects.

Agreed: **It was agreed on the proposal of Councillor W Clarke, seconded by Councillor Brown, that :**

- **Consideration be given for Downpatrick Social Enterprise Projects and/or CAPPa to take a licence at the former Down District Council offices for a period of 2 years, subject to the building not being required for Council staff use and to such an arrangement being acceptable to the purchaser, Department of Education.**
- **Council officials to liaise with Downpatrick Social Enterprise Projects and Cappa to see if a joint solution for interim use of the former offices could be reached.**

SPR/66/2016 HEAD FORESHORE LEASE – ISSUE ON FORESHORE AT BALLYEDMOND, CARLINGFORD LOUGH

Read: Report from Mr E Curtis, Director of Strategic Planning and Performance, dated 15 March 2016, regarding the Head Foreshore Lease – Issue on the Foreshore at Ballyedmond, Carlingford Lough

Agreed: **It was agreed on the proposal of Councillor Carr, seconded by Councillor Curran, the following recommendations be approved:**

- **Mr Hannaway to endeavour to convene a meeting between Council Officials and representatives from Ballyedmond Estate with a view to discussing the possibility of obtaining a permissible path agreement around the Harbour area and to progress the High Court Settlement Agreement of 2014.**

- **Subject to a positive outcome regarding the above, the Council to accept the decision of the Crown Estate, to extract the 3 further areas marked red on map (dated 22/8/2003) from the new Head Lease.**

SPR/67/2016

HEAD FORESHORE LEASE – ISSUE AT ROSTREVOR FORESHORE

Read:

Report from Mr E Curtis, Director of Strategic Planning and Performance, dated 15 March 2016, regarding the Head Foreshore Lease – Issue at Rostrevor Foreshore.

Councillor Carr referred to the issue over the access to the shoreline on the Rostrevor foreshore, saying it was crucial Council remained aware of the right of people to walk along the District's shorelines. He queried if areas were extracted and built upon, would access still be retained.

Mr Curtis advised that the requirement for public access to the shoreline could be included as a caveat in the legal agreement.

Councillor Carr requested consultation with the residents of Rostrevor be undertaken to ascertain their views.

Councillor Quinn said a number of groups had been denied access to the shoreline for swimming.

Agreed:

It was agreed on the proposal of Councillor Quinn, seconded by Councillor Curran, that, subject to the approval of the Crown Estate, and when the Head Regulating Lease was in place, the Council sub-lease to Mr McGinn an area of foreshore under discussion, to allow the reclamation to proceed, on terms to be agreed, and subject to Mr McGinn obtaining all necessary statutory approvals.

It was further agreed that the following conditions be included in the legal agreement:

- **Access to the shoreline by the public should be ensured.**
- **Consultation of the views of Rostrevor residents be undertaken.**
- **Access to the shoreline by swimming groups would be ensured.**

SPR/68/2016

RESURFACING WORKS AT NEWCASTLE HARBOUR'S NORTH PIER

Read: Report from Mr E Curtis, Director of Strategic Planning and Performance, dated 15 March 2016, regarding the Newcastle Harbour Project.

Councillor W Clarke said the resurfacing works at Newcastle Harbour's North Pier was a health & safety issue. He went on to say that this was an historical area of Newcastle where in 1843, seventy-three people had lost their lives. He said the built heritage at this location had fallen into dereliction.

Councillor Quinn requested an update paper on the matter be tabled at the Mournes DEA meeting.

Councillor W Clarke asked Council officials to design a scheme for the resurfacing works and to look into carrying out maintenance within the buildings maintenance programme, with a report being brought back to Committee.

Agreed: It was agreed on the proposal of Councillor W Clarke, seconded by Councillor Andrews, that Council officials design a scheme for the resurfacing works at Newcastle Harbour and investigate carrying out maintenance within the buildings maintenance programme, with a report being brought back to Committee.

Agreed: It was further agreed that an update paper (including photographs) on the issue be tabled at the Mournes DEA meeting.

COMMUNITY PLANNING AND WELL-BEING

SPR/69/2016 RESPONSE TO SUSTAINABLE RURAL COMMUNITIES: CONSULTATION INFORMATION FOR THE REVIEW OF THE HOUSING EXECUTIVE'S RURAL HOUSING POLICY

Read: Report from Ms H McKee, Assistant Director, Community Planning, dated 15 March 2016, regarding the Sustainable Rural Communities – full policy framework: Consultation information for Review of the Housing Executive's Rural Housing Policy.

Agreed: It was agreed on the proposal of Councillor Walker, seconded by Councillor Curran, that the report from Heather McKee on Sustainable Rural Communities – full policy framework: Consultation information for Review of the Housing Executives Rural Housing Policy be approved.

SPR/70/2016

DRAFT COMMUNITY PLANNING ENGAGEMENT FRAMEWORK

Read:

Report from Ms H McKee, Assistant Director, Community Planning, dated 15 March 2016, regarding the Draft Community Planning Engagement Framework.

Councillor Quinn referred to the DEA meetings, saying an agenda was required for public DEA meetings.

Councillor W Clarke concurred with Councillor Quinn, saying the framework would ensure people clearly knew why they were being consulted.

Agreed:

It was agreed on the proposal of Councillor W Clarke, seconded by Councillor Quinn, that the Draft Community Planning Engagement Framework, as presented to Committee, be approved.

FOR CONSIDERATION/DECISION

SPR/71/2016

REPORT OF MEETING WITH DEPUTY FIRST MINISTER RE NARROW WATER BRIDGE PROJECT

Read:

Report of Meeting with Deputy First Minister held on 24 February 2016 regarding the Narrow Water Bridge Project.

Agreed:

It was agreed that the report of the meeting with the Deputy First Minister held on 24 February 2016 regarding the Narrow Water Bridge Project, be noted.

SPR/72/2016

PHOTOVOLTAIC PANELS

Read:

Report from Mr E Curtis, Director of Strategic Policy and Performance, dated 15 March 2016, regarding the potential for Solar Photovoltaic Panels at Community Centres in the District.

Councillor Quinn requested the cost of changing the flood lighting at Council's leisure facilities to low energy lighting systems be investigated.

Councillor W Clarke requested the Community Centre in Castlewellan also be considered for the photovoltaic panels.

Councillor Carr said Warrenpoint had missed out on energy saving devices as it did not have a community centre, and he requested another site in the area be considered for the installation of the panels.

Mr Curtis said a report would be brought to the April 2016 meeting of Strategy, Policy and Resources regarding developing a community centre in Warrenpoint.

Agreed: It was agreed on the proposal of Councillor Andrews, seconded by Councillor W Clarke, that approval be given, in principle, to proceed with the photovoltaic panels at the Community Facilities in the Newry, Mourne and Down Area, as detailed in the report, subject to prioritisation of the list to ensure selection of those with the greatest savings as it was noted it would not be possible to complete all projects due to financial constraints. Mr Curtis said a report be brought back to Council 6 months after the work has been completed.

EQUALITY AND POLICY

SPR/73/2016 REPORT ON NAMING COUNCIL FACILITIES – POLICY, GUIDELINES AND ASSOCIATED PROCEDURE

Read: Report from Mr C Moffett, Equality Officer, dated 15 March 2016, regarding the Policy on naming Council facilities.

Councillor Walker welcomed this policy, saying it would provide a safeguard for the future where parties sought to name a Council facility after an individual.

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

- The Policy on Naming Council Facilities as outlined in Mr Moffetts report dated 15 March 2016.
- The Guidelines and associated procedure in relation to (re)naming of facilities.

SPR/74/2016 REPORT ON DECADE OF CENTENARIES PROGRAMME 2016 – CIVIC INITIATIVES

Read: Report from Mr L Hannaway, Chief Executive, dated 15 March 2016, regarding the Council's Decade of Centenaries 2016 Working Group.

Councillor W Clarke thanked officers for their work on the programme of initiatives.

Councillor Reilly, on behalf of Councillor Hanna, asked that his concerns be noted regarding the Somme Service.

Agreed: **It was agreed on the proposal of Councillor W Clarke, seconded by Councillor Andrews, that the exploration of the following initiatives be approved:**

- **Commemorative service to recognise the Battle of the Somme.**
- **Commemorative artwork to recognise Patrick Rankin.**

SPR/75/2016 **ALL IRELAND – US, SISTER CITIES MAYOR’S SUMMIT, DUBLIN 21-24 APRIL 2016**

Read: Report from Mr C Moffett, Equality Officer, dated 15 March 2016, regarding the All Ireland – US, Sister Cities Mayor’s Summit, Dublin 21-24 April 2016.

Councillor Carr paid tribute to Mike Heaney, former Mayor of Southern Pines in California, who had recently passed away, and requested a wreath be sent on behalf of the Sister City Committee.

Councillor W Clarke suggested a press conference be organised with the visitors from Southern Pines.

In response to a query from Councillor Quinn regarding a display table, Mr Curtis undertook to investigate opportunities for Council to promote itself during the summit.

Agreed: **It was agreed on the proposal of Councillor Quinn, seconded by Councillor Curran, that Council is represented by the Council Chairperson, Elected Members nominated to attend the summit (Councillors Burns, W Clarke, Carr and Curran), along with the Chief Executive, Director of Strategic Planning and Performance, Officer from Enterprise Tourism and Regeneration Department involved in the Sister Cities project and 2 Officers from the Strategic Planning and Performance Department with responsibility for overseeing the development and implementation of the Sister Cities/Twinning functionary area.**

GRANT AIDED PROGRAMMES

SPR/76/2016 PEACE IV - UPDATE

Read: Report from Ms S Burns, Programmes Manager, dated 15 March 2016, regarding the PEACE IV Programme.

Councillors paid tribute to the Programmes Manager and her team for their hard work with the Peace IV Programme.

Agreed: **It was agreed that the update report on Peace IV be noted.**

SPR/77/2016 FINANCIAL ASSISTANCE

Read: Report from Ms S Burns, Programmes Manager, dated 15 March 2016, regarding Financial Assistance.

Agreed: **It was agreed on the proposal of Councillor Walker, seconded by Councillor Brown, that approval be given to the upper thresholds for each theme and the timeframe for call 2.**

STRATEGIC PROJECTS

SPR/78/2016 PARTICIPATION IN LIBERATE EUROPEAN COMMISSION PROJECT

Read: Report from Mr E Curtis, Director of Strategic Policy and Performance, dated 15 March 2016, regarding the Strategic Proposal received from University of Ulster re Strategic Sustainable re Naturalisation of Urban River Scopes and Waterways.

In response to Councillor Reilly's concerns, Mr Curtis explained that a copy of Council's application had been forwarded to the European Union and outside of Belfast, Newry had been the only city asked to join.

Agreed: **It was agreed on the proposal of Councillor W Clarke, seconded by Councillor Curran, that:**

- **Approval be given to participate in the Liberate proposal which aims to demonstrate the transferability and socio-technical sustainability of a wide and extensive community implication in nature-based restoration and strategic revitalisation projects for water systems and river landscapes in urban environments, ie. Albert Basin, Newry, Carlingford Greenway.**

- **A detailed report be brought back to Committee.**

SPR/79/2016

PROGRESS REPORT ON CAPITAL PROJECTS

Read:

Report from Mr E Curtis, Director of Strategic Policy and Performance, dated 15 March 2016, regarding the Progress Report on Capital Projects.

In response to a query from Councillor Brown, Mr Curtis advised the dates for the future sub-committee to work on capital projects would be emailed to members of the group.

In response to Councillor Carr's query, Mr Curtis provided an update on the status of Victoria Lock.

Agreed:

It was agreed on the proposal of Councillor Brown, seconded by Councillor Reilly, that the content of the report be noted, and further details awaited on the compensation events/draft final accounts for Victoria Lock Refurbishment Scheme with officers being granted authority to approve interim payments for compensation events pending agreement on total amounts due.

ANY OTHER BUSINESS

SPR/80/2016

SPEAKING SYSTEM IN THE CHAMBER

Councillor Andrews requested a consecutive order speaking system for the Mourne Room be investigated.

The meeting concluded at 4.25pm

For consideration at the Council Meeting to be held on 4 April 2016.

Signed:

Councillor Robert Burgess
Chairperson

Signed:

Liam Hannaway
Chief Executive

Appendix 1

Timetable of presentations to Council and Committee: March – December 2016

April	-	SONI (north/south Inter Connector) and PPANI (NI Public Protection Agency)
May	-	Transport NI
June	-	currently free
August	-	currently free
September	-	NIHE and provisionally NI federation of Housing Associations
October	-	Transport NI
November	-	NI Water
December	-	No Meeting

Other arrangements:

1. Pensioners Parliament to be invited to Active and Health Communities, with all Members being invited to attend.
2. Pensionwise to be progressed through the Council's HR Department – event for staff and Councillors

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

Ref: AHC/2016

Minutes of Active and Healthy Communities Committee Meeting held on Monday 21 March 2016 at 6.00pm in the Commedagh Room, Downshire Civic Centre, Downpatrick

Chairperson: Councillor L Kimmins

In attendance: (Councillors)
Councillor S Burns Councillor M Carr
Councillor L Devlin Councillor V Harte
Councillor H Harvey Councillor K Loughran
Councillor B Ó'Muirí Councillor D Taylor
Councillor G Sharvin Councillor W Walker

Non-Committee Members: Councillor P Clarke

Officials in attendance: Mr M Lipsett, Director of Active and Healthy Communities
Mr E Devlin, Assistant Director of Active and Healthy Communities (Health and Wellbeing)
Mrs J Hillen, Assistant Director for Community Engagement
Ms J McCann, Area Community Development Officer
Mr P Brannigan, Estates Officer
Mrs C Taylor, Democratic Services Officer

AHC/33/2016: APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillor G Fitzpatrick and Mr R Moore, Assistant Director of Active and Healthy Communities (Leisure and Sport)

The Chairperson advised that Councillor Burns had requested to host a Sports Head Injury Conference.

Councillor Burns expressed his disappointment that a report had not been brought to the meeting and asked that this conference would take place before the end of the GAA season.

Mr Lipsett advised that under the governance arrangements, a detailed report illustrating value for money and Council's procurement procedures was required. He advised he would bring back a report to the April Active and Healthy Communities Committee showing

progress on this matter. He suggested SAND could be used to deliver such a proposal.

Agreed: It was agreed on the proposal of Councillor Burns, seconded by Councillor Walker that the organisation of a Sports Head Injury Conference would be progressed with SAND and a progress report brought back to the April Committee meeting.

AHC/34/2016: DECLARATIONS OF INTEREST

There were no declarations of interest.

AHC/35/2016: ACTION SHEET OF THE ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 22 FEBRUARY 2016

Read: Action Sheet of the Active and Healthy Communities Committee Meeting held on 22 February 2016. (Copy circulated).

AHC/20/2016 Lease of Carnbane Playing Fields, Bann Road, Castlewellan

In response to Councillor Devlin's request for an update on the above matter, Mr Lipsett advised he had met with the Chairmen of both Castlewellan GAC and Castlewellan Town FC and had they had agreed to wait for Council's new policy regarding leasing of sports pitches, to make an application.

In response to Councillor Burns query, Mr Lipsett advised all other interested parties had been written to, but not all had responded at this point.

Councillor Devlin requested this item would be kept on the Action Sheet in order that a regular update could be provided.

Agreed: It was agreed that the matter regarding the Lease of Carnbane Playing Fields, Bann Road, Castlewellan, would be kept on the Action Sheet so that a regular update could be provided.

COMMUNITY ENGAGEMENT

AHC/36/2016 NEWRY STREET UNITE, SPACES AND PLACES APPLICATION

Read: Report from Mrs J Hillen, Assistant Director of Community Engagement dated 21 March 2016 regarding Newry Street Unite – Space and Place Application (Copy circulated).

Councillor Sharvin asked what would happen if the application was unsuccessful. Mrs Hillen advised that liaison would take place with Space and Place around redesign of the project to fit within the budget.

Agreed: It was agreed on the proposal of Councillor Walker, seconded by Councillor Burns, that:

- **NM&DDC agrees in principle to support the Newry Street Unite Project, subject to a successful application by the group to Councils Capital Grant Scheme for approximately £50,000 to match fund the letter of offer from Space and Place.**
- **Council agrees to provide assistance with:**
 - **Capacity building of the community association.**
 - **Drawing up legal documentation in relation to the overall project (including finalising lease arrangements).**
- **Council to maintain and insure the play area at completion of scheme.**

HEALTH AND WELLBEING

It was agreed to take the following item earlier in the meeting:

AHC/37/2016 NUCLEAR FREE LOCAL AUTHORITIES (NFLA)

Read: Report from Mr E Devlin, Assistant Director of Active and Healthy Communities (Health and Wellbeing) dated 21 March 2016 regarding Nuclear Free Local Authorities(Copy circulated).

Agreed: It was agreed on the proposal of Councillor Burns, seconded by Councillor Ó'Muirí that Council remain members of Nuclear Free Local Authorities.

COMMUNITY ENGAGEMENT

AHC/38/2016 NEIGHBOURHOOD RENEWAL INTERCOMMUNITY YOUTH ARTS PROJECT

Read: Report from Mrs J Hillen, Assistant Director of Community Engagement dated 21 March 2016 regarding Neighbourhood Renewal Intercommunity Youth Arts Project (Copy circulated).

Agreed: It was agreed on the proposal of Councillor Harvey, seconded by Councillor Burns, that the following be approved:

- Use of the three centres for murals to be displayed on internal walls (Threeways, Whitegates, Loanda House).
- To have murals placed on boards and erected on:
 - Fencing at a local play area – Martins Lane.
 - Perimeter fencing at Derrybeg Community Centre.
 - Perimeter fencing at Drumalane football pitch.
- Council to cover costs associated with erection of murals.

AHC/39/2016 DEA FORA UPDATE REPORT

Read: Report from Mrs J Hillen, Assistant Director of Community Engagement dated 21 March 2016 regarding DEA Fora Update Report (Copy circulated).

Mrs Hillen advised the first round of public DEA Fora meetings had been completed and had been well attended. She said the DEA nomination process was underway with a closing date of 9 April 2016.

Noted: It was agreed to note the report.

AHC/40/2016 DRAFT COMMUNITY ENGAGEMENT STRATEGY

Read: Report from Mrs J Hillen, Assistant Director of Community Engagement dated 21 March 2016 regarding Draft Community Engagement Strategy (Copy circulated).

Agreed It was agreed on the suggestion of Councillor Burns the Draft Community Engagement Strategy would be distributed to DEA Chairs for discussion at the next DEA meetings.

AHC/41/2016 NEIGHBOURHOOD RENEWAL CAPITAL PROJECTS (NEWRY)

Read: Report from Mrs J Hillen, Assistant Director of Community Engagement and Sean McKevitt, Neighbourhood Renewal Officer Enterprise Employment and Regeneration dated 21 March 2016 regarding Neighbourhood Renewal Capital Projects (Newry) (Copy circulated).

Agreed: It was agreed on the proposal of Councillor Harte, seconded by Councillor Ó'Muirí that the progression of 5 community projects be approved as follows, subject to

securing necessary documentation and funding from DSD/NR and providing project management throughout:

- **New community facility at Drumalane**
- **Upgrade at Meadow Kickabout Area**
- **Martins Lane Play Area**
- **Derrybeg BMX Project**
- **Raymond McCreesh Park**

LEISURE AND SPORTS

AHC/42/2016 REPORT ON ST. BRIGID'S BOXING CLUB FOR REMEDIAL WORKS

Read: Report from Mr P Brannigan, Estates Officer/Mr K Scullion, Assistant Director of Facilities Management and Maintenance dated 21 March 2016, regarding the request received from St. Brigid's Boxing Club for remedial works to be carried out to the property.

Agreed: **It was agreed on the proposal of Councillor Harvey, seconded by Councillor Taylor, that the following be approved:**

- **The appointment of a Civil Engineer to inspect the entrance road, review and report on the issues and advise estimated costs to rectify where deemed appropriate.**
- **The appointment of a suitably qualified Electrician to test the street lights and report on their condition and provide estimated costs for repairs.**

AHC/43/2016 REQUEST TO LEASE ANNSBOROUGH PLAYING FIELDS TO AUGHLISNAFIN GAA

Read: Report from Mr M Lipsett dated 21 March 2016, regarding the request to lease Annsborough Playing Fields to Aughlisnafin GAA.

Councillor Burns asked if the request from Down GAA could be placed on the existing list of requests for leases of sports pitches pending the development of a policy for dealing with these requests.

Councillor Burns said the pitch was in reasonable condition, but was open at both ends and there was dog fouling evident. He said this would need to be made safe for children. He suggested the Director meet with Aughlisnafin GAA to define the boundary required and asked that an assessment be carried out on the car park which was in a very poor condition.

Councillor P Clarke concurred with Councillor Burns' comments.

Agreed: **It was agreed that:**

- The request from Down GAA would be placed on the list of requests for leases of sports pitches, pending the development of a policy for dealing with these requests.
- The car park at the GAA pitch at Annsborough Playing Fields.
- The Director meet with Aughlisnafin GAA to define the boundary required and a report be brought back to committee with details of the cost to make the pitch safe.

AHC/44/2016 LEISURE AND SPORTS FACILITY ARRANGEMENT FOR PUBLIC HOLIDAY

Read: Report from Mr R Moore, Assistant Director of Active and Healthy Communities (Leisure and Sport) dated 21 March 2016, regarding the Leisure and Sports Facility Arrangement for Public Holiday (copy circulated).

Mr Lipsett advised that the proposal was to open the leisure and sports facilities at the same days as they opened in previous years. He added that the proposal was to standardise opening times across the facilities with the exception of the Newcastle Leisure Centre as it needed to be open longer to cater for seasonal demand.

Councillor Sharvin raised concerns over the playpark beside the Ballymote Centre being closed on St. Patrick's Day, despite raising similar concerns last year with officers. Mr Lipsett undertook to investigate and respond to Councillor Sharvin.

Councillor Devlin said the overflow car park at Donard Park, Newcastle had been closed on St. Patrick's Day and asked if it would be open going forward. Mr Lipsett advised the proposal was to keep the car park open the same days as the legacy Council had opened it. He suggested bringing back a report of all the bank holiday arrangements for the entire year to the April Committee meeting.

Agreed: It was agreed on the proposal of Councillor Harvey, seconded by Councillor Ó'Muirí, that the public holiday operating arrangements for Leisure and Sport Facilities – Ballymote LC, Ballynahinch Centre, Bridge Centre, Down LC, Kilkeel LC, Newcastle LC, Newry LC, Newry SC, St. Colmans Sports Complex Newry, be adopted as detailed in the report.

Agreed: It was further agreed that a report of all bank holiday arrangements for Council's Leisure and Sports facilities for the entire year be brought back to the April Committee meeting.

AHC/45/2015 NEWRY LEISURE CENTRE PHASE 2 AND NEW DOWN LEISURE CENTRE SUPPLIER PROGRAMME

Read: Report from Mr R Moore, Assistant Director of Active and Healthy Communities (Leisure and Sport) dated 21 March 2016, regarding the Newry Leisure Centre Phase 2 and new Down Leisure Centre Supplier Programme (copy circulated).

In response to a query from Councillor Sharvin, Mr Lipsett advised that the specialist equipment referred to in the report was equipment possibly required in the café, crèche and fitness suite. There had been nothing included in either capital project for the supply of fitness equipment or fit out of the crèche or café because there were a number of options available and that these would need to be subjected to a rigorous and detailed business assessment and brought back to Committee.

In response to a query from Councillor Burns, Mr Lipsett said it was a Council decision whether a café could be opened in the Downshire Civic Centre, and he undertook to bring a report back to Committee.

Agreed: **It was agreed on the proposal of Councillor Walker, seconded by Councillor Taylor, that officers commence the process to provide proposals on future supplier arrangements for crèche, café, soft play and fitness suite for NLC Phase 2 and the fitness suite for the new DLC along with providing options for decision on remaining specialist equipment needs.**

AHC/46/2016 SERVICE LEVEL AGREEMENT WITH ARMAGH, BANBRIDGE AND CRAIGAVON BOROUGH COUNCIL IN REGARD TO PHA FUNDED SERVICES 2016/17

Read: Report from Mr E Devlin, Assistant Director of Active and Healthy Communities (Health and Wellbeing) regarding the Service Level Agreement with ABC Borough Council in regard to Public Health Agency funded services 2016/17 (copy circulated).

Agreed: **It was agreed on the proposal of Councillor Ó'Muirí, seconded by Councillor Burns, that authorisation be given to the Chief Executive to sign the Service Level Agreement with Armagh, Banbridge and Craigavon Borough Council in regard to Public Health Agency funded services 2016/17.**

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

For consideration at Meeting of Newry, Mourne and Down District Council to be held on Monday 4 April 2016.

Signed: Councillor L Kimmins
Chairperson

Signed: Mr M Lipsett
Director of Active and Healthy Communities

NEWRY, MOURNE AND DOWN DISTRICT COUNCIL

RTS/M

Minutes of the Regulatory and Technical Services Committee Meeting held on Wednesday 23 March 2016 at 3.15pm in the Boardroom, District Council Offices, Monaghan Row, Newry

Chairperson: Councillor T Andrews

Members:

Councillor P Brown	Councillor P Byrne
Councillor C Casey	Councillor S Doran
Councillor G Fitzpatrick	Councillor G Hanna
Councillor M Murnin	Councillor H McKee

Non Committee Members:

Councillor T Hearty	Councillor D Curran
Councillor PClarke	Councillor B Walker

Officials in Attendance: Mr L Hannaway, Chief Executive
Mr C O'Rourke, Director of Regulatory and Technical Services
Mr A McKay, Head of Planning
Mr C Jackson, Assistant Director of Building Control and Regulations
Mr L Dinsmore, RTS
Mrs C McAteer, Democratic Services Officer

RTS/35/2016: APOLOGIES AND CHAIRPERSON'S REMARKS

It was noted apologies were received from Councillor G Stokes, Councillor S Ennis, Councillor V Harte and Councillor D Taylor.

Councillor Andrews referred to the recent terrorist attack in Brussels and said the thoughts and prayers of the whole community were with those who had lost their lives, their families and their friends.

Councillor Andrews also expressed his deepest sympathy on the tragic pier accident which had occurred in Buncrana, County Donegal, and led to the loss of the lives of five members of the same family. He said the whole community were united in grief and extended his thoughts and prayers to all who had been so terribly affected.

Councillor Andrews expressed his sympathy on the death of a former Chairman of Down District Council, Mr Jim Magee, and asked that a letter of sympathy be sent to his family on behalf of the Council.

Councillor Andrews thanked all the Council staff who had been involved in any way in organising or working at the very successful St. Patrick's Day celebrations held throughout the District.

RTS/36/2016: DECLARATIONS OF INTEREST

It was noted there were no declarations of interest.

RTS/37/2016: ACTION SHEET OF THE REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING – WEDNESDAY 17 February 2016

Read: Action Sheet of the Regulatory and Technical Services Committee Meeting held on Wednesday 17 February 2016. (***Attached***).

Agreed: **The Action Sheet was noted.**

FOR CONSIDERATION AND/OR DECISION

RTS/38/2016 PORTRAITS OF FORMER CHAIRPERSONS ON DOWN DISTRICT COUNCIL

Noted: Councillor Curran, Councillor Walker and Councillor P Clarke paid tribute to the former serving Chairpersons of the legacy Down District Council. They explained that when the Council offices moved to their new Civic Headquarters the portraits of former Chairpersons had not been re-erected, despite this having been agreed by the Council. They paid tribute to all former Chairpersons and said the work which they had carried out to lead the District in difficult times should be acknowledged and their portraits re-erected in the new Civic Centre.

Mr O'Rourke explained the portraits had been taken down to be re-digitised as they were too large and this work was almost completed. He confirmed action would be taken to have them remounted and put up in the building.

Agreed: **On the proposal of Councillor McKee, seconded by Councillor Murnin it was agreed that officials arrange to have the portraits of former Chairpersons of Down District Council re-erected in the new Civic Centre.**

BUILDING CONTROL

RTS/39/2016 REPORT RE: TENDER FOR COUNCIL'S STREET NAMEPLATE SERVICE

Read: Report dated 14 March 2016 from Mr Colum Jackson, Assistant Director of Regulatory and Technical Services re: tender for Council's street nameplate service. The report sought approval from the Council to go out to tender for the provision of street nameplates for the period 1 April 2016 – 31 March 2019, with the option to extend by a further period of up to one year, with the likely cost to be in the region of £9,000 per annum. **(Circulated).**

Agreed: **On the proposal of Councillor Hanna, seconded by Councillor Doran, it was agreed to go out to tender for the provision of street nameplates for the period 1 April 2016 – 31 March 2019, with the option to extend by a further period of up to one year, with the likely cost to be in the region of £9,000 per annum.**

It was also agreed that the Council adopt the street nameplate design as shown in appendix A, B and C, circulated at the meeting.

PLANNING

RTS/40/2016 PLANNING DEPARTMENT PERFORMANCE INDICATORS – FEBRUARY 2016

Read: Planning Performance Indicators for February 2016. **(Circulated).**

Noted: **The Planning Department Performance Indicators report was noted.**

Noted: Mr McKay advised that the last two Planning staff had now been recruited for Newry giving a total of 6 new additional staff. He said that he expected the level of performance to now significantly improve. In the 6 week period from the start of February to mid-March the backlog of planning applications had reduced from 1600 to 1485; 221 new applications had been received and 427 decisions issued.

Mr McKay referred to page 3 of the report – item 9 Appeals and said the figure given was incorrect. The total number of appeals currently on-going was 6.

In response to queries from Members, Mr McKay advised that he hoped that in 2-3 months, each Case Officer would have a case load in the region of 50-60 applications and this would generally be considered a workable case load. He also said it was hoped that average planning applications would be progressed within the target of 15 weeks.

RTS/41/2016 RECORD OF MEETINGS BETWEEN PLANNING OFFICERS AND PUBLIC REPRESENTATIVES – FEBRUARY 2016

Read: Record of Meetings between Planning Officers and Public Representatives for February 2016. **(Circulated).**

Agreed: **The above report was noted.**

FACILITIES MANAGEMENT AND MAINTENANCE

RTS/42/2016 LEASE – BUS SHELTER AT ST. NICHOLAS PRIAMARY SCHOOL, ARDGLASS

Read: E mail dated 18 March 2016 from Alison Robb, Assistant Director, seeking approval to enter into a 25 year lease agreement with the NI Housing Executive for the bus shelter at St. Nicholas Primary School, Ardglass in the sum of £1000.

Agreed: **On the proposal of Councillor Hanna, seconded by Councillor Murnin, it was agreed the Council enter into a 25 year lease agreement with the NIHE for land for the bus shelter at St. Nicholas Primary School, Ardglass in the sum of £1000.**

RTS/43/2016 THE PROVISION OF BLUE BINS TO BUSINESSES

Noted: Councillor Murnin said he had asked for this item to be put on the agenda for the meeting as he believed the provision of blue bins to businesses would save the Council in the region of £100,000 per annum as it would lead to more material being recycled. He said he owned a business on which he paid rates but he did not see any conflict of interest as his proposal was made on the basis that it would save the Council money.

Mr O'Rourke advised that in November 2014 the Shadow Council had agreed to introduce commercial blue bin collections in the Down side of the organisation. This service was already in place in the former Newry and Mourne side. The difficulty was how to prioritise this against all the other priorities for waste and he

suggested that it should be considered as an item at the first meeting of the Strategic Issues Waste Working Group.

Agreed: **On the proposal of Councillor Murnin, seconded by Councillor Hanna, it was agreed that the Council provide blue bins to all businesses throughout the District to enable them to recycle their waste.**

It was agreed this issue be put on the agenda for consideration at the first meeting of the Strategic Issues Waste Working Group.

FOR NOTING

RTS/44/2016

COUNCIL'S BI-ANNUAL SCHEME OF DELEGATION

Read: Report from Mr C O'Rourke, Director RTS, detailing the decisions taken by the Director under Category 6 of the Council's Scheme of Delegation including:-

- Licensing Report.
- List of Entertainment Licences issued from 1 November 2015 - 29 February 2016.
- List of Petroleum Licences issued from 1 November 2015 – 29 February 2016.
- List of Amusement Permits issued from 1 November 2015 – 29 February 2016.
- Number of stray and unwanted dogs.
- Enforcement Action taken Welfare of Animals (NI) Act 2011.
- Street nameplates.
- List of single language nameplates erected from 1 November 2015 – 29 February 2016.
- Requests for dual language nameplates.
- Postal numbering.
- Local Government (Miscellaneous Provisions) (NI) Order 1995, Article 11.
- Requests for Development naming.
- Off street charged car park tariff change to 6 car parks,
- Building Regulations report.

Agreed: **It was unanimously agreed to note the above report.**

RTS/45/2016 CONSULTATION RESPONSE ON PROPOSED EARLY CLOSURE OF THE NI RENEWABLES OBLIGATION (NIRO) TO ONSHORE WIND IN 2016

Read: Update from the Department of Enterprise, Trade and Investment re: outcome of consultation on the early closure of Northern Ireland Renewables Obligation (NIRO) to onshore wind in 2016. **(Circulated).**

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

Noted: Councillor Brown said he wished to place on record the Council's disappointment at the closure of the NI Renewables Obligation to onshore wind scheme.

RTS/46/2016 ARC21 MEMBERS MONTHLY BULLETIN – 25 FEBRUARY 2016.

Read: arc21 Members Monthly Bulletin – 25 February 2016. **(Circulated).**

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

RTS/47/2016 ARC 21 JOINT STEERING GROUP MEETING MINUTES OF THE MEETING HELD ON TUESDAY 19 JANUARY 2016

Read: Arc 21 Joint Committee Members Monthly Bulletin – 19 January 2016. **(Circulated)**

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

RTS/48/2016 ARC 21 JOINT COMMITTEE MEETING - MINUTES OF THE MEETING HELD ON THURSDAY 28 JANUARY 2016

Read: Minutes of Arc 21 Steering Group Meeting held on Thursday 28 January 2016. **(Circulated).**

Agreed: **It was unanimously agreed to note the above Minutes.**

ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE LOCAL GOVERNMENT ACT (NI) 2016

RTS/49/2016 PAC HEARING IN RELATION TO THE PLANNING APPLICATION FOR ARC'S PROPOSED WASTE TREATMENT FACILITY AT HIGHTOWN QUARRY

Agreed: **On the proposal of Councillor Hanna, seconded by Councillor**

McKee, it was agreed to exclude the public and press from the meeting during discussion on these matters which related to exempt information under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – information relating to the financial or business affairs of any particular person (including the Council holding that information).

Read: Report from Mr C O'Rourke dated 23 March 2016 re: progression of PAC in relation to planning application for proposed waste treatment facility at Hightown Quarry for arc21. **(Circulated).**

RTS/50/2016 REPORT RE: TENDER FOR FINAL CAPPING AT AUGHNAGUN LANDFILL SITE

Read: Report from Mr C O'Rourke dated 23 March 2016 re: request to tender for final capping at Aughnagun Landfill site. **(Circulated).**

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

Agreed: **When the Committee came out of closed session, the Chairman reported:-**

PAC Hearing – arc21 proposed waste treatment facility

Councillor Casey had proposed and Councillor Doran seconded that a decision on the PAC hearing be deferred and a copy of the legal opinion be circulated to all Councillors to give the Party Groupings an opportunity to study it and if necessary seek their own legal opinion.

The proposal was put to a vote and voting was as follows:-

FOR: 2
AGAINST: 7
ABSTENTIONS: Nil

The proposal was declared lost.

Councillor Hanna had proposed and Councillor McKee seconded that the Council approve Option 1 in the report from Mr C O'Rourke dated 23 March 2016 – to pursue a hearing in front of a Planning Appeals Commission inquiry, in relation to the planning application for developing waste infrastructure at Hightown Quarry, to its conclusion (as provided for by the Planning Act (Northern Ireland) 2011 and that arc21 officers enter

into discussions with the bidding consortium to seek to develop a protocol for minimising the costs to arc21 associated with the PAC hearing process and that the legal advice be circulated to all Councillors in advance of the Council Meeting.

The proposal was put to a vote and voting was as follows:-

FOR: 7
AGAINST: Nil
ABSTENTIONS: 2

The proposal was declared carried.

Agreed: It was agreed on the proposal of Councillor Hanna, seconded by Councillor McKee, to recommend that the Council approve Option 1 in the report from Mr C O'Rourke dated 23 March 2016 – to pursue a hearing in front of a Planning Appeals Commission inquiry, in relation to the planning application for developing waste infrastructure at Hightown Quarry, to its conclusion (as provided for by the Planning Act (Northern Ireland) 2011 and that arc21 officers enter into discussions with the bidding consortium to seek to develop a protocol for minimising the costs to arc21 associated with the PAC hearing process and that the legal advice be circulated to all Councillors in advance of the Council Meeting.

Final capping at Aughnagun Landfill site

Agreed: On the proposal of Councillor Fitzpatrick, seconded by Councillor Hanna, it was agreed to grant permission to tender for the final capping at Aughnagun Landfill site.

There being no further business the meeting ended at 5.05 pm.

For consideration at the Council Meeting to be held on Monday 4 April 2016.

Signed: Councillor Terry Andrews
Chairperson of Regulatory & Technical Services Committee

Signed: Mr C O Rourke
Director Regulatory & Technical Services

**From the Chief Medical Officer
Dr Michael McBride**



Department of
**Health, Social Services
and Public Safety**

www.dhsspsni.gov.uk

BY EMAIL



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Date: 8 March 2016

Dear Consultee

CONSULTATION ON DRAFT DIABETES STRATEGIC FRAMEWORK AND IMPLEMENTATION PLAN

The Department of Health, Social Services and Public Safety invites you to respond to the consultation document: Diabetes Strategic Framework and Implementation Plan.

The overall aim of the Diabetes Strategic Framework is to realise a vision of care which improves outcomes for people living with diabetes, or at risk of developing Type 2 diabetes, including services that are:

- evidence-based and co-designed with people living with diabetes to achieve best clinical outcomes;
- person-centred and encouraging self-management; and
- seamless from the service user perspective, responsive and accessible.

The Consultation document and response questionnaire are both available on the Department's website at: <https://www.dhsspsni.gov.uk/consultations>

If you are unable to access the electronic versions of these documents you can request a paper copy by contacting the PHD Administration Team – contact details below. If you require the Diabetes Strategic Framework and/or questionnaire in an alternative format you should also contact this address.

Please ensure that your completed questionnaire includes; your name, organisation (if relevant), address, email address (if available) and telephone number, and whether your comments represent your own view or the corporate view of your organisation.

The closing date for comments is Tuesday 31 May 2016.

Responses received after this date will only be considered in exceptional circumstances and with prior agreement from the Department.

Working for a Healthier People



INVESTOR IN PEOPLE

Diane Dodds

DUP Member of European Parliament

Garvey Studios, Longstone Street, Lisburn, Co Antrim, Northern Ireland, BT28 1TP
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Mr Liam Hannaway
Newry, Mourne and Down
District Council
Downpatrick Civic Centre
Donwshire Estate
Ardglass Road
Downpatrick
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Comhairle Ceantair an Iúir
Mhúrn agus an Dúin
Newry, Mourne and Down
District Council

Date 15 MAR 2015

Chief Executive
Liam Hannaway

Our Ref: DD/EU/1970
(Please quote on all correspondence)

11 March 2016

Dear Chief Executive

Thank you for your correspondence, dated 14 January, within which you made representations as regards the progression of the Southern Relief Road and ongoing efforts to draw down EU funding for this purpose.

From the outset, can I thank you for your continued engagement on this issue. Upon receiving your correspondence, I took steps to request an update from my Ministerial colleague, Michelle McIlveen MLA, in relation to this long term strategic road investment. By way of response, the Minister has pledged to make efforts to ensure that Newry, Mourne & District Council, among other stakeholders, are built into any itinerary during a prospective visit by the EU TENT-T North Sea Mediterranean Corridor Co-ordinator in June of this year. A copy of her full response is enclosed for your review.

It is my ultimate hope that this correspondence will be of use to you moving forward. I remain at your disposal to pursue any other relevant avenues of progress in the days ahead.

Best wishes,

Yours sincerely,

Diane Dodds

DIANE DODDS MEP

The information contained in this letter is confidential and is for the use of the intended addressee only. If you are in receipt of this letter and are not the intended addressee please contact the sender as soon as possible. You may not copy, disseminate or otherwise act on its contents. Information enclosed may be copyright, do not reproduce it in any form without consulting the sender. The views of the author do not necessarily reflect those of the organisation.

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Mrs Diane Dodds MEP
diane.dodds@europarl.europa.eu

Your Ref:
Our Ref: DRD/COR/0133/2016
Date: 29th February 2016

Diane,

Thank you for your email dated 10 February 2016, on behalf of Newry, Mourne and Down District Council, regarding European funding for Newry Southern Relief Road.

My Department is continuing to progress the proposed Newry Southern Relief Road (NSRR), as a long term strategic road improvement, south-east of Newry to link from the A1 Belfast to Dublin Road, a key strategic route, to the A2 Warrenpoint dual-carriageway, a trunk road leading to Warrenpoint Port. The project would include a bridge crossing over the Newry River and Canal.

This work currently involves progressing the Stage 1 Preliminary Options Scheme Assessment, which will identify the best performing options to take forward for further development and subsequent identification of a Preferred Option. It is expected that the Stage 1 Assessment should be complete in Autumn 2016.

An application for TEN-T European Funding for development study costs was submitted in February 2015, however, the application was not successful. My Department has prepared and submitted a further application in February 2016.

My Department's European Programmes & Gateways officials engage with the European Commission on a regular basis and the TEN-T North Sea Mediterranean

Corridor Co-ordinator has indicated that, diary commitments allowing, he will try to visit Northern Ireland in June of this year.

Should this visit be confirmed, NSRR could be built into his itinerary to allow a meeting with key stakeholders, including Newry, Mourne & Down District Council officials.

I hope you find this information helpful.

Michelle M'Ueen

MICHELLE MCILVEEN MLA
Minister for Regional Development



Newry, Mourne & Down Pensioners Parliament
Friday 8th April 2016
Canal Court Hotel, Newry

What is the Northern Ireland Pensioners Parliament?

The Northern Ireland Pensioners Parliament was launched in 2011 and allows older people from across Northern Ireland to have their say on the issues that matter to them.

Since its establishment, the parliament has engaged with thousands of older people across Northern Ireland – through its surveys and events.

2016 Local Parliaments

2016 will see more local parliaments than ever before. For the first time, a parliament will be held in each new council area and will allow council involvement in the event, through:

- Opening by the Chair/Vice Chair of Council
- A Q&A session with a panel of Councillors representing the main parties on Council

Each local parliament will also feature:

- Presentation of Pensioners Parliament Manifesto
- Interactive voting on issues
- Q&A session with a panel of local MLAs (on NI Assembly issues)

2-day parliament

Following the eleven local parliaments, older people from each council area will attend a 2-day parliament in Belfast in October 2016. These older people will represent the views of your council area at this regional parliament.



Age Sector Platform represents a strong unified voice for older people in Northern Ireland. It is the charity responsible for the Northern Ireland Pensioners Parliament. Age Sector Platform has a membership of individuals and older people's groups across Northern Ireland, representing approximately 200,000 people. Launched in 2008, the organisation emerged from the Age Sector Reference Group (ASRG) which was in operation for seven years.

Our mission is to be a strong unified voice for older people in Northern Ireland. Our vision is a society where older people's voices are heard, respected and acted upon. Our aims:

- To engage with older people, allowing them to make their voice heard
- To enable older people to advocate on their own behalf
- To empower older people so they can change their lives for the better

What is the NI Pensioners Parliament

The Northern Ireland Pensioners Parliament was launched in 2011 and allows older people from across Northern Ireland to have their say on the issues that matter to them. Since its establishment, the parliament has engaged with thousands of older people across Northern Ireland through a variety of ways:

The Surveys

Pensioners Parliament surveys provide Age Sector Platform with quantitative data in relation to the main problems older people in Northern Ireland are concerned about.

The Local Parliaments

These parliaments provide older people from across Northern Ireland with a local forum to discuss concerns they have in greater detail. They allow both local and regional issues to be identified, debated and voted upon. These events also provide an opportunity to provide information on local services and facilities. Dates and locations of 2016 local parliaments

Northern Ireland Pensioners Parliament

The Northern Ireland Pensioners Parliament takes place over two days in Belfast and sees around 200 older people from across the province coming together. The Parliament involves participation from policy experts, influential people and high level politicians; and allows for debate and voting on Parliament motions. View 2015 Northern Ireland Pensioners

Parliament motions

Themed Parliaments

2015 saw a new development for the Parliament – the hosting of themed parliaments on specific topics. These parliaments allow for more in-depth discussion and debate on one exclusive topic – a topic that has been raised as a significant concern through the NI Pensioners Parliament.



Newry, Mourne & Down
Canal Court Hotel, Newry
8th April 2016

Agenda

- 10.30am Welcome and Introduction - Age Sector Platform
- 10.40am Official Opening of Parliament - Mayor/Chairman of Council
- 10.50am Presentation (content to be decided)
- 11.05am Councillor Panel Discussion (Selection of Councillors representing all parties on the Council)
- 12.10pm NI Pensioners Parliament Manifesto
- 12.40pm Voting on top issues of concern
- 12.45pm Lunch
- 1.45pm Research Panel & Pensioners Trust
- 2.00pm NI Assembly Political Panel Discussion
- 3.20pm Next Steps – Age Sector Platform
- 3.30pm Close of Parliament



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NORTHERN IRELAND COURTS AND TRIBUNALS SERVICE



CONSULTATION PAPER

PROPOSED INCREASE TO COURT FEES

MARCH 2016



CONSULTATION

NORTHERN IRELAND COURTS AND TRIBUNALS SERVICE

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NORTHERN IRELAND COURTS AND TRIBUNALS SERVICE

EXECUTIVE SUMMARY

The Northern Ireland Courts and Tribunals Service (NICTS) is an Agency of the Department of Justice (DOJ) responsible for the provision of administrative support for all of Northern Ireland's courts and 14 of Northern Ireland's Tribunals. In addition the Agency is responsible for enforcing the judgments of the civil courts through the Enforcement of Judgments Office (EJO); for administering funds held in court through the Court Funds Office (CFO); and for providing administrative support to the Parole Commissioners.

NICTS receives funding from various sources: our Departmental allocation; the Consolidated Fund; income from court fees; and other income. In this consultation paper we are considering only the income received from court fees in the context of the requirement placed on NICTS to ensure full cost recovery.

In summary, the purpose of this consultation is to seek views on a proposal to increase the fees NICTS charges for the delivery of civil court business to enable NICTS to achieve full cost recovery. In seeking to explain why NICTS is publishing this consultation, it might be helpful to ask a series of questions, beginning with, why is NICTS charging fees?

Why is NICTS Charging Fees?

In answering this question it is important to note that NICTS charges fees associated with the business in the civil and family courts. The civil courts in Northern Ireland deal with disputes covering a range of issues including non-payment of debt, personal injury, breach of contract, housing disputes, bankruptcy and family proceedings. By law [The Fees (Amendment) Orders (Northern Ireland) 2007] NICTS is entitled to recoup the costs associated with administering such cases. If NICTS was not able to recover such costs from the parties to these cases, the costs

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would have to be met by the taxpayer. That would result in an additional burden on the taxpayer who in essence would be subsidising individuals, companies or corporations who initiate court proceedings seeking a judicial remedy for a dispute.

How does NICTS Charge?

The requirements placed on public sector organisations such as NICTS, who charge for services, are outlined in HM Treasury's Fees and Charges Guide and in the Department of Finance and Personnel (DFP) Managing Public Money Northern Ireland (MPMNI) document. Chapter 6 of MPMNI states that *"the standard approach to setting charges for public services is full cost recovery."* The guidance then outlines what costs public sector organisations can seek to recover. Such costs include employment costs, accommodation costs, office equipment costs etc.

In setting fees NICTS is obliged to reflect the full cost of the services provided. Consequently, it is important to stress that in publishing this consultation document NICTS is not consulting on the principle of full cost recovery, but rather we are consulting on how we can seek to achieve full cost recovery?

In seeking to satisfy the requirement to achieve full cost recovery, it is important to note that we also have to ensure access to justice is protected for the less well-off. This is achieved by operating a system of exemptions and remissions and is explained in greater detail at Section 5 of this document.

Why is it necessary to increase Fees at this Time?

The simple answer is because NICTS is no longer recouping the full cost of the services we provide. In the context of a wider NICTS Modernisation Programme, the NICTS Agency Board commissioned a review of court fees in 2015; the outcome of that review indicated that NICTS currently recovers around 75% of the costs

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NORTHERN IRELAND COURTS AND TRIBUNALS SERVICE

incurred on civil business. This position is not sustainable as it is placing an additional burden on NICTS and the DOJ at a time when public sector finances are under severe pressure. NICTS is not alone in seeking to increase fees. Court fees have also been, or shortly will be, increased in both England and Wales and Scotland.

Why is NICTS not currently recovering all its costs?

Basically there are two reasons:

- NICTS has not increased its fees since 2007; and
- The review of our cost recovery (funding) model found that NICTS has not been fully reflecting the costs associated with the services we provide. For example, we have not been charging for the full cost of our accommodation; the fees charged have not reflected the staff and judicial time spent on civil business; and we have not included a cost to reflect the opportunity cost of the money tied up in running our business (as required by MPMNI).

How should NICTS increase Fees?

The purpose of this consultation is to seek views as to how NICTS should increase court fees. Section 3 of the paper will consider three options, they are:

Options:

- Option 1 – Uplift all existing fees immediately to achieve Full Cost Recovery;
- Option 2 – Uplift all existing fees to reflect the inflationary costs since 2008 – this would involve increasing fees by 21.9%;
- Option 3 – Uplift all existing fees in stages over a three year period to achieve an appropriate uplift.

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Impact for court users:

In reality there will be an impact on court users whether NICTS increases fees or not. If fees are not increased NICTS will, from within existing resources, have to subsidise what is an under-recovery position. This means NICTS will have to redirect resources from other areas and this will impact on wider service delivery. If fees are increased, that will mean increased costs for those court users who are required to pay fees. In considering this matter NICTS must act in a way that is fair to all court users recognising that court fees have not increased since 2007.

Conclusion:

NICTS recognises that we need to recover our full costs in line with MPMNI. Consequently, it is important that NICTS takes urgent action to achieve this as failure to do so will result in NICTS having to meet, from its funding allocation, the shortfall in the income the Agency is generating. In practice this would mean NICTS having to implement further cuts, to court and tribunal services, beyond those set by the NI Executive, in order to balance its budget.

In the following sections of this document NICTS will explore the issues summarised above before inviting consultees to respond to the questions recorded at Section 8.

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NORTHERN IRELAND COURTS AND TRIBUNALS SERVICE

SECTION ONE

INTRODUCTION

NICTS charges over 1000 different fees for the conduct of civil business across the following business areas:

- Court of Judicature (i.e. Court of Appeal and High Court);
- County Court;
- Magistrates' Courts; and
- the Enforcement of Judgments Office (EJO).

The civil courts in Northern Ireland (and other United Kingdom jurisdictions) operate under a policy of full cost recovery i.e. the full costs of running the courts are recovered from fees charged for providing the service. The fees charged are based on recovering the administrative, judicial and other costs associated with the proceedings.

The policy on fee charging in Northern Ireland is set out in guidance published by DFP. In summary, the requirement is that fees should cover the full cost associated with providing the service and no more. Lower costs can be agreed where there is a sound policy justification; in the case of court fees NICTS has an Exemptions and Remissions Policy which protects access to justice for the less well-off. We are not, as part of this consultation, proposing any change to this policy.

As NICTS has not increased the fees it charges since 2007 a formal review of our cost recovery model was launched under the auspices of our Modernisation Programme in the summer of 2015. The outcome of the review, which is explained in more detail in Section 2, indicated that NICTS is not achieving full cost recovery.

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In view of this, NICTS is required to take action to address the shortfall by increasing our fees. It is important to note that NICTS is taking this action in the context of having already implemented a series of measures aimed at reducing our costs.

Reduction in NICTS costs

Since April 2014, NICTS has reduced its running costs by **£4.5m with a further reduction of £1.3m planned for 2016/17**. NICTS has achieved this by:

- reducing our staffing complement by 77 posts or almost 10.5%;
- relocating from leased accommodation the Enforcement of Judgments Office, the Tribunal Hearing Centre, the Office of the Parole Commissioners, the Taxing Office and the Coroners Service;
- temporarily closing the Old Townhall Building;
- streamlining our corporate services function;
- reducing the size of our Senior Management Team; and
- reducing the costs associated with contracted services.

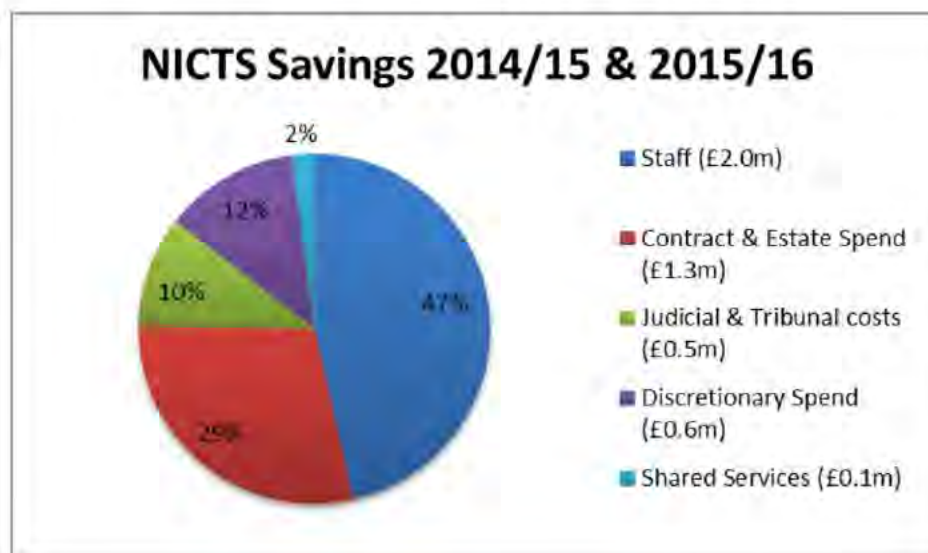
The savings delivered to date are summarised in Chart 1 below:

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Chart 1: NICTS savings



In 2016/17 NICTS plans to reduce costs further by, amongst other things, reducing the size of the Court Estate through the closure of six courthouses; turning Enniskillen Courthouse into a Hearing Centre; and the introduction of shared IT services.

There is, however, a limit to how much can be achieved through cost cutting measures alone. If access to justice is to be protected, and the overall cost of the courts to the taxpayer is to be reduced in line with budget commitments, it is incumbent on NICTS to ensure it is recovering the appropriate amount through the charging of fees for civil business.

In making the case for an increase in court fees, it is important to note that NICTS has not applied an inflationary increase to civil fees since 2007. Our fees have remained static, whilst significant changes have taken place across the NICTS business.

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In publishing this consultation paper, NICTS is therefore seeking to achieve a number of policy objectives, they are:

- to meet the requirements placed on NICTS to achieve full cost recovery by maximising our fee income at, or as close as possible to, full cost levels;
- to ensure that our fee charging system is fair, easy to understand and cost effective to administer;
- to ensure our cost recovery model remains viable when patterns of demand change; and
- to protect access to justice through a system of exemptions and remissions.

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SECTION TWO

REVIEW OF NICTS COST RECOVERY MODEL

In 2015 the NICTS undertook a review of our cost recovery model. The review analysed each of the civil business areas to ensure that NICTS was correctly covering all the elements of its costs for which it is permissible to charge fees. Those elements are:

- accommodation, including capital charges for freehold properties
- fixtures and fittings
- maintenance, including cleaning
- utilities
- office equipment, including IT systems
- postage, printing and communications
- total employment costs of those providing the service, including training
- overheads, e.g. (shares of) payroll, audit, top management costs, legal services, etc.
- raw materials and stocks
- research and development
- depreciation of start-up and one-off capital costs
- taxes: VAT, rates, stamp duty, etc.
- capital charges
- notional or actual insurance premiums
- fees to sub-contractors
- distribution costs, including transport
- advertising
- bad debts
- and provisions

*Not all of the elements referred to above are applicable to Court fees.

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The review sought to capture the appropriate proportion of all relevant direct and overhead costs. It also included a review of the judicial time spent on civil business and a survey of staff time allocated to civil business.

The review identified a number of key issues which are summarised below:

- an increase in the amount of staff time working on civil business;
- the review of judicial involvement identified some judicial posts that should be included in the costs; and
- two adjustments were recommended based on recognised accountancy concepts: one to include a cost of capital charge¹ within the Model. This effectively recognises the cost of public funds invested in NICTS assets. The other adjustment was for costs associated with non-cash items for example depreciation of courthouses, provisions, and charges for shared services such as human resources, accounting support.

The NICTS' cost recovery model was adjusted to reflect the findings of the review.

By way of illustration, the revised cost recovery model resulting from the review concluded that the cost of administering civil court business in 2015/16 would be £28.9m, whereas the forecast income for 2015/16 would be approximately £21.5m. This means that NICTS only recovers around 75% of its costs and therefore we are under recovering by approximately £7.4m. If we look to the next financial year (2016/17) and take account of future efficiencies from the closure of Courthouses and the continuing fall in income, the cost recovery position deteriorates even further (see Table 1 below).

¹ In accordance with DFP's Managing Public Money (NI), Annex A.6.2.5 'How to Calculate Fees' it states that 'the standard approach to setting charges for public services is full cost recovery. It normally means recovering a real charge for the cost of capital (currently 3.5%)'. This charge represents the opportunity cost of public funds invested in NICTS assets such as courthouses.

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Table 1 below shows the cost recovery performance in 2015/16 taking account of the review findings; it also shows the forecast position for 2016/17.

Table 1: Forecast cost recovery performance 2015/16 and 2016/17

NICTS Cost Recovery		
Civil Business	2015/16	2016/17
Cost £'000	28,869	28,700
Income £'000	21,540	20,910
Cost Recovery %	75%	73%

Given the position outlined above, NICTS is obliged to consider the options available to it to move towards a full cost recovery position.

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NORTHERN IRELAND COURTS AND TRIBUNALS SERVICE

SECTION THREE

OPTIONS FOR CHANGE TO CURRENT FEE LEVELS

As NICTS is under-recovering civil court costs, we are required to consider an increase in existing court fees.

Fee options – objectives

In considering potential options to achieve full cost recovery, NICTS has been guided by the following objectives:

- meeting the requirements to achieve full cost recovery by maximising our fee income at, or as close as possible to, full cost levels;
- ensuring that our fee charging system is fair, easy to understand and cost effective to administer;
- ensuring our cost recovery model remains viable when patterns of demand change; and
- protecting access to justice through a system of exemptions and remissions.

List of options

Maintaining the Status Quo is not open to us given the significant and widening gap between our costs and the fee income we receive. Consequently, this option has not been listed for consideration in this consultation document.

For this reason, NICTS is not seeking views on the principle of whether a fee increase should be implemented, but rather we are seeking views on how such an

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increase should be implemented. The options presented are therefore focused on how we might progress towards a full cost recovery position.

NICTS has identified the following options for consideration:

- Option 1: Uplift all existing fees immediately to achieve Full Cost Recovery;
- Option 2: Uplift all existing fees to reflect the inflationary costs since 2008 – this would involve increasing fees by 21.9%;
- Option 3: Uplift all existing fees in stages over a three year period to achieve an appropriate uplift.

OPTION 1 - full cost recovery

This option would involve increasing civil fees to bridge the total forecast gap in income as at 2016/17 which is £7.8m (costs £28.7m and income £20.9m – see Table 1). This would require an uplift of 37% to the forecast income level for 16/17 of £20.9m). This option would require an increase to the fees of approximately 37%, effective from 1 April 2017.

By way of an example we have selected a number of fees we currently charge and have illustrated them in Table 2 below to show what a 37% increase would mean in real terms.

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Table 2 – Showing a 37% increase to existing fee amount

Fee Type	Description	Current NICTS Fee	Fee with 37% increase	Total Increase in Fee
Queen's Bench	Writ of Summons	£200	£274.00	£74.00
Divorce	Divorce petition (County Court) & (High Court)	£200	£274.00	£74.00
Civil Bill	Application - exceeds £5,000	£185	£253.45	£68.45
Bankruptcy	Petition by debtor or personal representative	£115	£157.55	£42.55
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the High Court	£100	£137.00	£37.00
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the County Court (Family Care Centre)	£75	£102.75	£27.75
Divorce	Decree absolute certified (County Court)&(High Court)	£75	£102.75	£27.75
Small Claims	Application - exceeds £500 but does not exceed £1,000	£70	£95.90	£25.90
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the Magistrates Court (Family Proceedings Centre)	£50	£68.50	£18.50
Small Claims	Application - does not exceed £300	£30	£41.10	£11.10
General	Manual copy of an order or decree	£10	£13.70	£3.70
General	Online copy of an order or decree	£8	£10.96	£2.96

This option would allow NICTS to achieve the objectives we have outlined on page 10 and enable us to return to a full cost recovery position by increasing our income by approximately £7.8m per annum. The additional income we would generate would place NICTS in a much stronger financial position. However, this must be balanced against the burden it would place on those using the services of the NICTS.

Such an option would result in a higher than inflation increase to fees and could ultimately have an adverse impact on access to justice. Because of this reason we do not recommend Option 1.

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Q1. Do you favour Option 1, a 37% increase to ensure a return to a full cost recovery position?

OPTION 2 – an inflation-based uplift of the existing fees

This option would involve increasing court fees to reflect the increase in inflation since the last increase in fees in 2007. Based on the Government's Gross Domestic Product (GDP) deflator, the average percentage increase to the fees would be 21.9%, effective from 1 April 2017. By way of example we have, again using a selection of fees outlined in Table 2, presented what a 21.9% increase would mean in Table 3 below.

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Table 3: Showing a 21.9% increase to existing fee amount.

Fee Type	Description	Current NICTS Fee	Fee with 21.9% increase	Total Fee Increase
Queen's Bench	Writ of Summons	£200	£243.80	£43.80
Divorce	Divorce petition (County Court) & (High Court)	£200	£243.80	£43.80
Civil Bill	Application - exceeds £5,000	£185	£225.52	£40.52
Bankruptcy	Petition by debtor or personal representative	£115	£140.19	£25.19
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the High Court	£100	£121.90	£21.90
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the County Court (Family Care Centre)	£75	£91.43	£16.43
Divorce	Decree absolute certified (County Court) & (High Court)	£75	£91.43	£16.43
Small Claims	Application - exceeds £500 but does not exceed £1,000	£70	£85.33	£15.33
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the Magistrates Court (Family Proceedings Centre)	£50	£60.95	£10.95
Small Claims	Application - does not exceed £300	£30	£36.57	£6.57
General	Manual copy of an order or decree	£10	£12.19	£2.19
General	Online copy of an order or decree	£8	£9.75	£1.75

There are advantages and disadvantages with this Option. Such an uplift would allow NICTS to significantly increase fee income by approximately £4.7m per annum, however it would not return NICTS to a full cost recovery position. The impact of this option is also similar to that of Option 1 in that it would result in a significant increase in fees on 1 April 2017 which could have an adverse impact on access to justice. If NICTS adopted this option, we would still be required to implement further significant fee increases to achieve a full cost recovery position most likely by 1 April 2018.

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While one might argue that Option 2 is a more reasonable approach than Option 1, as it lessens the impact on those using our services, we do not recommend this option. Under this option court users would still be faced with a significant increase, in court fees, and with the prospect of further increases to follow.

Q2. Do you favour Option 2, a 21.9% inflationary increase?

OPTION 3 – a staged increase: uplifting existing fees in phases to achieve cost recovery.

Under this option, NICTS would increase fees on a staged basis over a three year period beginning in April 2017. Rather than adopting the approach taken in Option 1 or Option 2 and increasing the fees significantly in one year, NICTS is proposing an alternative approach; NICTS would suggest that fees increase by 10% on 1 April 2017; by 7.5% on 1 April 2018 and by 5% on 1 April 2019.

By way of an example we have, again using a selection of fees as outlined in Table 2, presented what a phased percentage increase would mean – (see the following tables, Tables 4A, B, and C below).

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Tables 4A, B, C – showing increases phased over a three-year period

TABLE 4A – Year 1 2017/18 - 10%

Fee Type	Description	Current NICTS Fee	Fee with 10% increase	*Fee Increase
Queen's Bench	Writ of Summons	£200	£220.00	£20.00
Divorce	Divorce petition (County Court) & (High Court)	£200	£220.00	£20.00
Civil Bill	Application - exceeds £5,000	£185	£203.50	£18.50
Bankruptcy	Petition by debtor or personal representative	£115	£126.50	£11.50
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the High Court	£100	£110.00	£10.00
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the County Court (Family Care Centre)	£75	£82.50	£7.50
Divorce	Decree absolute certified (County Court) & (High Court)	£75	£82.50	£7.50
Small Claims	Application - exceeds £500 but does not exceed £1,000	£70	£77.00	£7.00
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the Magistrates Court (Family Proceedings Centre)	£50	£55.00	£5.00
Small Claims	Application - does not exceed £300	£30	£33.00	£3.00
General	Manual copy of an order or decree	£10	£11.00	£1.00
General	Online copy of an order or decree	£8	£8.80	£0.80

(*Note fees will be rounded to nearest £)

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TABLE 4B – Year 2 2018/19 - 7.5%

Fee Type	Description	Revised Cumulative Increase Year 2	Fee with 7.5% increase	*Fee Increase
Queen's Bench	Writ of Summons	£220.00	£236.50	£16.50
Divorce	Divorce petition (County Court) & (High Court)	£220.00	£236.50	£16.50
Civil Bill	Application - exceeds £5,000	£203.50	£218.76	£15.26
Bankruptcy	Petition by debtor or personal representative	£126.50	£135.99	£9.49
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the High Court	£110.00	£118.25	£8.25
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the County Court (Family Care Centre)	£82.50	£88.69	£6.19
Divorce	Decree absolute certified (County Court) & (High Court)	£82.50	£88.69	£6.19
Small Claims	Application - exceeds £500 but does not exceed £1,000	£77.00	£82.78	£5.78
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the Magistrates Court (Family Proceedings Centre)	£55.00	£59.13	£4.13
Small Claims	Application - does not exceed £300	£33.00	£35.48	£2.48
General	Manual copy of an order or decree	£11.00	£11.83	£0.83
General	Online copy of an order or decree	£8.80	£9.46	£0.66

(*Note fees will be rounded to nearest £)

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TABLE 4C – Year 3 2019/20 - 5%

Fee Type	Description	Revised Cumulative Increase Year 3	Fee with 5% increase	*Fee Increase
Queen's Bench	Writ of Summons	£236.50	£248.33	£11.83
Divorce	Divorce petition (County Court) & (High Court)	£236.50	£248.33	£11.83
Civil Bill	Application - exceeds £5,000	£218.76	£229.70	£10.94
Bankruptcy	Petition by debtor or personal representative	£135.99	£142.78	£6.80
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the High Court	£118.25	£124.16	£5.91
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the County Court (Family Care Centre)	£88.69	£93.12	£4.43
Divorce	Decree absolute certified (County Court) & (High Court)	£88.69	£93.12	£4.43
Small Claims	Application - exceeds £500 but does not exceed £1,000	£82.78	£86.92	£4.14
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the Magistrates Court (Family Proceedings Centre)	£59.13	£62.09	£2.96
Small Claims	Application - does not exceed £300	£35.48	£37.25	£1.77
General	Manual copy of an order or decree	£11.83	£12.42	£0.59
General	Online copy of an order or decree	£9.46	£9.93	£0.47

(*Note fees will be rounded to nearest £)

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For ease of reference Table 5 below provides a summary of the three year phased approach:

Table 5: summary table showing three-year phased approach

Fee Type	Description	Current NICTS Fee	Year 1 Fee with 10% increase	Year 2 Fee with further 7.5% increase	Year 3 Fee with further 5% increase	*Total Increase (over 3 years) %
Queen's Bench	Writ of Summons	£200	£220.00	£236.50	£248.33	24%
Divorce	Divorce petition (County Court)& (High Court)	£200	£220.00	£236.50	£248.33	24%
Civil Bill	Application Exceeds £5,000	£185	£203.50	£218.76	£229.70	24%
Bankruptcy	Petition by debtor or personal representative	£115	£126.50	£135.99	£142.79	24%
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the High Court	£100	£110.00	£118.25	£124.16	24%
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the County Court (Family Care Centre)	£75	£82.50	£88.69	£93.12	24%
Divorce	Decree absolute certified (County Court) & (High Court)	£75	£82.50	£88.69	£93.12	24%
Small Claims	Application - exceeds £500 but does not exceed £1,000	£70	£77.00	£82.78	£86.91	24%
Family Proceedings	Most applications including residence, contact orders or specific issue orders to the Magistrates' Court (Family Proceedings Centre)	£50	£55.00	£59.13	£62.08	24%
Small Claims	Application - does not exceed £300	£30	£33.00	£35.48	£37.25	24%
General	Manual copy of an order or decree	£10	£11.00	£11.83	£12.42	24%
General	Online copy of an order or decree	£8	£8.80	£9.46	£9.93	24%

(*Note these figures will vary slightly from those listed in the Fee Schedule at Annex A to this document; the differences are small and due to the rounding (to the nearest £)

This phased approach to increasing the fees would mean that, over the three year period, NICTS would increase income by approximately £5m. Whilst this would not

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return us to a full cost recovery position based on current costs, Option 3 will take us some considerable way to achieving full cost recovery, based on current costs and:

- in a timeframe that is staged and therefore lessens the immediate impact; and
- in a way that provides scope to accommodate further changes to costs and income over the three year period and, therefore, minimises the risk of over-recovery.

In presenting this option NICTS acknowledges the importance of moving to a position of achieving full cost recovery but recognises that it must do so in a carefully planned and measured way to safeguard access to justice.

Q3. Do you favour Option 3, which involves an increase of 10% on 1 April 2017, a 7.5% increase on 1 April 2018 and a 5% increase on 1 April 2019?

Q4. Do you think there is an alternative way of moving towards our policy objective of securing full cost recovery?

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SECTION FOUR - WIDER CONSIDERATIONS and PREFERRED OPTION

ONGOING REFORMS

NICTS, through our Modernisation Programme, is significantly changing how we do our business and also where we do our business. In addition, the DOJ is taking forward further reforms to legal aid, in response to the Access to Justice II Report and NICTS is participating in the Review of Civil and Family Justice being led by Lord Justice Gillen.

As these initiatives have the potential to significantly reshape the delivery of civil and family business by the Courts in Northern Ireland, NICTS believes that a phased approach to increasing fees is more appropriate. The reforms referred to above are likely to result in changes to costs that will further impact on cost recovery. In view of this there is merit in seeking to increase fees more gradually by way of a staged approach over a three year period.

NICTS preferred option

In this context, NICTS recommend Option 3. As noted above, Option 3 would have the advantage of allowing NICTS to significantly bridge the income gap in a timeframe that is fair to service users by lessening the immediate impact on them. It would also provide scope for further changes to costs and income in the context of the significant reforms anticipated.

Option 3 could be delivered in a way that is easy to understand, administratively inexpensive and simple to collect. The staged approach would ensure the system remains affordable to court users and allow NICTS to react to patterns as demands change, by achieving a much closer match between income and costs. It would also allow the continued protection of access to justice through a system of exemptions

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and remissions and it would ensure that the taxpayers' contributions to the cost of the court system remain affordable.

If this option is adopted, NICTS would intend to launch a more fundamental review of fees to ensure our approach is consistent with the outcome of the reforms described above. This fundamental review would include not only a review of the existing structure but also look at the introduction of new charges including a review of the fee structure across tribunals in the context of the changing landscape within which NICTS is operating.

Over the course of the Phase One Review we engaged with colleagues in DOJ and DFP to ensure that the approach we followed and the methodology, on which the cost recovery model was based, was appropriate. We have also engaged with the Northern Ireland Audit Office to ensure that the changes made to our model and, therefore, reflected in our Annual Report and Accounts, were viewed as reasonable.

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SECTION FIVE

NICTS REMISSIONS AND EXEMPTIONS POLICY

The NICTS Remissions and Exemptions Policy was introduced in 2007 with the aim of strengthening safeguards to protect access to justice. The NICTS policy is in addition to the coverage provided by legal aid and can be split into two components:

- I. **Exemption** from paying a court fee which is granted if the applicant is in receipt of a qualifying benefit (for example, Income Support, Income Based Job Seekers Allowance). The same 'passporting' arrangement is currently in place in England and Wales and Scotland; and
- II. **Remission** (full or partial) from paying a court fee which is granted on the grounds of financial hardship or some other reasonable cause. In practice this means that some applicants make a contribution towards the cost of the court fee and some applicants pay nothing. NICTS means tests every application as the remission system does not operate within stated financial limits or income thresholds.

The current policy has ensured that access to the justice system is protected through a system of exemptions and remissions. Financial assistance is limited to those who need it the most, thereby ensuring the taxpayer contribution towards fee exemptions/remissions is minimised. The Remissions and Exemptions policy is outside the scope of this consultation and it is the intention that it will remain unchanged as a result of the proposed uplift to court fees. The policy came into effect in 2007 and it is now considered timely for it to be reviewed. This will be taken forward as part of the fundamental fee review.

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SECTION SIX

IMPACT ASSESSMENTS

NICTS recognises that an increase in court fees will have an impact on court users and other stakeholders including:

Court users: private individuals, businesses and other organisations, who use the civil and family courts, will have to shoulder the burden of a fee increase.

Solicitors: it is recognised that it is normal practice for solicitors to incur court fees before passing such costs onto their clients at a later date. Therefore it is expected an increase in court fees may initially affect the cash flow of solicitors.

Legal Services Agency NI: court fees are covered by Legal Aid and an increase in fees will undoubtedly create additional pressure on the legal aid fund. We have been working with officials from the Legal Services Agency to determine the current level of fees payable to NICTS and this work has estimated that additional fees totalling £110k are likely over the three year period of any potential fee increase.

In acknowledging the impact on court users, consultees will be interested to note the following summary breakdown of civil fees. Table 7 below bands our fees into selected band ranges, and shows the number of fees that exist within each range. Over 85% of existing court fees fall below £200 in value, and 96% of fees below £300.

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NORTHERN IRELAND COURTS AND TRIBUNALS SERVICE**Table 7: Number of Fees in Fee Range**

Fee Range	Total number of fees in range
Fees > £500	16
£400 - £499	7
£300 - £399	19
£200 - £299	110
£100 - £199	282
£50 - £99	213
£1 - £49	301
< £1	73
TOTAL	1021

Note: Over 50 fees are excluded from this range table, as the fee charged is dependent on the monetary value of the case.

Equality Impact Assessment

Section 75 of the Northern Ireland Act 1998 requires all public authorities in Northern Ireland to have due regard to equality of opportunity between the nine equality categories and have regard to promoting good relations between persons of different religious belief, political opinion or racial group. Public Authorities are also required to meet legislative obligations under the Disability Discrimination Act, particularly in the formation of public policy making.

NICTS is fully committed to fulfilling its Section 75 obligations on the promotion of equality of opportunity, good relations and meeting legislative requirements in Northern Ireland.

The options set out in this consultation need to be subjected to equality impact screening. This will be carried out over the coming weeks. However, initial screening indicates that there is no adverse equality impacts identified and has not identified any other Section 75 impacts. When completed, the full equality screening

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form will be made available on the NICTS and DOJ websites. Comments are welcomed on any aspect of the equality screening assessment.

NICTS has commenced a Regulatory Impact Assessment (RIA) and initial findings indicate that an increase in court fees will not have a significant impact on businesses within Northern Ireland. On completion, the RIA will be made available on the NICTS and DOJ websites.

Responses to this consultation will be used to refine the impact assessments referred to in the paragraphs above.

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SECTION SEVEN

LEGISLATIVE REQUIREMENTS

Irrespective of the Option adopted by NICTS, there is a lead in time to implementation. Civil fees are currently set out under The Fees (Amendment) Orders (Northern Ireland) 2007. It is noted that any change to the existing fee levels, if agreed following consultation, will require changes to the existing Secondary Legislation. The process to change legislation can be quite lengthy. If a change in fee is agreed then it will likely be April 2017 before it can be introduced.

There are a number of processes that will need to be completed but the following shows an estimate of activity and time.

Activity	Estimated Timeline
Consultation Document Issued and Responses received.	Summer 2016
Consideration of Responses to Consultation Document.	Autumn 2016
Justice Committee briefings on the Outcome of the Consultation.	Autumn 2016
Justice Committee and Ministerial briefings as part of Secondary Legislative processes.	September to December 2016
Any amending Fees Order drafted and made.	February to March 2017

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SECTION EIGHT

RESPONDING TO THIS CONSULTATION

You are invited to comment on the proposals contained in this paper. NICTS welcomes responses to the following questions:

Question 1 (page 17) – Do you favour Option 1, a 37% increase to ensure a return to a full cost recovery position?

Question 2 (page 19) – Do you favour Option 2, a 21.9% inflationary increase?

Question 3 (page 24) - Do you favour Option 3, which involves an increase of 10% on 1 April 2017, a 7.5% increase on 1 April 2018 and a 5% increase on 1 April 2019?

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Question 4 (page 24) - Do you think there is an alternative way of moving towards our policy objective of securing full cost recovery?

Responses or requests for further information should be made in writing and emailed to FeeConsultation@courtsni.gov.uk or sent by post to:

Fee Consultation
Finance Branch
Northern Ireland Courts & Tribunals Service
Laganside House
23-27 Oxford Street
BELFAST
BT1 3LA

The consultation period will end at 5pm on Wednesday 8th June 2016.

A response template is available for completion on the website. When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding as an organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

Responses will be analysed and we will aim to publish a summary of the responses to this consultation and the proposed way forward on the NICTS website within two

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months of the end of the consultation period. Unless individual respondents specifically indicate that they wish their response to be treated in confidence, their name and the nature of their response may be included in any published summary of responses. Respondents should also be aware that the Agency's obligations under the Freedom of Information Act may require that any responses not subject to specific exemptions under the Act, be disclosed to other parties on request.

This document is available in alternative formats; please contact us via the postal or email addresses above or by telephone on 028 9041 2338 to discuss your requirements. A list of consultee groupings who have been notified about this consultation is presented at Annex G.

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ANNEX A-F SCHEDULE OF FEES

Below find a list of over 400 generic fees. In total there are over 1000 fees in civil business and these are supported by the generic fees listed below.

ANNEX A

Court of Judicature Northern Ireland Civil Business Fees

Fees to be taken in proceedings in the Court of Judicature Northern Ireland

- Section 1 Fees payable in every department of the Court of Judicature Northern Ireland
- Section 2 Fees payable in the Central Office
- Section 3 Fees payable in the Office of the Lord Chief Justice
- Section 4 Fees payable in the Bankruptcy and Companies Office
- Section 5 Fees payable in the Taxing Office
- Section 6 Fees payable in the Office of Care and Protection

Section 1 Fees payable in every Department of the Court of Judicature Northern Ireland

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
1	On Sealing – a) Writ of summons	£200	£220	£237	£248

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	b) Originating summons or originating notice of motion except for the payment out of court of a sum not exceeding £1500 or where a fee under Section 6 is payable and where no other fee is specifically provided	£200	£220	£237	£248
	c) Originating summons or writ of summons under Order 88	£150	£165	£177	£186
	d) An originating notice of motion, except a notice of appeal to the High Court	£200	£220	£237	£248
	e) A petition, except where a fee under Section 4 or 6 is payable	£200	£220	£237	£248
2	Sealing an Originating Summons –				
	a) approval for minor settlement	£150	£165	£177	£186
	b) under Section 31 or 32 Administration of Justice Act 1970 for discovery before commencement of proceedings	£75	£83	£89	£93
	c) On a third party notice	£200	£220	£237	£248
	d) On a counterclaim	£200	£220	£237	£248
3	On a notice of motion for judicial review where application for leave has been granted	£200	£220	£237	£248
4	On sealing a summons, a notice of appointment, or notice of motion	£115	£127	£136	£143
5	a) On an ex parte application to a judge for an injunction	£200	£220	£237	£248
	b) On an ex parte minor's settlement for approval to a judge	£150	£165	£177	£186
	c) Application to master for payment out of Minor's Fund	£15	£17	£18	£19
	d) Ex parte application before a				
	i) Master	£150	£165	£177	£186
	ii) Judge	£200	£220	£237	£248
6	Application to transfer action to the commercial list	£150	£165	£177	£186
7	Entering and setting down any cause for trial in court				

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	a) Without a jury b) With a jury	£300 £500	£330 £550	£355 £591	£372 £621
8	a) Setting down a cause on motion or notice for Judgment b) Motion treated as trial of action in addition to(a)	£300 £300	£330 £330	£355 £355	£372 £372
9	On setting down other party pleadings	£300	£330	£355	£372
10	On the examination of a witness before trial	£50	£55	£59	£62
11	a) On an inquiry, reference for trial or assessment of damages before a Master or Admiralty Registrar b) On an assessment of interest before a Master	£150 £115	£165 £127	£177 £136	£186 £143
12	On sealing a notice of appeal from a Master or Admiralty Registrar or District Judge to a Judge in Chambers.	£200	£220	£237	£248
13	On filing – a) Notice of appeal to the High Court b) Case stated or special case c) Notice of cross appeal to High Court d) Respondent's notice of appeal to the High Court	£200 £200 £200 £200	£220 £220 £220 £220	£237 £237 £237 £237	£248 £248 £248 £248
14	On an application for an attachment of earnings order to secure maintenance payments	£115	£127	£136	£143
15	Registration of Foreign and Commonwealth Judgments a) Under Part II of the Administration of Justice Act 1920 or the Foreign Judgments (Reciprocal Enforcement) Act 1933 – (i) On an ex parte application to register an incoming judgment or order	 £50	 £55	 £59	 £62

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	(ii) On providing a certified copy of a judgment or order for use abroad	£75	£83	£89	£93
	b) Under the Maintenance Order Act 1950 or the Maintenance and Affiliation Orders Act (Northern Ireland) 1966 –				
	(i) On an ex parte application to register an outgoing order	£50	£55	£59	£62
	(ii) On processing an incoming registration	£50	£55	£59	£62
	c) Under the Maintenance Orders (Facilities for Enforcement) Act 1920 –				
	(i) On an ex parte application to register an outgoing order	£50	£55	£59	£62
	(ii) On processing an incoming registration	£50	£55	£59	£62
	d) Under the Maintenance Orders (Reciprocal Enforcement) Act 1972 – On an ex parte application to register an outgoing Order	£50	£55	£59	£62
16	On an application for leave to enforce an arbitration award	£75	£83	£89	£93
17	On a decree, award, judgement, order or dismiss	£75	£83	£89	£93
18	a) Copy document (5 sheets or less) not otherwise provided for	£5	£6	£6	£6
	b) Additional copy per page	£0.50	£0.50	£0.50	£0.50
	c) On a copy Order/Decree including certified or sealed	£10	£11	£12	£12
	d) On a copy Order/Decree produced online	£8	£9	£9	£10

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19	For a certified copy written judgment	£75	£83	£89	£93
20	a) Filing any document under Bills of Sale (NI) Acts 1879 to 1883, other than fiat of satisfaction	£30	£33	£35	£37
	b) filing fiat of satisfaction	£30	£33	£35	£37
21	a) For a certificate of the result of a search in one name in any register or index under the custody of the Registrar of Bills of Sale	£30	£33	£35	£37
	b) For every additional name if included in the same certificate	£20	£22	£24	£25
22	a) On taking an affidavit or affirmation or declaration	£30	£33	£35	£37
23	a) On a search of court documents, except where item 21 or 33 applies	£20	£22	£24	£25
	Additional fee where the search is carried out by an officer of the court	£10	£11	£12	£12
24	b) On sealing a writ of subpoena	£30	£33	£35	£37
25	On an application for a warrant of arrest under Article 5(3) of the Protection from Harassment (NI) Order 1997	£0	£0	£0	£0

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Section 2 Fees payable in the Central Office

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
26	Tax Appeal – application to judge to review Taxing Master's decision	£200	£220	£237	£248
27	Admiralty – a) On lodging an Instrument under Order 75 Rule 5(1) b) On the sale of a ship or goods (i) for every £100 or fraction of £100 of the price up to £100,000 (ii) for every £100 or fraction of £100 of the price exceeding £100,000 c) entering a Reference for Hearing by the Registrar d) On retaining possession of a ship with or without cargo, or a ship's cargo without a ship, per day	£200 £2 £1 £200 £50	£220 £2 £1 £220 £55	£237 £2 £1 £237 £59	£248 £2 £1 £248 £62
28	Court of Appeal – a) filing a Notice of Appeal or Case Stated b) filing a Notice of Cross Appeal or Respondent's Notice c) On any other application to the Court of Appeal	£500 £375 £500	£550 £413 £550	£591 £443 £591	£621 £466 £621
29	A transcript of the shorthand or stenographic notes or of a recording taken by mechanical means of the whole or any part of any proceedings in respect of which – a) an appeal lies to the Court of Appeal, for each page b) leave has been given by a judge – i) in a criminal trial for each folio	£1 £0.78	£1 £1	£1 £1	£1 £1

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	ii) in a civil trial for each folio	£0.68	£1	£1	£1
	iii) for each page of a second or subsequent transcript	£1	£1	£1	£1
	c) On an audio recording produced on CD in respect of any court proceedings - for each hour recorded of part thereof	£25	£28	£30	£31
30	Application for a deed poll	£50	£55	£59	£62

Section 3 Fees payable in the Office of the Lord Chief Justice

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
31	On presenting a Memorial for appointment as Commissioner for Oaths or Notary Public	£75	£83	£89	£93
32	On every certificate of such appointment	£75	£83	£89	£93

Section 4 Fees payable in the Bankruptcy and Companies Office

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
33	a) On sealing a petition for winding-up of a company b) On sealing a bankruptcy petition:	£150	£165	£177	£186

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	(i) if presented by a debtor or personal representative	£115	£127	£136	£143
	(ii) if presented by a creditor or any other person	£150	£165	£177	£186
	c) any other petition	£150	£165	£177	£186
	d) On hearing of a public examination	£150	£165	£177	£186
34	On sealing –				
	a) any originating application	£150	£165	£177	£186
	b) any other application	£115	£127	£136	£143
35	Request for a certificate to discharge bankruptcy	£75	£83	£89	£93
36	Petition for an administration order	£150	£165	£177	£186
37	a) On any search (including an inspection) other than by a bankrupt, director proposing a company voluntary arrangement, a debtor proposing an individual voluntary arrangement, or the Official Receiver when acting as such	£20	£22	£24	£25
	b) Additional fee where the search is carried out by an officer of the court	£10	£11	£12	£12

Section 5 Fees payable in the Taxing Office

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
38	On an application for taxation under the Solicitors (NI) Order 1976	£115	£127	£136	£143
39	On the lodgement of a Bill of Costs. Where the bill is taxed, credit for this fee is to be given against the final fee payable.	5% of original bill	5% of original	5% of original	5% of original

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			bill	bill	bill
40	a) On taxing a cash account between solicitor and own client for every £50 or fraction received and paid	£0.30	£0.30	£0.30	£0.30
	b) On the taxation of bill of costs –				
	i) where the amount allowed does not exceed £500	£60	£66	£71	£74
	(ii) where the amount exceeds £500 for every £1 or fraction of £1 of the amount allowed	£0.15	£0.15	£0.15	£0.15
	c) Additional fee (at the discretion of the Taxing Master) on the withdrawal of a bill of costs	Calculated	Calculated	Calculated	Calculated
	d) On assessing costs in the Chancery Division for every £1 or fraction of £1	£0.10	£0.10	£0.10	£0.10
	e) On an application to the Taxing Master to review his decision	£115	£127	£136	£143

Section 6 Fees payable in the Office of Care and Protection

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
41	Wardship and Adoption/Parental Order (under Section 30 Human Fertilisation and Embryology Act 1990) – application by petition or summons	£100	£110	£118	£124
42	Family Law Act 1986 – Registration of Custody Order	£75	£83	£89	£93
43	Registration of enduring powers of attorney	£115	£127	£136	£143
44	Enduring Powers of Attorney – application pursuant to court direction	£200	£220	£237	£248

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45	Enduring Powers of Attorney – application for search of register	£20	£22	£24	£25
46	1) Commencement Fee (Patient's Affairs) – first application for the appointment of a controller except where it appears that the patient's clear annual income is less than £1000 2) In addition to (1), commencement pursuant to a request by a personal application	£200 £200	£220 £220	£237 £237	£248 £248
47	Annual Administrative Fee a) Administrative Fee per annum where funds are operated out of court b) Administrative Fee per annum where funds are held by Court Funds Office.	£250 £350	£275 £385	£296 £414	£310 £435
48	Transaction Fee 1) On any order made by the court in the exercise of powers conferred by – i) Article 99 (1) – b), c), d), h), k) of the Mental Health (Northern Ireland) Order 1986 ii) Article 102 of the Order iii) section 35 (9) of the Trustee Act (Northern Ireland) 1958 iv) section 57(3) of the Trustee Act (Northern Ireland) 1958 2) On making by the court of any order or authority under Article 99(1)(e) of the Order	£80 or in a special case ¼% of the pecuniary consideration as defined in Note 3 of the Fees Order if greater than £80 £200	£88 or in a special case ¼% of the pecuniary consideration as defined in Note 3 of the Fees Order if greater than £88 £220	£95 or in a special case ¼% of the pecuniary consideration as defined in Note 3 of the Fees Order if greater than £95 £237	£99 or in a special case ¼% of the pecuniary consideration as defined in Note 3 of the Fees Order if greater than £99 £248
49	Control Fees –				

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	On passing an account where an Officer of the Court (including Official Solicitor) is appointed	£500	£550	£591	£621
50	Winding-up fee on the death of a patient	£275	£303	£325	£341
51	Application to purchase, sell or transfer house or land, release life interest or right of residence	£150	£165	£177	£186
52	Enduring power of attorney account fee	£150	£165	£177	£186
53	Referral of patient to OCP including issue of enabling certificate and masters direction by certificate	£75	£83	£89	£93
54	Application to appoint a new controller	£200	£220	£237	£248
55	Masters subsequent direction by certificate where no Controller Order or Short Procedure Order issued	£75	£83	£89	£93
56	Issue of a Controller ad interim Order or a Short Procedure Order	£75	£83	£89	£93
57	On appointment of a Controller	£115	£127	£136	£143

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ANNEX B

County Court Civil Business Court Fees

These fees are inclusive of subsidies as described under section 6 above.

- I. Fees in respect of proceedings not otherwise specifically provided for in any subsequent section of this Schedule.
- II. Fees for specified proceedings within the equity and probate jurisdiction.
- III. Fees to be taken in respect of proceedings under the Licensing (Northern Ireland) Order 1996 and the Registration of Clubs (Northern Ireland) Order 1996 and the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985
- IV. Miscellaneous fees relating to civil proceedings and matters.
- V. Fees in respect of applications for small claims under Article 30(3) of the Order.
- VI. Fees to be taken in respect of proceedings under the Criminal Damage (Compensation) (Northern Ireland) Order 1977 ("the Criminal Damage Order").
- VII. Fees to be taken in respect of proceedings under the Family Law Act 1986.

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Section I Fees in respect of proceedings not otherwise specifically provided for in any subsequent section of this Schedule

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
1	On any affidavit	No fee	No fee	No fee	No fee
2	On attendance of an officer to produce records (in addition to the officer's expenses), for each hour or part thereof	£14 per hour	£15 per hour	£17 per hour	£17 per hour
3	On a bond of recognizance	£50	£55	£59	£62
4	On a case stated	£150	£165	£177	£186
5	On a certificate by a court officer (inclusive of search)	£30	£33	£35	£37
6	On an Ordinary Civil Bill, application or notice claiming (whether on foot of a contract or tort or by virtue of any enactment or otherwise) a sum of money or goods or chattels or any combination thereof of a value does not exceed £1000 exceeds £1000 but does not exceed £5000 exceeding £5000	 £150 £165 £185	 £165 £182 £204	 £177 £195 £219	 £186 £205 £230
7	On a civil bill action in an ejectment action	£150	£165	£177	£186
8	On any other civil bill	£150	£165	£177	£186

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9	On a third party notice	Same fee as on the civil bill in the action	Same fee as on the civil bill in the action	Same fee as on the civil bill in the action	Same fee as on the civil bill in the action
10	On a counterclaim or set-off where the amount thereof - does not exceed £1000 exceeds £1000 but does not exceed £5000 exceeding £5000	£150 £165 £185	£165 £182 £204	£177 £195 £219	£186 £205 £230
11	On a copy document a) 5 sheets or less b) For each sheet thereafter c) On a copy Order/Decree including certified or sealed d) On a copy Order/Decree produced online	£5 £0.50 £10 £8	£6 £0.50 £11 £9	£6 £0.50 £12 £9	£6 £0.50 £12 £10
12	On a decree, award, judgment, order or dismiss (other than an interlocutory order)	£75	£83	£89	£93
13	On an interlocutory order, including an order for payment out of, or transfer or investment of, funds in court	No fee	No fee	No fee	No fee
14	Certificate of Readiness	£250	£275	£296	£310
15	On a notice of appeal to a County Court (not otherwise provided for)	£150	£165	£177	£186
16	On a notice of application to the judge for payment of funds out of court	£15	£17	£18	£19
17	On any notice or other document in an application to the Accountant General for payment out or transfer of funds and securities in court	No fee	No fee	No fee	No fee
18	In any proceedings under the Adoption (Northern Ireland) Order 1987 as	£75	£83	£89	£93

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	modified by the Parental Orders (Human Fertilisation and Embryology) Regulations 1994 or under Section 30 of the Human Fertilisation and Embryology Act 1990				
19	On a notice, petition, summons or other form of application (not otherwise provided for) initiating any proceedings	£150	£165	£177	£186
20	On a notice of application for a review by the judge	£115	£127	£136	£143
21	On any notice of application, summons or motion to the judge or to the district judge (not otherwise provided for)	£115	£127	£136	£143
22	a) On a search or inspection b) Additional fee where the search is carried out by an officer of the court	£20 £10	£22 £11	£24 £12	£25 £12
23	On a witness summons	£30	£33	£35	£37
24	On a certificate of application for discovery	£50	£55	£59	£62
25	Entry of a remitted action where a setting down fee has not already been paid	£250	£275	£296	£310

Section II Fees for specified proceedings within the equity and probate jurisdiction

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
1	On a civil bill or petition, where the property or estate of the subject matter of the proceedings				

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	a) Either insofar as it consists of lands or premises does not exceed a capital value of £185,000 or insofar as it consists of personalty does not exceed £500 in amount or value	£150	£165	£177	£186
	b) Either insofar as it consists of lands or premises exceeds a capital value of £185,000 or insofar as it consists of personalty exceeds £500 in amount or value	£175	£193	£207	£217
	c) Provided that in a case of a mortgage suit or creditors administration suit where the amount claimed does not exceed £300 the fee on the civil bill shall be	£150	£165	£177	£186
2	On a primary or final decree, order or dismiss	£75	£83	£89	£93
3	On a decree or order not otherwise provided for (including an interlocutory order)	£75	£83	£89	£93
4	On the taking of an account or the holding of an inquiry by an officer pursuant to an order of the judge, for each hour or part thereof	£75	£83	£89	£93
5	On the officer's certificate thereof	£30	£33	£35	£37
6	On an affidavit for the lodgement in court of a sum of money (fee to cover all necessary notices and certificate by the Chief Clerk)	£50	£55	£59	£62
7	On a counterclaim in equity proceedings	£150	£165	£177	£186

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Section III Fees to be taken in respect of proceedings under the Licensing (Northern Ireland) Order 1996 and the Registration of Clubs (Northern Ireland) Order 1996 and the Betting, Gaming Lotteries and Amusements (Northern Ireland) Order 1985

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
1	On a notice of application to the court in relation to a licence, including notice of application for declaration under Article 10 of the Licensing (NI) Order 1996 or for an order under Article 31 of that Order	£432	£475	£511	£536
2	On a notice of application under Article 44	£272	£299	£322	£338
3	On a notice of application to the court for the grant of registration of a club or indoor arena under Article 5 of the Registration of Clubs (NI) Order 1996	£432	£475	£511	£536
4	Children's certificate under Article 59 of the Licensing (Northern Ireland) Order 1996 or under Article 33 of the Registration of Clubs (Northern Ireland) Order 1996	£75	£83	£89	£93
5	Grant or provisional grant of a Bookmakers office licence	£432	£475	£511	£536

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Section IV Miscellaneous fees relating to civil proceedings and matters

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
1	On a certified copy of a decree, or a certificate in respect of money provision under Part V of Order 40	£50	£55	£59	£62
2	On a search in papers deposited under Standing Orders of Parliament for each hour or part thereof	£20	£22	£24	£25
3	On an application for a warrant of arrest under Article 5 of the Protection from Harassment (NI) Order 1997	£0	£0	£0	£0

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Section V Fees in respect of applications for small claims under Article 30(3) of the Order.

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
1	On lodging an application in which the amount claimed, does not exceed £300 exceeds £300 but not £500 exceeds £500 but not £1000 exceeds £1000	£30 £50 £70 £100	£33 £55 £77 £110	£35 £59 £83 £118	£37 £62 £87 £124
2	On a counterclaim or set-off where the amount thereof does not exceed £300 exceeds £300 but not £500 exceeds £500 but not £1000 exceeds £1000	£30 £50 £70 £100	£33 £55 £77 £110	£35 £59 £83 £118	£37 £62 £87 £124
3	On a notice of appeal under Article 30(4)(ab)	£150	£165	£177	£186
4	On a third party notice in a small claims action	Same fee as on the small claim application in the action	Same fee as on the small claim application in the action	Same fee as on the small claim application in the action	Same fee as on the small claim application in the action

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Section VI Fees to be taken in respect of proceedings under the Criminal Damage (Compensation) (Northern Ireland) Order 1977 ("the Criminal Damage Order").

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
1	On a notice of appeal to a County Court under Article 15 of the Criminal Damage Order	£150	£165	£177	£186
2	On a Certificate of Readiness	£250	£275	£296	£310

Section VII Fees to be taken in respect of proceedings under the Family Law Act 1986.

Current Fees Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
1	On an application under Section 27 of the Family Law Act 1986 for the registration of a custody order	£75	£83	£89	£93

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NORTHERN IRELAND COURTS AND TRIBUNALS SERVICE

ANNEX C

Magistrates Court Civil Business Court Fees

A. Debt and Ejectment Proceedings, Duplicate Orders and Extracts from Register

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
1	Process – Ordinary, Enforcement or Committal	£30	£33	£35	£37
2	Process – Set-off, counterclaim, decree or dismiss	£20	£22	£24	£25
3	Process (including proceedings where a claim for rent or sum due under Article 69 of the order is joined with a claim for possession)	£30	£33	£35	£37
4	Ejectment Decree or Dismiss	£20	£22	£24	£25
5	Notice for duplicate orders	£30	£33	£35	£37
6	Duplicate order	£30	£33	£35	£37
7	Certified extract from Register	£30	£33	£35	£37

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B. Appeals to Magistrates Court

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
8	Notice of application or notice of appeal to a Magistrates' Court	£100	£110	£118	£124

C. Appeals and case stated

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
9	Copy notice of appeal lodged with Clerk of Petty Sessions or process in relation to civil proceedings	£100	£110	£118	£124
10	Copy notice of appeal lodged with Clerk of Petty Sessions for each complaint, application, appeal or process (except where appellant is in prison or in respect of civil proceedings), subject to a maximum fee of the equivalent of five complaints.	£30	£33	£35	£37
11	Written application for Case Stated	£100	£110	£118	£124
12	Case stated	£100	£110	£118	£124

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D. Notices of application under the Licensing (Northern Ireland) Order 1996

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
13	a) Application for renewal under Article 14	£272	£299	£322	£338
	b) Application for protection order under Article 26	£68	£75	£80	£84
	c) Application for temporary continuance of business in other premises under Article 29	£68	£75	£80	£84
	d) Application for transfer under Article 22	£272	£299	£322	£338
	e) Application for transfer and renewal under Article 23	£544	£598	£643	£675
	f) Application for Article 43 Order	£272	£299	£322	£338
	g) Application for Article 44 Order	£272	£299	£322	£338
	h) Application for Article 48 Order	£272	£299	£322	£338
	i) Additional fee for renewal out of time under Article 16 for each month or part of a month	£114	£125	£135	£142
	j) Application for grant of an occasional licence under Article 30 -				
	i) for the first day	£82	£90	£97	£102
	ii) for each additional day	£20	£22	£24	£25
	k) Application for grant of extension licence	£68	£75	£80	£84
	l) Application for the grant of a Children's Certificate	£158	£174	£187	£196
	m) Children's Certificate	£30	£33	£35	£37
	n) Application to vary/remove conditions for an indoor arena	£272	£299	£322	£338

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14	a) Each inspection of Register of Licences as provided for under Article 35	£22	£24	£26	£27
	b) Each copy of all or any part of any entry supplied from the Register of Licences as provided for under Article 35 in respect of each licensed premises	£10	£11	£12	£12
15	Duplicate being a certified copy of particulars recorded in the Register of Clubs kept under Article 38(2)	£150	£165	£177	£186

E. Applications under the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
	Bookmakers' Licences and Bookmaking Office Licences				
16	Application for grant of bookmaker's licence under Article 8(1)	£258	£284	£305	£320
17	Application for renewal of bookmaker's licence under Article 16(1)	£186	£205	£220	£231
18	Application for renewal out of time of a bookmaker's licence under Article 20(1)	£298	£328	£352	£370
19	Application for renewal of bookmaking office licence under Article 18(1)	£186	£205	£220	£231
20	Application for renewal out of time of bookmaking office licence under Article 20(1)	£298	£328	£352	£370

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21	Application for transfer of bookmaking office licence under Article 23(1)	£186	£205	£220	£231
22	Application for concurrent transfer and renewal of bookmaking office licence under Article 24(1)	£350	£385	£414	£435
23	Application for temporary continuance of business in other premises under Article 26	£68	£75	£80	£84
24	Application for revocation of bookmaker's licence under Article 27(1)	£186	£205	£220	£231
25	Application for revocation of bookmaking office licence under Article 28(1)	£186	£205	£220	£231
	Bingo Club Licences				
26	Application for grant of bingo club licence under Article 63(1)	£186	£205	£220	£231
27	Application for provisional grant of bingo club licence under Article 65(1)	£186	£205	£220	£231
28	Application for renewal of bingo club licence under Article 67(1)	£186	£205	£220	£231
29	Application for renewal out of time of bingo club licence under Article 69(1)	£298	£328	£352	£370
30	Bingo club grant declared final	£100	£110	£118	£124
	Gaming Machine Certificates and Permits				
31	Application for grant of a gaming machine certificate under Article 85(1)	£186	£205	£220	£231
32	Application for renewal of a gaming machine certificate under Article 87(1)	£186	£205	£220	£231

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33	Application for renewal of a gaming machine certificate out of time under Article 89(1)	£298	£328	£352	£370
34	Application for the grant of a gaming machine permit under Article 85(3)	£186	£205	£220	£231
	Registration of Clubs				
35	Application for the registration of a club under Article 96(1)	£186	£205	£220	£231
36	Application for the renewal of registration of a club under Article 98(1)	£186	£205	£220	£231
37	Application for the renewal of registration of a club out of time under Article 100(1)	£298	£328	£352	£370
	Lottery Certificates				
38	Application for the grant of a lottery certificate under Article 142(1)	£226	£249	£267	£281
39	Application for renewal of lottery certificate under Article 144(1)	£186	£205	£220	£231
40	Application for renewal out of time of a lottery certificate under Article 146(1)	£298	£328	£352	£370
41	Application for revocation of lottery certificate under Article 149(1)	£186	£205	£220	£231
	Supplementary				
42	a) For each inspection of the Register of Licences, Certificates and Permits kept under Article 174(1)	£22	£24	£26	£27
	b) For each copy of all or part of any entry taken from this register	£10	£11	£12	£12

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43	a) For each inspection of the Register of Clubs kept under Article 175(1)	£22	£24	£26	£27
	b) For each copy of all or part of any entry taken from this register	£10	£11	£12	£12
44	Duplicate being a certified copy of particulars recorded in the Register of Clubs kept under Article 174(1) or 175(1)	£150	£165	£177	£186

F. Applications under the Registration of Clubs (Northern Ireland) Order 1996

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
45	Every application by a club for the renewal of a certificate under the Registration of Clubs (NI) Order 1996 under Article 7	£272	£299	£322	£338
46	Additional fee for application out of time under Article 9 for each month or part of month	£104	£114	£123	£129
47	Application for continuance of Club in other temporary premises under Article 12	£68	£75	£80	£84
48	Application for a Children's Certificate	£158	£174	£187	£196
49	Children's Certificate	£30	£33	£35	£37
50	a) For each inspection of the Register as provided for under Article 17	£22	£24	£26	£27
	b) For each copy of all or any part of any entry taken from the Register	£10	£11	£12	£12

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NORTHERN IRELAND COURTS AND TRIBUNALS SERVICE

51	A duplicate certificate of registration being a certified copy of particulars recorded in the Register of Clubs, issued under Article 20(2)	£150	£165	£177	£186
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G. Miscellaneous

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
52	Certificate of conviction and order	£30	£33	£35	£37
53	Certificate authorising the grant of a game dealer's licence	£100	£110	£118	£124
54	Notice of application for a licence under Section 1 of the General Dealers (Ireland) Act 1903	£100	£110	£118	£124
55	A notice of application to a magistrates' court (other than an application under Article 91(3) or (4) of the Order) not otherwise provided for	£100	£110	£118	£124
56	On a copy document a) 5 sheets or less b) for each sheet thereafter c) On a copy Order/Decree including certified or sealed d) On a copy Order/Decree produced online	£5 £0.50 £10 £8	£6 £0.50 £11 £9	£6 £0.50 £12 £9	£6 £0.50 £12 £10

CONSULTATION

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H. Applications under the Child Support (Northern Ireland) Order 1991

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
57	Notice of Application for Declaration of Parentage under Article 28	£50	£55	£59	£62
58	Summons of Application for a Liability Order under Article 33(2)	£50	£55	£59	£62
59	Summons/Warrant under Regulation 29 of the Child Support (Collection and Enforcement) Regulations (Northern Ireland) 1992	£50	£55	£59	£62

I. Applications under the Children (Northern Ireland) Order 1995

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
60	An application for leave to apply for an application for an order under	£50	£55	£59	£62

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	Parts II or III not otherwise provided for				
61	An application for leave to apply for or an application for an order under Article 50 (care or supervision order), 55 (education supervision order), or 62 (child assessment order)	£50	£55	£59	£62
62	An application for leave to apply for an application for an order under Article 53 (contact or refusal of contact with a child in care) or 13 (change of child's surname or removal from the jurisdiction)	£50	£55	£59	£62
63	An application for a financial provision order under Schedule 1	£50	£55	£59	£62
64	An application for leave to apply for or an application to vary, extend or discharge an order made under any of the provisions of the order mentioned at items 54, 55, 57 and 58 above	£37.50	£41	£44	£47
65	An application for leave to apply for or an application under Article 129 (affecting the registration of a child minder) or an appeal under Article 131 (appeal in relation to registration of child minder)	£50	£55	£59	£62
66	An application for leave to apply for or an appeal under Article 113 (appeal in relation to foster parenting)	£50	£55	£59	£62
67	An application for leave to apply for or an appeal under Article 145 (appeal in relation to licence to take part in public performance)	£50	£55	£59	£62
68	Any ex-parte (emergency) application under Article 63	£0	£0	£0	£0
69	Full application under Article 63	£0	£0	£0	£0

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70	Application for maintenance order to be sent outside Northern Ireland for enforcement	£50	£55	£59	£62
71	On a C2 application	£50	£55	£59	£62
72	Application for leave to apply under Article 44 (secure accommodation)	£50	£55	£59	£62

J. Applications under the Family Homes and Domestic Violence (NI) Order 1998

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
73	Any ex-parte (emergency) application	£0	£0	£0	£0
74	Full application	£0	£0	£0	£0
75	On a C2 application	£0	£0	£0	£0
76	Any other application under Family Homes and Domestic Violence (NI) Order 1998, not otherwise provided for	£0	£0	£0	£0

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K. Applications under the Domestic Proceedings (NI) Order 1980

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
77	Registration of an incoming maintenance order	£50	£55	£59	£62
78	Any other application under Domestic Proceedings (NI) Order 1980 & Art 98 of the Magistrates' Court Order	£50	£55	£59	£62

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SCHEDULE 2

Fees Payable for Service of a Summons or Process

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
1	1) Subject to sub-paragraph (2) and paragraph 3, for the service of a summons or process or document	£10	£11	£12	£12
	2) Where service of a summons or process is required to be personal	£13	£14	£15	£16
2	For the service of a summons or process where there are two or more defendants or witnesses in the same proceedings there shall be separate fee for each defendant or witness.	No change	No change	No change	No change
3	Where a document relating to a summons is served together with the summons, for each document served	£3	£3	£4	£4

CONSULTATION

NORTHERN IRELAND COURTS AND TRIBUNALS SERVICE

ANNEX D

Court of Judicature Northern Ireland (Non Contentious Probate) Fees

Schedule 1

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
1	On an application for grant (or for resealing a grant) other than an application to which Fee No. 3 applies:- a) if the assessed value does not exceed £10,000 b) if the assessed value exceeds £10,000	No Fee £200	No Fee £220	No Fee £237	No Fee £248
2	In addition to (1), on an application for a grant by a personal applicant where the value of the estate exceeds £10,000	£50	£55	£59	£62
3	a) Grant in respect of estate exempt from inheritance tax. b) Grant limited to trust property. c) Duplicate grant. d) Any second grant relating to the deceased person	£150 £150 £150 £150	£165 £165 £165 £165	£177 £177 £177 £177	£186 £186 £186 £186
4	Alteration in Grants, etc – notation on or amendment to a grant	£50	£55	£59	£62
5	Caveats –				

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	a) For the entry of a caveat b) For an extension or a warning to a caveat	£75 £50	£83 £55	£89 £59	£93 £62
6	Depositing a will for safe custody	£30	£33	£35	£37
7	a) For a search for a grant b) Additional payment where the search is carried out by an officer of the court	£20 £10	£22 £11	£24 £12	£25 £12
8	On inspection of a will or other documents	£30	£33	£35	£37
9	a) Copy document (5 sheets or less) not otherwise provided for b) Additional copy per page c) Copy signed by Master and Lord Chief Justice	£5 £0.50 £75	£6 £0.50 £83	£6 £0.50 £89	£6 £0.50 £93
10	On an audio recording produced on CD in respect of any court proceedings- For each hour recorded or part thereof	£25	£28	£30	£31
11	Oaths and guarantees – a) for administering an oath c) execution of guarantee for surety	£30 £50	£33 £55	£35 £59	£37 £62

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12	On an application for the production of documents to be given as evidence:- On attendance of an officer to produce records (in addition to the officer's expenses), for each hour or part thereof	£14 per hour	£15 per hour	£17 per hour	£17 per hour
13	For perusing and settling citations:- For each document settled	£115	£127	£136	£143
14	On any application to the master not otherwise provided for	£115	£127	£136	£143
15	On a Subpoena	£30	£33	£35	£37

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ANNEX E

Family Proceedings Fees (County Court & Court of Judicature Northern Ireland)

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
1	a) Sealing – writ of summons or an originating summons	£200	£220	£237	£248
	b) Sealing – originating notice of motion or presenting a petition other than a second petition presented with leave granted				
	(i) When presented in the High Court	£200	£220	£237	£248
	(ii) When presented to a divorce county court or civil partnership proceedings county court	£200	£220	£237	£248
	c) On filing an answer/reply to a petition/answer	£100	£110	£118	£124
	d) Personal Application Fee for a matrimonial review	£50	£55	£59	£62
2	Entering or setting down for trial				
	a) High Court	£300	£330	£355	£372
	b) County Court	£250	£275	£296	£310
3	Certificate of Decree Absolute (Form 10)	£75	£83	£89	£93

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4	Proceedings under the Children (NI) Order 1995				
	a) On an application for an order relating to the custody, education, access, committal to care, provision of supervision of a child including Article 7(1)(a) or 4, 10(1) or (2), 159(1)				
	i) High Court	£100	£110	£118	£124
	ii) County Court	£75	£83	£89	£93
	b) Terminate appointment of Guardian Article 13(1) or 163(1)				
	i) High Court	£75	£83	£89	£93
	ii) County Court	£57.50	£63	£68	£71
	c) Financial Provision Order Paragraph 2(1),3(1), 7(5), 16(1) of Schedule 1				
	i) High Court	£100	£110	£118	£124
	ii) County Court	£75	£83	£89	£93
	d) Vary a Financial Provision Order Paragraph 2(4), 3(5), 6(6), 7(7), 7(8), 10(2), 12(2) or 13 of Schedule 1				
	i) High Court	£75	£83	£89	£93
	ii) County Court	£57.50	£63	£68	£71
	e) Secure Accommodation - Article 44				
	i) High Court	£100	£110	£118	£124
	ii) County Court	£75	£83	£89	£93

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f) Care/Supervision Order - Article 50				
i) High Court	£100	£110	£118	£124
ii) County Court	£75	£83	£89	£93
g) Vary Care/Supervision Order & leave to change child's name Article 52(7), 57(8)(b), 58(1), (2), (3) or (4), paragraph 6(3) of Schedule 3 or paragraph 10(3) of Schedule 8				
i) High Court	£75	£83	£89	£93
ii) County Court	£57.50	£63	£68	£71
h) Contact with child in care Article 53(2), (3), (4) or (9)				
i) High Court	£75	£83	£89	£93
ii) County Court	£57.50	£63	£68	£71
i) Placement abroad - Article 33(1)				
i) High Court	£75	£83	£89	£93
ii) County Court	£57.50	£63	£68	£71
j) Education Supervision - Article 55(1)				
i) High Court	£100	£110	£118	£124
ii) County Court	£75	£83	£89	£93
k) Vary Education Supervision Paragraph 5(2) or 7(1) of Schedule 4				
i) High Court	£75	£83	£89	£93
ii) County Court	£57.50	£63	£68	£71

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l) Child Assessment - Article 62(1)				
i) High Court	£100	£110	£118	£124
ii) County Court	£75	£83	£89	£93
m) Vary Child Assessment - Article 62 (12)				
i) High Court	£75	£83	£89	£93
ii) County Court	£57.50	£63	£68	£71
n) Emergency Protection - Article 63, 64 & 67				
i) High Court	£0.00	£0.00	£0.00	£0.00
ii) County Court	£0.00	£0.00	£0.00	£0.00
o) Recovery of Children - Article 69				
i) High Court	£100	£110	£118	£124
ii) County Court	£75	£83	£89	£93
p) Miscellaneous – Article 178				
i) High Court	£75	£83	£89	£93
ii) County Court	£57.50	£63	£68	£71
q) On commencing an appeal under				
i) Article 166 or Article 41(11)(ii) to the High Court	£100	£110	£118	£124
ii) Article 166 or Article 41(11)(i) to the County Court	£75	£83	£89	£93
r) On any application brought under form C2				
i) High Court	£75	£83	£89	£93
ii) County Court	£57.50	£63	£68	£71

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5	Proceedings under the Family Homes and Domestic Violence (Northern Ireland) Order 1998				
	a) Application for a non -molestation or occupation order				
	i) High Court	£0	£0	£0	£0
	ii) County Court	£0	£0	£0	£0
	c) On an ex-party (emergency) application	£0	£0	£0	£0
	d) On the following full application	£0	£0	£0	£0
	f) Application under the Family Homes & Domestic Violence Order not otherwise provided for	£0	£0	£0	£0
6	On filing a notice of application for ancillary relief				
	i) High Court	£300	£330	£355	£372
	ii) County Court	£250	£275	£296	£310
	Other Application in Proceedings –				
	a) on any application in matrimonial proceedings or civil partnership proceedings, except where it is otherwise provided for in this Schedule, or is for an order by consent, made				
	i) to a master	£115	£127	£136	£143
	ii) to a judge	£150	£165	£177	£186
	b) Ex parte application to remove a petitioner's address from the petition. (Fee charged at judicial discretion)	£57.50	£63	£68	£71
8	Writ of Subpoena or Witness Summons	£30	£33	£35	£37

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9	a) On a copy document not otherwise provided for i) 5 sheets or less	£5	£6	£6	£6
	ii) On any additional copy per page	£0.50	£0.50	£0.50	£0.50
	b) On a copy order/decreed including certified or sealed	£10	£11	£12	£12
	c) On a copy order/decreed produced online	£8	£9	£9	£10
	d) On an audio recording produced on CD in respect of any court proceedings- For each hour recorded or part thereof	£25	£28	£30	£31
10	a) On making a search in the index of Parental Responsibility Agreements kept in the Office of Care and Protection in accordance with regulations made under Article 7 of the Children (NI) Order 1995 and, if appropriate, providing a copy of an agreement	£20	£22	£24	£25
	b) (i) On a search (including inspection) other than one for which a fees is prescribed under 10(a) above	£20	£22	£24	£25
	(ii) Additional fee where search is carried out by an officer of the court	£10	£11	£12	£12
	c) For an official certificate of the result of a search in any index	£30	£33	£35	£37
11	For signing, settling or approving an advertisement	£30	£33	£35	£37
12	Appeals				
	a) Notice of appeal from a master to judge in chambers b) Entering interlocutory appeal to Court of Appeal	£200 £500	£220 £550	£237 £591	£248 £621

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13	Taxation				
	a) On lodgement of a bill of costs. Provided that where the bill is taxed, credit for this fee is to be given against the final amount payable.	5% of original bill	5% of original bill	5% of original bill	5% of original bill
	b) On the taxation of the bill of costs:				
	Where the amount allowed does not exceed £5	£1	£1	£1	£1
	Where the amount exceeds £5 but does not exceed £100, for every £1 or fraction thereof	£0.15	£0.17	£0.18	£0.19
	Where the amount allowed exceeds £100 –				
	i) for the first £100	£24	£26	£28	£30
	ii) for every £1 or fraction thereof over £100	£0.15	£0.17	£0.18	£0.19
	c) Additional fee (at the discretion of the Taxing Master) on the withdrawal of a bill of costs	Calculated	Calculated	Calculated	Calculated
14	Enforcement – enforcement of a matrimonial or civil partnership order	£150	£165	£177	£186

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ANNEX F

Enforcement of Judgments Office Fees
 Judgments Enforcement (Northern Ireland) Order 1981
 Judgments Enforcement Rules (Northern Ireland) 1981

PART 1

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
1	On lodging Notice of Intent to apply for enforcement under Rule 6; in respect of each person to be served	£20	£22	£24	£25
2	On lodging an application for enforcement under Article 22 of the Order; in respect of each respondent; where the sum due on foot of the judgment:				
	1) does not exceed £300	30p in the pound, Min Fee £15	30p in the pound, Min Fee £15	30p in the pound, Min Fee £15	30p in the pound, Min Fee £15
	2) exceeds £300, does not exceed £1000	£97 plus £12 per additional £100 or part thereof of the sum due in excess of £300	£107 plus £13 per additional £100 or part thereof of the sum due in excess of £300	£115 plus £14 per additional £100 or part thereof of the sum due in excess of £300	£120 plus £15 per additional £100 or part thereof of the sum due in excess of £300

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	3) exceeds £1000, does not exceed £3000	£210 plus £8.50 per additional £100 or part of the sum thereof due in excess of £1000	£231 plus £9 per additional £100 or part of the sum thereof due in excess of £1000	£248 plus £10 per additional £100 or part of the sum thereof due in excess of £1000	£261 plus £11 per additional £100 or part of the sum thereof due in excess of £1000
	4) exceeds £3000, does not exceed £10000	£435 plus £2.30 per additional £100 or part thereof of the sum due in excess of £3000	£478 plus £3 per additional £100 or part thereof of the sum due in excess of £3000	£514 plus £3 per additional £100 or part thereof of the sum due in excess of £3000	£540 plus £3 per additional £100 or part thereof of the sum due in excess of £3000
	5) exceeds £10000	£645 plus £1.80 per additional £100 or part thereof the sum due in excess of £10,000	£710 plus £2 per additional £100 or part thereof the sum due in excess of £10,000	£763 plus £2 per additional £100 or part thereof the sum due in excess of £10,000	£801 plus £2 per additional £100 or part thereof the sum due in excess of £10,000
3	On lodging an application under Article 23 (1) of the Order; including one copy of the report: for each respondent Where an application is made under Article 22 of the Order subsequent to an application under Article 23 (1) of the Order the fee paid under Fee No 2 shall be reduced by the amount paid under Fee	£150	£165	£177	£186

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	No 3.				
4	On lodging an application for repossession of land	£515	£566	£609	£639
	On lodging an application for Goods & Money	£165 + money amount	£182 + money amount	£195 + money amount	£205 + money amount
	On lodging an application for Land & Money	£515 + money amount	£566 + money amount	£609 + money amount	£639 + money amount
5	On lodging an application for restitution of goods	£165	£182	£195	£205
6	On lodging an application under rule 104 to Stay Enforcement	£20	£22	£24	£25
7	On lodging an application for a search of the register of judgements:				
	1) Search per name of register of judgments	£8	£9	£9	£10
	2) Where the search is carried out by an officer of the court	£18	£20	£21	£22
8	On a copy document				
	a) 5 sheets or less	£5.00	£6	£6	£6
	b) For each sheet thereafter	£0.50	£0.50	£0.50	£0.50
9	For a Certificate of Satisfaction	£15	£17	£18	£19

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10	On an Administration Order made under Article 80 of the order	for every £1 of the money paid into the Office in respect of debts due to creditors, 10p	for every £1 of the money paid into the Office in respect of debts due to creditors, 10p	for every £1 of the money paid into the Office in respect of debts due to creditors, 10p	for every £1 of the money paid into the Office in respect of debts due to creditors, 10p
11	<p>I. For the removal, in accordance with a seizure order under Article 31 of the Order, of goods, or taking steps to remove such goods to a place of deposit. This fee includes the reasonable expenses of feeding and caring for animals</p> <p>II. For sale by auction of property seized (to cover all expenses of sale incurred in connection therewith including valuation, advertisement, auctioneers' fee)</p> <p>III. Where goods are sold otherwise than in auction, for the valuation of the goods</p>	The reasonable expenses thereof	The reasonable expenses thereof	The reasonable expenses thereof	The reasonable expenses thereof
		The reasonable expenses thereof	The reasonable expenses thereof	The reasonable expenses thereof	The reasonable expenses thereof
		The reasonable expenses thereof	The reasonable expenses thereof	The reasonable expenses thereof	The reasonable expenses thereof

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PART 2

Judgment Enforcement (Recovery of Admitted Debts) Rules (Northern Ireland) 1985

2007 Fee Order Code	Description	Current	2017/18 10%	2018/19 7.5%	2019/20 5%
12	On lodging notice of intention to apply for recovery of a debt under rule 8; in respect of each person to be served	£15	£17	£18	£19
13	On lodging an application for recovery of a debt under Article 95 (1) of the Order; in respect of each debtor	£15	£17	£18	£19
14	On the Chief Enforcement Officer's direction for recover of an admitted debt under rule 16 (1); in respect of each debtor; where the admitted debt:				
	1) does not exceed £300	30p in the £1 less £15 min fee £10	30p in the £1 less £15 min fee £10	30p in the £1 less £15 min fee £10	30p in the £1 less £15 min fee £10
	2) exceeds£300, does not exceed £1000	£82 plus £12 per add £100 or part thereof of the debt in excess of £300	£90 plus £13 per add £100 or part thereof of the debt in excess of £300	£97 plus £14 per add £100 or part thereof of the debt in excess of £300	£102 plus £15 per add £100 or part thereof of the debt in excess of £300

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	3) exceeds £1000 but does not exceed £3000	£195 plus £8.50 per add £100 or part thereof of the debt in excess of £1000	£214 plus £9 per add £100 or part thereof of the debt in excess of £1000	£231 plus £10 per add £100 or part thereof of the debt in excess of £1000	£242 plus £11 per add £100 or part thereof of the debt in excess of £1000
15	On lodging a certificate of corresponding debt under Rule 18; in respect of each debtor	£15	£17	£18	£19
16	On Masters direction for enforcement of corresponding debt under Rule 20(1); in respect of each debtor; where the sum certified as corresponding debt;				
	1) does not exceed £300	30p in the £1 less £15 min fee £10	30p in the £1 less £15 min fee £10	30p in the £1 less £15 min fee £10	30p in the £1 less £15 min fee £10
	2) exceeds £300, does not exceed £1000	£82 plus £12 per add £100 or part of the debt in excess of £300	£90 plus £13 per add £100 or part of the debt in excess of £300	£97 plus £14 per add £100 or part of the debt in excess of £300	£102 plus £15 per add £100 or part of the debt in excess of £300
	3) exceeds £1000, does not exceed £3000	£195 plus £8.50 per add £100 or part of the debt in excess of £1000	£214 plus £9 per add £100 or part of the debt in excess of £1000	£231 plus £10 per add £100 or part of the debt in excess of £1000	£242 plus £11 per add £100 or part of the debt in excess of £1000

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To Note:

- all new rates, with the exception of rates less than £0.50p, have been rounded to the nearest £1;
- the rounding policy applied is £0.01p to £0.49 is rounded down with £0.50p to £0.99p rounded up;
- the proposed increases are a three year phased increase of 10%, 7.5% and 5%;
- the first increase will take effect from 1 April 2017; and,
- Fee parameters set in legislation in 2007 have not been amended.

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ANNEX G

CONSULTEE GROUPINGS

- Business representative bodies and institutions
- Community groups
- Local councils
- Government departments and other public bodies
- Health organisations
- Housing Associations
- Judiciary
- Legal profession
- Elected Members (includes MLAs, MEPs and MPs)
- Political parties
- Trade Unions
- Other relevant groups

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NORTHERN IRELAND COURTS AND TRIBUNALS SERVICE

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Consultation on Designation of Areas of Natural Constraint

February 2016



Department of
**Agriculture and
Rural Development**
www.dardni.gov.uk

AN ROINN
**Talmhaíochta agus
Forbartha Tuaithe**

MANNYSTRIE O
**Fairms an
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GLOSSARY/LIST OF ABBREVIATIONS

Agricultural land	Land which has been identified as eligible agricultural land within the land parcel identification system (LPIS) in 2015
AFBI	Agri-Food and Biosciences Institute
ANC	Area(s) of Natural Constraint
Common land (CL)	Land on which grazing of animals is shared
Conacre	A system of short-term lettings, not exceeding 364 days
DA	Disadvantaged Areas - areas of land designated under Directive 84/169/EEC and a subset of the LFA
EU	European Union
Fine tuning	Removal of an administrative unit where it can be demonstrated that the biophysical constraints have been overcome
GVA	Gross Value Added – value added to goods and services that are used on farms
Ha	Hectare
LAU	Local administrative unit (in Northern Ireland this is equivalent to an electoral ward)
Less Favoured Area	Areas of land affected by agricultural disadvantage as designated under Directive 75/268/EEC and Directive 84/169/EEC
Lowland/ Non LFA	Agricultural land which is classified as neither Disadvantaged nor Severely Disadvantaged
LPIS	Land Parcel Identification System
SDA	Severely Disadvantaged Areas – areas of land designated under Directive 75/268/EEC and a subset of the LFA
SO	Standard output – standardised value of farm output
UAA	Utilised Agricultural Area

CONSULTATION ON DESIGNATION OF AREAS OF NATURAL CONSTRAINT

SECTION 1 INTRODUCTION

1.1 Purpose of the consultation

The purpose of this document is to seek the views of stakeholders on the approach to designation of Areas of Natural Constraint (ANC). An initial paper was made available in December 2013¹. Since that time, the EU Commission has finalised its regulatory requirements² and refined its guidance³. New maps have now been produced based on this latest information.

Four maps are provided within this document showing the agricultural land that could be defined as ANC under Regulation (EU) No 1305/2013. These maps may be subject to further change as the data are checked and the analysis further refined. The final maps produced will be subject to approval by the EU Commission.

This document will also help inform the development of stakeholder views on the separate consultation on *Options for Future Support to Areas of Natural Constraint*.

1.2 Background

Regulation (EU) No 1305/2013 includes a requirement to designate ANC to replace the existing “Less Favoured Areas” designation. This requirement has been developed by the EU Commission as part of the response to a European Court of Auditors report that found inconsistent approaches to the identification and mapping of Less Favoured Areas across Europe. The new approach to designation is a standardised, EU-wide methodology that identifies constrained land by applying a set of natural (biophysical) criteria and thresholds based on soil, slope and climate. There are eight biophysical criteria in total. *Article 32* and *Annex III* of Regulation (EU) No 1305/2013 provide the detail on how to apply this methodology and achieve a primary map. The Regulation also requires Member States to fine tune the primary map to remove areas where the biophysical constraint has been overcome by

¹ <http://www.dardni.gov.uk/publications/designation-areas-natural-constraint>

² <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:347:0487:0548:EN:PDF>

³ *Updated common biophysical criteria to define natural constraints for agriculture in Europe*, Institute for Environmental and Sustainability, Joint Research Centre, European Commission (2014) ISBN 978-92-79-38190-4

investment or economic activity. The EU Commission has provided guidance to Member States on a range of approaches to be used to fine tune their maps. Member States have until 1 January 2018 to designate ANC (though earlier designation is possible).

The timing of the re-designation process in Northern Ireland will be driven by the choice of future support to these areas and ANC designation might need to be in place by 1 January 2017. This is discussed in further detail in the consultation document on *Options for Future Support to Areas of Natural Constraint*.

The Less Favoured Area designation in Northern Ireland currently encompasses approximately 727,000 ha of eligible agricultural land, of which approximately 448,000 ha is designated as severely disadvantaged area (SDA) and approximately 279,000 ha is designated as disadvantaged area (DA). This designation has remained unchanged since 1984.

SECTION 2 MAPPING METHODOLOGY

Designation of ANC involves applying eight biophysical criteria based on soil, climate and slope characteristics to eligible agricultural land. Areas identified as being constrained by at least one of the biophysical criteria are then mapped to a recognisable administrative unit such as a ward (LAU 2 level⁴) or at the level of another clearly delineated local unit which covers a single clear contiguous geographical area with a definable economic and administrative identity. If the administrative unit is assessed as having more than 60% of its eligible agricultural area being affected by at least one of the biophysical criteria, it is mapped at this primary stage as being constrained.

Administrative units may also be mapped as constrained at this primary stage if at least 60% of the agricultural area meets certain combinations of at least two of the biophysical criteria, within a margin of 20% of the thresholds set for each criteria⁵.

The next step required is to undertake a fine tuning exercise to remove those administrative units where it can be demonstrated that the constraint has been overcome. This leads to the final map. The guidance issued from the EU Commission provides options for fine tuning and requires Member States to provide evidence that the fine tuning process is complete and carried out correctly with adequate criteria.

2.1 Consideration of different approaches to mapping

The Department has explored the use of alternative administrative units (i.e. electoral wards and townlands) and fine tuning methods to define ANC. A summary of the analysis to date is provided overleaf.

⁴ LAU 2 level = local administrative unit, defined by Eurostat, consisting of municipalities of equivalent units in the 28 EU Member States

⁵ For example, using the two biophysical criteria of shallow soils and steep slope: the threshold for the shallow soils criterion is $\leq 30\text{cm}$ from soil surface to coherent hard rock or hard pan and the threshold for the steep slope criterion is $\geq 15\%$ change of elevation. Therefore, if at least 60% of the agricultural area within an administrative unit contains soils of $\leq 36\text{cm}$ depth (this figure is within 20% of the threshold) **AND** slope of $\geq 12\%$ change of elevation (again this is within 20% of the slope threshold), the administrative unit will be eligible for designation.

Administrative units: Regulation (EU) No 1305/2013 provides the option to choose either townlands or electoral wards as the relevant administrative unit. A townland is a recognised division of land used in Ireland (both north and south), believed to be of Gaelic origin. A townland is the smallest officially defined geographical division of land, smaller than a ward and county. There are 462 wards in Northern Ireland and 9,569 townlands. The ward boundaries⁶ change over time, as a result of reviews by the Boundary Commission, but townland boundaries are largely fixed. In rural areas, townlands are the building blocks of wards in almost all cases.

It could be argued that townlands provide a more appropriate administrative unit when designating ANC as they are likely to be more homogenous in their biophysical nature due to their smaller size, i.e. there is likely to be less variation in the natural constraints of the land within their boundary than in the case of electoral wards. However, using townlands as the basis of designation at the primary stage does create a significant number of isolated “islands” and “inverted islands” within the draft maps (i.e. isolated townlands that are not identified as being constrained biophysically but which are surrounded by townlands that are, and vice versa). Using wards as the designation creates a more uniform coverage with fewer of these islands of designation (which can appear where the wards are geographically very small).

2.2 Presentation of the maps

All maps have been produced by AFBI Agri Environment Branch using the criteria set out in Regulation (EU) No. 1305/2013 and following guidelines produced by the EU Commission and the Joint Research Council, together with economic data from Farm Surveys Branch, DARD. Agricultural land has been identified using the land parcel identification system (LPIS) data (2015) and current ward and townland boundaries have been used as the administrative units.

Over one million hectares of eligible agricultural land was assessed using the eight biophysical indicators, including approximately 35,000 ha of common land. Once a map was produced identifying agricultural land constrained by at least one biophysical criterion, a further cumulative map of constrained agricultural area was

⁶ Ward boundaries have been redrawn and came into effect with the new local council structures in 2015. Ward numbers reduced from 582 to 462.

produced aggregated to the administrative unit identifying those units where 60% or more of the agricultural area exhibited some form of natural constraint.

A cumulative map was also produced showing areas where at least 60% of the agricultural area met certain combinations of at least two of the biophysical criteria within a margin of 20% of the thresholds set for each criteria. This particular map did not bring any further agricultural land into designation.

2.3 Fine tuning approaches

Fine tuning is undertaken for the purpose of excluding areas in which the significant natural constraints have been overcome by investments or by economic activity.

The EU Commission has issued guidance on the application of fine tuning – how to choose indicators, how to apply them, what thresholds to use, what data-sets to use, etc. The guidance splits the indicators into two sections: 1) overcoming of constraints due to investments (i.e. irrigation, artificial drainage or greenhouses); and 2) overcoming of constraints due to economic activity (as measured by standard output, gross value added, average yield of a dominant crop, livestock density, tree density, normal land productivity or farming systems and production methods).

- *Overcoming constraints due to investments*

The application of fine tuning using indicators based on overcoming constraints due to investments is either not relevant or not feasible in a Northern Ireland context.

Northern Ireland has no significant irrigated land and although artificial drainage has been a feature of farming in Northern Ireland for many generations, and a lot of land will have been drained at some point; there are no comprehensive records to identify where artificial drainage systems exist. However, poor natural drainage is a criterion used in preparing the primary stage map and the effects of artificial drainage activity have been reflected within the construction of that criterion. Northern Ireland also does not have greenhouse cover at a significant level to contribute towards fine tuning.

- *Overcoming constraints using economic indicators*

Fine tuning using economic indicators must be undertaken to remove land where its natural constraint has been overcome due to economic activity. The economic indicators available in Northern Ireland that are best suited to determining if the

constraint has been overcome are the standard output (SO) indicator and the gross value added (GVA) indicator.

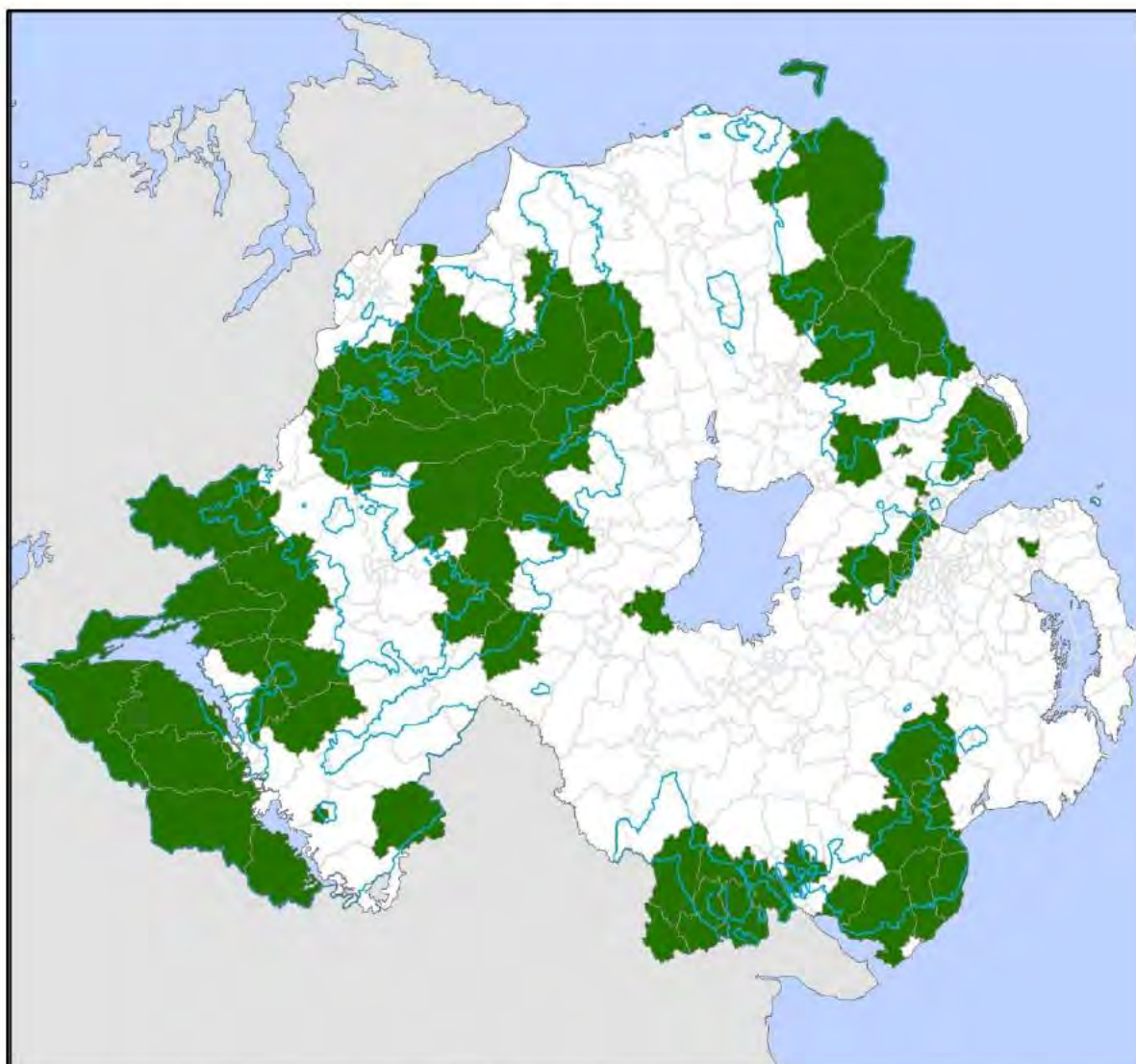
Standard output (SO) data were used in the production of previous draft ANC maps and is the economic indicator that the Commission guidance would envisage being considered in the first instance. The SO indicator measures the standardised value of farm output (excluding subsidies), but takes no account of costs of production. Although it is a satisfactory guide to the level of economic activity, the absence of a cost component means that little can be inferred about the profitability of different farming activities which may have equal output values. As a result, SO data have relatively poor predictive power when deciding if natural constraints have been overcome by economic activity in a particular location.

The GVA indicator measures the value added to goods and services that are used on farms during the production process. It is estimated by deducting costs (excluding depreciation, paid labour and conacre rent) from the value of farm output (excluding subsidies). By including costs as well as revenues in the calculation, GVA is closer to a measure of profit than the SO indicator. As a result, GVA is considered a better predictor of whether economic activity in a particular location has overcome natural constraints.

GVA is, therefore, viewed by DARD as the more robust economic fine tuning indicator. GVA was calculated using data collected by the Northern Ireland Farm Business Survey as part of the EU Farm Accountancy Data Network. This is the system in place across the EU to estimate the income of agricultural holdings. GVA estimates for different farm types were supplemented by Gross Margin data for pigs, poultry and horticulture where GVA could not be calculated to derive the GVA per hectare. Five years of data (2008–2012) were used to provide an average GVA/ha of £325.72 for Northern Ireland as a whole. The average GVA/ha was also calculated at ward level and each ward was assigned an indicator to show whether it was above or below 80% of the Northern Ireland average (i.e. £260.57/ha). This was then used in conjunction with the primary stage analysis to remove those biophysically constrained wards with a GVA above 80% of the regional average.

This process produced a final ANC designation of approximately **422,000 ha**, as shown at **Map A**.

Map A. Draft Area of Natural Constraint at ward level fine tuned using GVA threshold at 80% (blue line is current SDA boundary)



This map was produced by AFBI on behalf of DARD using AFBI's 1:50,000 scale soil map of Northern Ireland and its associated attribute database (AFBI, 2006). The map is based on Ordnance Survey of Northern Ireland's data with permission of the Controller of Her Majesty's Stationery Office, © Crown copyright and database rights NIMA ES&LLA201.3. Unauthorised reproduction infringes © Crown copyright and may lead to prosecution or civil proceedings

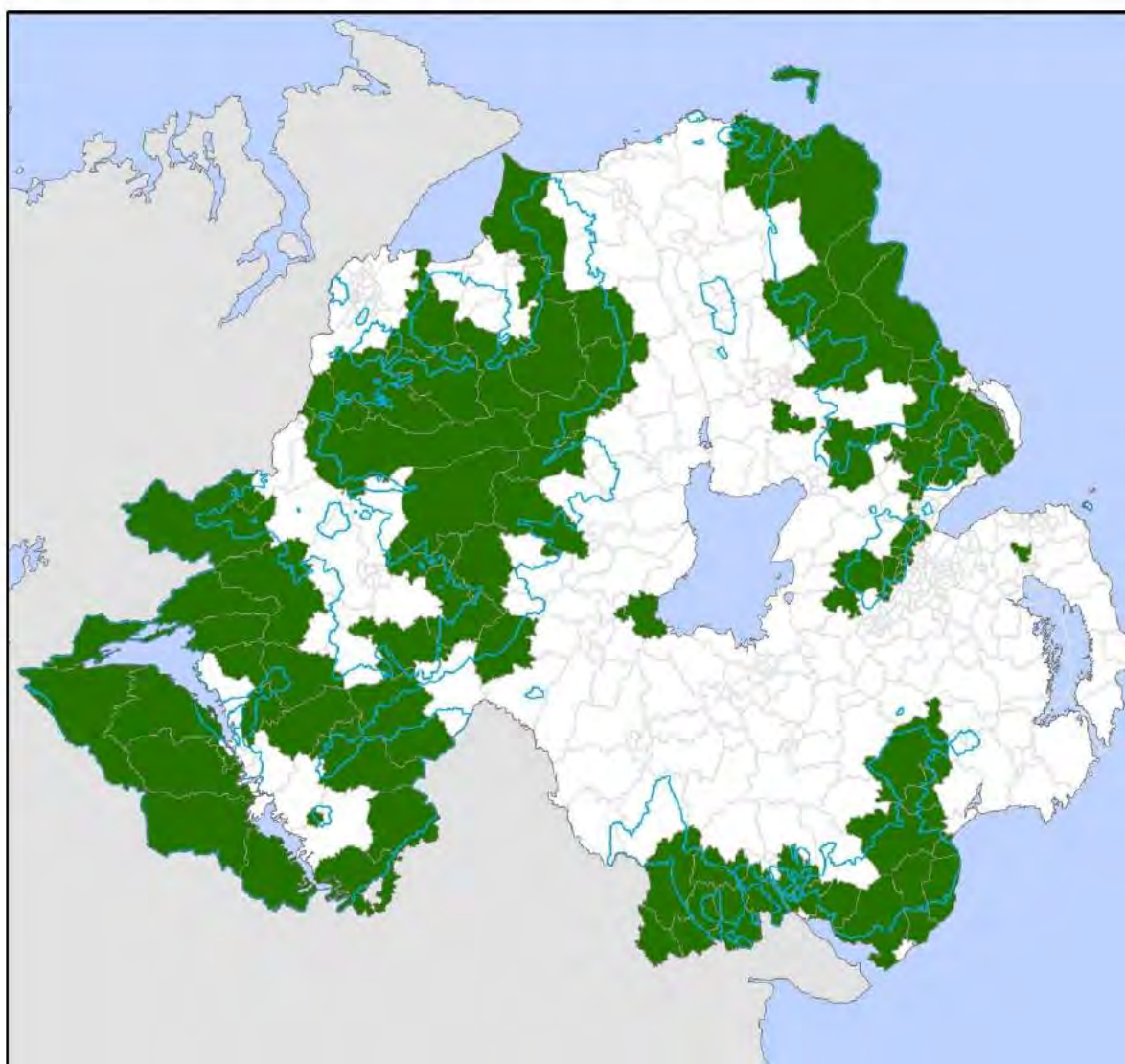
2.4 The “Recursive effect”

EU Commission guidance suggests that 80% of the GVA regional average should be used as the threshold for fine-tuning (i.e. administrative units with a GVA/ha that is above 80% of the regional average should not be included in the designated constrained area). The guidance states that, while the value of this threshold used is based on judgment, any figure above 80% is coming close to the regional average. For that reason, any figure above 80% would not accurately indicate a constrained area. In other words, an administrative unit having a GVA/ha of, say, 95% of the regional average could not be said to suffer significant levels of constraint relative to the region as a whole.

However, given that the large majority of land in Northern Ireland is defined as biophysically constrained at the primary mapping stage, it might be argued that to fine tune out all land that has more than 80% of the GVA regional average per hectare would result in some land being excluded that is still, in effect “constrained” in an absolute sense. This is because when calculating the regional average, a very significant amount of constrained land data are included in that calculation, yet the average will not take account of the high weighting of this constrained land within the calculation. In other words, the regional value average is dominated by the influence of constrained land. This is known as a “recursive effect”. In order to reduce the impact of this effect, a map has been prepared with fine tuning applied at a 90% GVA threshold (£293.15/ha). This results in a constrained area of **487,000 ha** as shown at **Map B**.

A robust case would need to be made to the EU Commission to justify the use of a 90% fine tuning threshold as the best and most objective approach in a Northern Ireland context. In this regard, it has to be noted that the average value of Standard Output (an economic indicator for which comparable data are available across the EU) is €1725/ha in Northern Ireland, which is 91% of the EU average of €1896/ha.

Map B. Draft Area of Natural Constraint at ward level fine tuned using GVA threshold at 90% (blue line is current SDA boundary)



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- ***Use of townland***

It is not possible to calculate GVA data at townland level due to the almost certain high incidence of errors and anomalies that this would create (e.g. the location of the farm business and the related GVA may be associated with one townland, but a significant proportion of the agricultural area of that holding may be located in a different townland, which would grossly distort the GVA or SO calculation).

Technically it is possible to produce a map where fine tuning using GVA is applied at ward level, but townlands are used for the primary mapping stage. In practice, this serves simply to exclude a few townlands within ward boundaries that would otherwise have been designated. However, it cannot add back parts of wards that are fine tuned out. Hence, this approach results in a map that designates a slightly smaller area of ANC overall by excluding townland “islands” within designated wards.

That aside, the EU Commission has indicated that it would not permit the use of a combination of approaches such as sub dividing some wards by grouping certain townlands within them. Such an approach would be impossible to implement in an objective manner in any event.

However, for illustrative purposes only, a map showing townlands fine tuned by 80% GVA at ward level has been produced. This would designate just over **405,000 ha** of agricultural land and is attached at **Annex A, Map 1**.

- ***Use of standard output***

As noted earlier, DARD is of the view that GVA represents a better economic indicator for fine tuning purposes than Standard Output. However, the EU Commission will need to be convinced of this view if the GVA option is to be approved.

Therefore, for information, a further map has been included at Annex A illustrating the effect of fine tuning using standard output as the economic indicator at an 80% threshold level. This map designates **366,000ha** agricultural land and is attached at **Annex A, Map 2**.

2.5 Next Steps

Further quality assurance and finalisation of the maps is ongoing. Once complete and following this consultation, the process of seeking EU Commission approval can be initiated. The mapping and fine tuning criteria used will need to be justified on an objective basis to the EU Commission and be accepted by them. Formal approval of the final map will be secured via a modification to the Rural Development Programme.

SECTION 3 CONSULTATION QUESTIONS

For ease of response to the consultation these questions are also provided in a separate pro forma, which is available from the relevant consultation page on the DARD website [www.dardni.gov.uk/consultations].

- Q1.** Do you agree that Gross Value Added (GVA) should be used as the preferred economic indicator for fine tuning purposes?

Please explain the reason for your answer. If you are answering no, please state your preferred economic indicator along with objective reasons as to why it should be used.

- Q2.** Taking into account that fine tuning is not feasible at townland level, do you agree that ANC designation should be carried out at ward level?

Q3. In your view, does a fine tuning threshold of 80%, or a fine tuning threshold of 90% of Gross Value Added represent a better indicator of significant constraint in a Northern Ireland context? Please explain the objective reasons for your choice.

Q4. Are there any further comments that you would like to add?

SECTION 4 RESPONDING TO THIS CONSULTATION

Responses

Responses to this consultation should be sent to:

Policy and Economics Division
 Department of Agriculture and Rural Development
 Room 361A
 Dundonald House
 Upper Newtownards Road
 Ballymiscaw
 Belfast
 BT4 3SB

Or, alternatively by:
 E-mail: policy.development@dardni.gov.uk

Timetable

Written responses to the consultation paper should be sent to the postal or email address above and should arrive **no later than 5 pm on Friday 29 April 2016**. It may not be possible to consider responses received after this date. An acknowledgement will be sent to confirm receipt of each response.

Publication of Responses

The Department will publish a summary of responses following the closing date for receipt of comments. Your response, and all other responses to this publication, 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 responses and they will give you guidance on the legal position about any information given by you in response to this publication. Any confidentiality disclaimer generated by your IT system in e-mail responses will not be treated as such a request.

The Data Protection Act states that information provided by respondents to this consultation exercise will be held and used for the purposes of the administration of this current exercise.

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. If you do not wish information about your identity to be made public, please include an explanation in your response.

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:

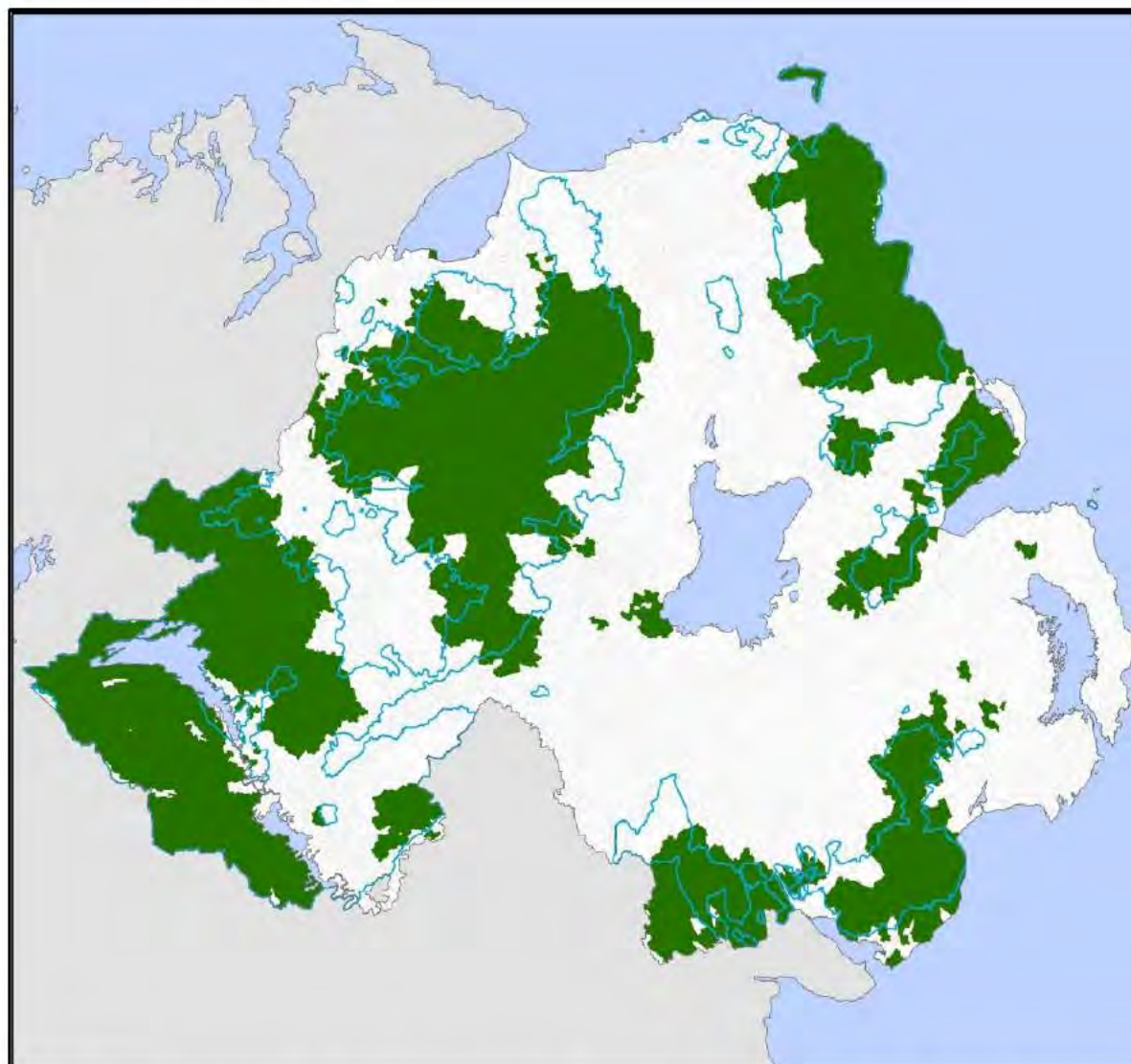
- The Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- The Department should not agree to hold information received from 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.

For further information about confidentiality of responses please contact the Information Commissioner's Office (or see web site at:

<http://www.informationcommissioner.gov.uk/>.

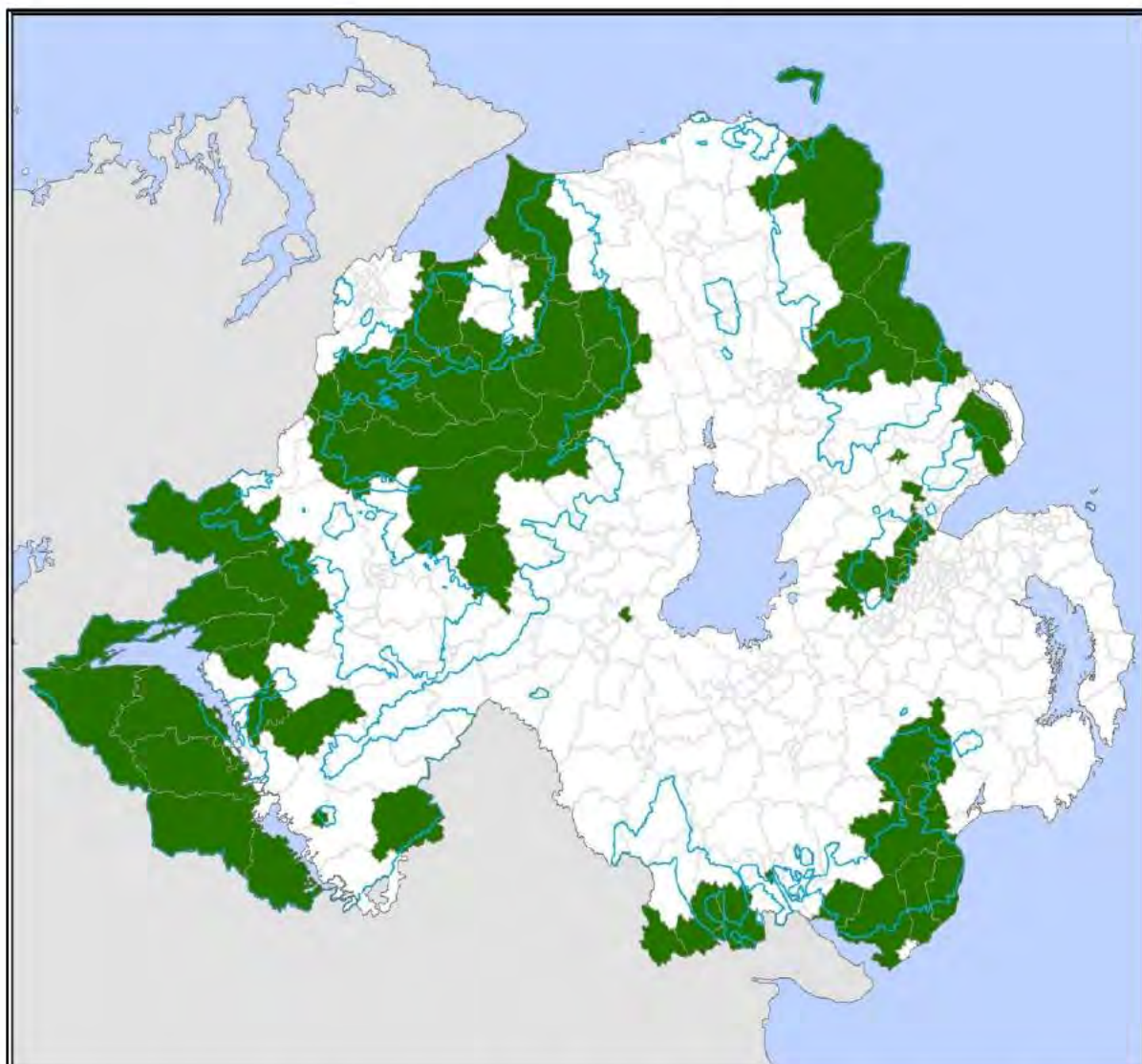
Annex A

Map 1. Draft Area of Natural Constraint at townland level fine tuned using GVA threshold at 80% at ward level (blue line is current SDA boundary)



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Map 2. Draft Area of Natural Constraint at ward level fine tuned using SO threshold at 80% (blue line is current SDA boundary)



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Annex B

Extract from the Rural Development Regulation (Regulation (EU) No 1305/2013)

Article 32 and Annex III

Article 32

Designation of areas facing natural and other specific constraints

1. Member States shall, on the basis of paragraphs 2, 3 and 4, designate areas eligible for payments provided for in Article 31 under the following categories:
 - (a) mountain areas;
 - (b) areas, other than mountain areas, facing significant natural constraints; and
 - (c) other areas affected by specific constraints.
2. In order to be eligible for payments under Article 31, mountain areas shall be characterized by a considerable limitation of the possibilities for using the land and by an appreciable increase in production costs due to:
 - (a) the existence, because of altitude, of very difficult climatic conditions, the effect of which is to substantially shorten the growing season;
 - (b) at a lower altitude, the presence over the greater part of the area in question of slopes too steep for the use of machinery or requiring the use of very expensive special equipment, or a combination of these two factors, where the constraints resulting from each taken separately are less acute but the combination of the two gives rise to an equivalent constraints. Areas north of the 62nd parallel and certain adjacent areas shall be considered to be mountain areas.
3. In order to be eligible for payments under Article 31, areas, other than mountain areas, shall be considered to be facing significant natural constraints if, at least 60% of the *agricultural area* meets at least one of the criteria listed in Annex III at the threshold value indicated.

Compliance with *those conditions* shall be ensured at the level of local administrative units ("LAU 2" level) *or at the level of a clearly delineated local unit which covers a single clear contiguous geographical area with a definable economic and administrative identity.*

When delimiting the areas concerned by this paragraph, Member States shall carry out a fine-tuning exercise, based on objective criteria, with the purpose of excluding areas in which significant natural constraints, referred to in the first subparagraph have been documented but have been overcome by investments or by, economic activity, *or by evidence of normal land productivity, or in which production methods or farming systems have offset the income loss or added costs referred to in Article 31(1).*

4. Areas other than those referred to in paragraphs 2 and 3 shall be eligible for payments under Article 31 if they are affected by specific constraints and if it is necessary for land management to be continued in order to conserve or improve the environment, to maintain the countryside, to preserve the tourist potential of the area or to protect the coastline.

Areas affected by specific constraints shall comprise farming areas *within* which the natural *production* conditions are *similar* and the total extent of which does not exceed 10% of the area of the Member State concerned.

In addition, areas may also be eligible for payments under this paragraph, where:

- *at least 60% of the agricultural area meets at least two of the criteria listed in Annex III each within a margin of not more than 20% of the threshold value indicated, or*
- *at least 60% of the agricultural area is composed of areas meeting at least one of the criteria listed in Annex III at the threshold value indicated, and areas meeting at least two of the criteria listed in Annex III each within a margin of not more than 20% of the threshold value indicated.*

Compliance with those conditions shall be ensured at LAU2 level or at the level of a clearly delineated local unit which covers a single clear contiguous geographical area with a definable economic and administrative identity. When delimiting areas concerned by this subparagraph, Member States shall undertake a fine-tuning exercise as described in Article 32(3). Areas considered eligible pursuant to this subparagraph, shall be taken into account for calculating the 10% limit referred to in the second subparagraph.

By way of derogation, the first sub-paragraph shall not apply to Member States the entire territory of which was considered as an area facing specific handicaps under Regulations (EC) No 1698/2005 and (EC) No 1257/1999.

5. Member States shall attach to their rural development programmes:
 - (a) the existing or amended delimitation pursuant to paragraphs 2 and 4;
 - (b) the new delimitation of the areas referred to in paragraph 3.

ANNEX III of Regulation (EU) No 1305/2013

Biophysical criteria for the delimitation of areas facing natural constraints

CRITERION	DEFINITION	THRESHOLD
CLIMATE		
Low Temperature *	Length of growing period (number of days) defined by number of days with daily average temperature > 5 °C (LGP ₁₅) OR	≤ 180 days
	Thermal-time sum (degree-days) for Growing Period defined by accumulated daily average temperature > 5 °C.	≤ 1500 degree-days
Dryness	Ratio of the annual precipitation (P) to the annual potential evapotranspiration (PET)	P/PET ≤ 0.5
CLIMATE AND SOIL		
Excess Soil Moisture	Number of days at or above Field capacity	≥ 230 days
SOIL		
Limited Soil Drainage *	Areas which are water logged for significant duration of the year	Wet within 80cm from the surface for over 6 months, or wet within 40cm for over 11 months OR Poorly or very poorly drained soil OR Gleyic colour pattern within 40cm from the surface

Unfavourable Texture and Stoniness *	Relative abundance of clay, silt, sand, organic matter (weight %) and coarse material (volumetric %) fractions	≥ 15% of topsoil volume is coarse material, including rock outcrop, boulder OR
		-texture class <i>in half or more (cumulatively) of the 100 cm soil surface is</i> sand, loamy sand defined as: $\text{silt}\% + (2 \times \text{clay}\%) \leq 30\%$ OR
		Topsoil texture class is heavy clay (≥ 60% clay) OR
		Organic soil (organic matter ≥30%) of at least 40cm OR
		Topsoil <i>contains 30% or more</i> –clay, and <i>there are</i> vertic properties within 100cm of the soil surface
Shallow Rooting Depth	Depth (cm) from soil surface to coherent hard rock or hard pan.	≤ 30cm
Poor Chemical Properties (*)	Presence of salts, exchangeable sodium, excessive acidity	Salinity: ≥ 4 deci-Siemens per meter (dS/m) <i>in topsoil</i> OR
		Sodicity: ≥ 6 Exchangeable Sodium Percentage (ESP) <i>in half or more (cumulatively) of the 100 cm soil surface layer</i> OR
		Soil Acidity: pH ≤ 5 (in water) <i>in topsoil</i>

TERRAIN		
Steep Slope	Change of elevation with respect to planimetric distance (%).	$\geq 15\%$

**** Member States need only check fulfilment of this criterion against those of the thresholds that are relevant to the specific situation of an area***

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List of constrained wards at Gross Value Added 80%

(Map A, page 13 in the *Designation of Areas of Natural Constraint* consultation)

Ward name	Government district
ANNALONG	Newry, Mourne & Down
ARTIGARVAN	Derry & Strabane
BALLINAMALLARD	Fermanagh & Omagh
BALLYCARRY and GLYNN	Mid & East Antrim
BALLYCASTLE	Causeway Coast & Glens
BALLYCLARE EAST	Antrim & Newtownabbey
BALLYCLARE WEST	Antrim & Newtownabbey
BALLYGAWLEY	Mid Ulster
BALLYGOMARTIN	Belfast
BALLYHENRY	Antrim & Newtownabbey
BALLYSILLAN	Belfast
BALLYWARD	Newry, Mourne & Down
BELCOO and GARRISON	Fermanagh & Omagh
BELLEEK and BOA	Fermanagh & Omagh
BELLEVUE	Belfast
BINNIAN	Newry, Mourne & Down
BOHO CLEENISH and LETTERBREEN	Fermanagh & Omagh
CAIRNCASTLE	Mid & East Antrim
CAMLOUGH	Newry, Mourne & Down
CARNLOUGH and GLENARM	Mid & East Antrim
CASTLEDERG	Derry & Strabane
CASTLEWELLAN	Newry, Mourne & Down
CAVEHILL	Belfast
CLAUDY	Derry & Strabane
COALISLAND SOUTH	Mid Ulster
COLLINBRIDGE	Antrim & Newtownabbey
COLLINGLEN	Belfast
CROSSMAGLEN	Newry, Mourne & Down
DERRYGONNELLY	Fermanagh & Omagh
DERRYLECKAGH	Newry, Mourne & Down
DERRYLIN	Fermanagh & Omagh
DONARD	Newry, Mourne & Down
DRAPERSTOWN	Mid Ulster
DRUMALANE	Newry, Mourne & Down
DRUMQUIN	Fermanagh & Omagh
DRUMSURN	Causeway Coast & Glens

Ward name	Government district
DUNGIVEN	Causeway Coast & Glens
DUNNAMANAGH	Derry & Strabane
EDERNEY and KESH	Fermanagh & Omagh
EGLINTON	Derry & Strabane
FATHOM	Newry, Mourne & Down
FEENY	Causeway Coast & Glens
FLORENCE COURT and KINAWLEY	Fermanagh & Omagh
FORKHILL	Newry, Mourne & Down
FORTH RIVER	Belfast
GARVAGH	Causeway Coast & Glens
GLEN	North Down & Ards
GLENDERG	Derry & Strabane
GLENELLY VALLEY	Derry & Strabane
GLENRAVEL	Mid & East Antrim
HIGHTOWN	Antrim & Newtownabbey
IRVINESTOWN	Fermanagh & Omagh
KILROOT	Mid & East Antrim
LAGMORE	Belfast
LEGONIEL	Belfast
LISNACREE	Newry, Mourne & Down
LISNASKEA	Fermanagh & Omagh
LOWER GLENSHANE	Mid Ulster
LURIGETHAN	Causeway Coast & Glens
MOSSLEY	Antrim & Newtownabbey
MULLAGHBANE	Newry, Mourne & Down
NEWTOWNHAMILTON	Newry, Mourne & Down
OAKLANDS	Mid Ulster
OWENKILLEW	Fermanagh & Omagh
PARK	Derry & Strabane
PARKGATE	Antrim & Newtownabbey
POLEGLASS	Belfast
ROSSLEA	Fermanagh & Omagh
ROSSORRY	Fermanagh & Omagh
ROSTREVOR	Newry, Mourne & Down
SHAWS ROAD	Belfast
SIXMILECROSS	Fermanagh & Omagh
SLEMISH	Mid & East Antrim
STONYFORD	Lisburn & Castlereagh
STRABANE NORTH	Derry & Strabane
SWATRAGH	Mid Ulster
TEMPO	Fermanagh & Omagh
TERMON	Fermanagh & Omagh

Ward name	Government district
TOLLYMORE	Newry, Mourne & Down
TORR HEAD and RATHLIN	Causeway Coast & Glens
TRILLICK	Fermanagh & Omagh
TURF LODGE	Belfast
WASHING BAY	Mid Ulster
WHITEHEAD SOUTH	Mid & East Antrim
WOODBURN	Mid & East Antrim

List of constrained wards at Gross Value Added 90%

(Map B, page 15 in the *Designation of Areas of Natural Constraint* consultation)

Ward name	Government district
ANNALONG	Newry, Mourne & Down
ARTIGARVAN	Derry & Strabane
BALLINAMALLARD	Fermanagh & Omagh
BALLYCARRY and GLYNN	Mid & East Antrim
BALLYCASTLE	Causeway Coast & Glens
BALLYCLARE EAST	Antrim & Newtownabbey
BALLYCLARE WEST	Antrim & Newtownabbey
BALLYGAWLEY	Mid Ulster
BALLYGOMARTIN	Belfast
BALLYHENRY	Antrim & Newtownabbey
BALLYNURE	Antrim & Newtownabbey
BALLYSILLAN	Belfast
BALLYWARD	Newry, Mourne & Down
BELCOO and GARRISON	Fermanagh & Omagh
BELLEEK and BOA	Fermanagh & Omagh
BELLEVUE	Belfast
BINNIAN	Newry, Mourne & Down
BOHO CLEENISH and LETTERBREEN	Fermanagh & Omagh
BROOKEBOROUGH	Fermanagh & Omagh
BURREN	Newry, Mourne & Down
CAIRNCASTLE	Mid & East Antrim
CAMLOUGH	Newry, Mourne & Down
CARNLOUGH and GLENARM	Mid & East Antrim
CASTLEDERG	Derry & Strabane
CASTLEWELLAN	Newry, Mourne & Down
CAVEHILL	Belfast
CLAUDY	Derry & Strabane
COALISLAND SOUTH	Mid Ulster
COLLINBRIDGE	Antrim & Newtownabbey
COLLINGLEN	Belfast
CROSSMAGLEN	Newry, Mourne & Down
DERRYGONNELLY	Fermanagh & Omagh
DERRYLECKAGH	Newry, Mourne & Down
DERRYLIN	Fermanagh & Omagh
DONARD	Newry, Mourne & Down
DRAPERSTOWN	Mid Ulster
DRUMALANE	Newry, Mourne & Down

Ward name	Government district
DRUMNAKILLY	Fermanagh & Omagh
DRUMQUIN	Fermanagh & Omagh
DRUMSURN	Causeway Coast & Glens
DUNGIVEN	Causeway Coast & Glens
DUNNAMANAGH	Derry & Strabane
EDERNEY and KESH	Fermanagh & Omagh
EGLINTON	Derry & Strabane
FATHOM	Newry, Mourne & Down
FEENY	Causeway Coast & Glens
FIVEMILETOWN	Mid Ulster
FLORENCE COURT and KINAWLEY	Fermanagh & Omagh
FORKHILL	Newry, Mourne & Down
FORTH RIVER	Belfast
GARVAGH	Causeway Coast & Glens
GLEN	North Down & Ards
GLENDERG	Derry & Strabane
GLENELLY VALLEY	Derry & Strabane
GLENRAVEL	Mid & East Antrim
HIGHTOWN	Antrim & Newtownabbey
IRVINESTOWN	Fermanagh & Omagh
KELLS	Mid & East Antrim
KILROOT	Mid & East Antrim
KILWAUGHTER	Mid & East Antrim
KINBANE	Causeway Coast & Glens
LAGMORE	Belfast
LEGONIEL	Belfast
LISNACREE	Newry, Mourne & Down
LISNASKEA	Fermanagh & Omagh
LOWER GLENSHANE	Mid Ulster
LURIGETHAN	Causeway Coast & Glens
MAGILLIGAN	Causeway Coast & Glens
MOSSLEY	Antrim & Newtownabbey
MULLAGHBANE	Newry, Mourne & Down
NEWTOWNBUTLER	Fermanagh & Omagh
NEWTOWNHAMILTON	Newry, Mourne & Down
NEWTOWNSAVILLE	Fermanagh & Omagh
OAKLANDS	Mid Ulster
OWENKILLEW	Fermanagh & Omagh
PARK	Derry & Strabane
PARKGATE	Antrim & Newtownabbey
POLEGLASS	Belfast
ROSSLEA	Fermanagh & Omagh

Ward name	Government district
ROSSORRY	Fermanagh & Omagh
ROSTREVOR	Newry, Mourne & Down
SHAWS ROAD	Belfast
SIXMILECROSS	Fermanagh & Omagh
SLEMISH	Mid & East Antrim
STONYFORD	Lisburn & Castlereagh
STRABANE NORTH	Derry & Strabane
SWATRAGH	Mid Ulster
TEMPO	Fermanagh & Omagh
TERMON	Fermanagh & Omagh
TOLLYMORE	Newry, Mourne & Down
TORR HEAD and RATHLIN	Causeway Coast & Glens
TRILICK	Fermanagh & Omagh
TURF LODGE	Belfast
WASHING BAY	Mid Ulster
WHITEHEAD SOUTH	Mid & East Antrim
WOODBURN	Mid & East Antrim

List of constrained wards at Standard Output 80%

(Map 2, page 25 in the *Designation of Areas of Natural Constraint* consultation)

Ward name	Government district
ANNALONG	Newry, Mourne & Down
ARTIGARVAN	Derry & Strabane
BALLINAMALLARD	Fermanagh & Omagh
BALLYCARRY and GLYNN	Mid & East Antrim
BALLYCASTLE	Causeway Coast & Glens
BALLYCLARE EAST	Antrim & Newtownabbey
BALLYCLARE WEST	Antrim & Newtownabbey
BALLYGOMARTIN	Belfast
BALLYHENRY	Antrim & Newtownabbey
BALLYSILLAN	Belfast
BALLYWARD	Newry, Mourne & Down
BELCOO and GARRISON	Fermanagh & Omagh
BELLEEK and BOA	Fermanagh & Omagh
BELLEVUE	Belfast
BINNIAN	Newry, Mourne & Down
BOHO CLEENISH and LETTERBREEN	Fermanagh & Omagh
CAIRNCASTLE	Mid & East Antrim
CARNLOUGH and GLENARM	Mid & East Antrim
CASTLEWELLAN	Newry, Mourne & Down
CAVEHILL	Belfast
CLAUDY	Derry & Strabane
COALISLAND SOUTH	Mid Ulster
COLLINBRIDGE	Antrim & Newtownabbey
COLLINGLEN	Belfast
CROSSMAGLEN	Newry, Mourne & Down
DERRYGONNELLY	Fermanagh & Omagh
DERRYLIN	Fermanagh & Omagh
DONARD	Newry, Mourne & Down
DRAPERSTOWN	Mid Ulster
DRUMALANE	Newry, Mourne & Down
DRUMQUIN	Fermanagh & Omagh
DRUMSURN	Causeway Coast & Glens
DUNGIVEN	Causeway Coast & Glens
DUNNAMANAGH	Derry & Strabane
EDERNEY and KESH	Fermanagh & Omagh
EGLINTON	Derry & Strabane
FEENY	Causeway Coast & Glens

Ward name	Government district
FLORENCE COURT and KINAWLEY	Fermanagh & Omagh
FORKHILL	Newry, Mourne & Down
FORTH RIVER	Belfast
GARVAGH	Causeway Coast & Glens
GLENDERG	Derry & Strabane
GLENELLY VALLEY	Derry & Strabane
GREYSTEEL	Causeway Coast & Glens
HIGHTOWN	Antrim & Newtownabbey
IRVINESTOWN	Fermanagh & Omagh
KILROOT	Mid & East Antrim
LAGMORE	Belfast
LEGONIEL	Belfast
LISNACREE	Newry, Mourne & Down
LISNASKEA	Fermanagh & Omagh
LOWER GLENSHANE	Mid Ulster
LURIGETHAN	Causeway Coast & Glens
MAGILLIGAN	Causeway Coast & Glens
MOSSLEY	Antrim & Newtownabbey
MULLAGHBANE	Newry, Mourne & Down
OWENKILLEW	Fermanagh & Omagh
PARK	Derry & Strabane
POLEGLASS	Belfast
ROESIDE	Causeway Coast & Glens
ROSSLEA	Fermanagh & Omagh
ROSSORRY	Fermanagh & Omagh
ROSTREVOR	Newry, Mourne & Down
SHAWS ROAD	Belfast
SLEMISH	Mid & East Antrim
STONYFORD	Lisburn & Castlereagh
STRABANE NORTH	Derry & Strabane
SWATRAGH	Mid Ulster
TEMPO	Fermanagh & Omagh
TERMON	Fermanagh & Omagh
TOLLYMORE	Newry, Mourne & Down
TORR HEAD and RATHLIN	Causeway Coast & Glens
TURF LODGE	Belfast

PERMANENT SECRETARY
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Dear Liam,

23 March 2016

STRATEGY FOR IMPROVING PUPIL ATTENDANCE AT SCHOOL

The Department of Education has recently launched its consultation on the draft strategy "**Miss School = Miss Out: A Strategy for Improving Pupil Attendance**". The consultation will run from 24 March – 16 June 2016.

This strategy will build upon the good practice already taking place in our schools and will bring together our existing policies to strengthen our determination to improve pupil attendance. Attendance at school is linked to attainment and therefore has implications not only for pupils but also for our society.

The strategy highlights the benefits of collaborative working with others, including local communities and councils, to promote the value of attending school and the benefits that it brings to the life chances of young people. The community planning function of the new local councils may provide an opportunity to promote improving attendance.

I would therefore ask your members to consider the draft strategy and provide comments, particularly in relation to how local councils may be in a position to assist. We all have a responsibility for the welfare and well-being of our young people, and the best way for them to improve their life chances is to attend school and attain.

Copies of the consultation document and response form can be downloaded from the Department's website at <https://www.deni.gov.uk/consultations> and can be made available in other formats on request.

We look forward to hearing from you.

Yours sincerely

PAUL SWEENEY