



April 8th, 2024

Notice Of Meeting

You are requested to attend the Council meeting to be held on **Monday, 8th April 2024 at 6:00 pm** in **Mourne Room, Downshire Civic Centre & MS Teams.**

Agenda

1.0 Apologies and Chairperson's Remarks

2.0 Declarations of Interest

3.0 Action Sheet arising from Council Meeting held on 4 March 2024

For Information

[Action Sheet Council Meeting 2024 03 04.pdf](#)

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Council Minutes For Adoption and Signing

4.0 Minutes of Council Meeting held on 4 March 2024

For Approval

[Council Minutes 2024 03 04.pdf](#)

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5.0 Minutes of Special Council Meeting held on 26 February 2024

For Approval

[Special Council Minutes - 2024-02-26.pdf](#)

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6.0 Minutes of Special Council Meeting held on 25 March 2024

[Special Council Minutes - 2024-03-25.pdf](#)

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Committee Minutes for Consideration and Adoption

7.0 Minutes of Economy, Regeneration and Tourism Committee Meeting held on 11 March 2024

For Approval

[Draft Economy Regeneration and Tourism Minutes 2024-03-11.pdf](#)

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(i) Minutes of Special Hearing of Economy, Regeneration and Tourism Committee Meeting held on 11 March 2024

For Approval

[Special Economy Regeneration and Tourism Committee Meeting Minutes 2024.03.11.pdf](#)

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8.0 Minutes of Strategy, Policy and Resources Committee Meeting held on 14 March 2024

For Approval

[Draft Strategy Policy Resources Meeting Minutes 2024-03-14.pdf](#)

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9.0 Minutes of Active and Healthy Communities Committee Meeting held on 19 March 2024

[Active and Healthy Communities Minutes 2024 03 19.pdf](#)

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10.0 Minutes of Sustainability and Environment Committee Meeting held on 20 March 2024

For Approval

[Sustainabilty_and_Environment_Committee_Minutes_2024_03_20.pdf](#)

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11.0 Planning Section

There were no issues arising.

Correspondence

12.0 Correspondence Report

For Information

[Correspondence Report Council 2024 04 08.pdf](#)

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[Appendix 1 - C.040.2024 Notice of Motion Daisy Hill Hospital - Reply.pdf](#)

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[Appendix 2 - Letter from EA re NOM ransport and availability of places for children with additional needs C.195.2023 C.013.2024.pdf](#)

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[Appendix 3 - Letter from DfC re NOM Hybrid Remote Meetings.pdf](#)

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[Appendix 4 - Letter from Tanaiste re Rail Service from Belfast to Dublin.pdf](#)

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[Appendix 5 Letter from Dept for Infrastructure Re NOM Flood defences.pdf](#)

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Conferences/Events

13.0 National Association of Councillors Conference, Leisure and Tourism

Notices of Motion

14.0 Irish Language Resource Centre

Notice of Motion received from Councillor McMurray:

"That this Council writes to Michael Gove, The Secretary of State for Levelling Up, Housing and Communities asking that a grace period is offered to Glór Uachtar Tire and their application to Community Ownership Fund with regards to their pursuit to develop an Irish Language Resource Centre in Castlewellan."

15.0 Evaluation of Spend on SLAs and Council Events

Notice of Motion received from Councillor Truesdale:

"That this Council commits to bringing an improvement paper on options for a better evaluation of Council spends in SLAs and Council-run Events so we know the true impact on residents and value for money. That this Council makes improvements in reporting on the above so Councillors know the progress made over time through the inclusion of a baseline measurement, meaning there is a greater connectedness with departmental business plans and how they achieve the corporate plan through connected evaluation."

16.0 Fisheries and Aquaculture Industries

For Decision

Notice of Motion received from Councillor Rice:

"This Council recognises the acute pressures that the Fisheries and Aquaculture Industries are currently under as a consequence of the severe shortage of seasonal workers. This Council calls on the UK Government to relax immigration rules to allow for visas for seasonal aquaculture to aid local businesses acquire necessary workers."

17.0 Cancer Treatment Waiting Times

Notice of Motion received from Councillor Hanlon:

"That this Council recognises that waiting times for cancer treatments are still unacceptably long and commits to write to the Minister of Health to request delivery of the department's 10 year cancer strategy and to build on existing cooperation on an All Island basis to ensure all patients receive timely treatment and support which is appropriate and compassionate."

18.0 Cross-Border Teaching Registration

Notice of Motion received from Councillor Feehan:

"Newry, Mourne and Down District Council recognises the challenges faced by teaching graduates in securing permanent teaching posts in Northern Ireland, further recognises the obstacles faced by Northern teachers seeking to secure registration and employment in the Republic, and commits to pursuing the submission of a bid to the Shared Island Unit, in conjunction with Louth and Monaghan County Councils, for a review of cross-border teaching registration and employment practises."

19.0 Arts Sector Cuts

Notice of Motion received from Councillor Finn:

"Newry, Mourne and Down District Council recognises the financial pressures on our artists, arts and culture schemes and cultural organisations who have lost funding from Stormont Departments, putting pressure on their ability to deliver existing arts and cultural schemes; and will write to the Communities Minister seeking his assurances that the cuts will be reversed."

Invitees

Cllr Terry Andrews
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Cllr Callum Bowsie
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Fionnuala Branagh
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Cllr Jim Brennan
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Cllr Pete Byrne
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Mr Gerard Byrne
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Cllr Philip Campbell
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Mr Andrew Cassells
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Cllr William Clarke
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Cllr Laura Devlin
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Ms Louise Dillon
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Cllr Cadogan Enright
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Cllr Killian Feehan
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Cllr Doire Finn
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Cllr Aoife Finnegan
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Ms Joanne Fleming
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Cllr Conor Galbraith
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Cllr Mark Gibbons
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Cllr Oonagh Hanlon
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Cllr Glyn Hanna
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Cllr Valerie Harte
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Cllr Roisin Howell
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Cllr Jonathan Jackson
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Cllr Geraldine Kearns
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Miss Veronica Keegan
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Mrs Josephine Kelly
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Cllr Tierna Kelly
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Mrs Sheila Kieran
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Cllr Cathal King
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Cllr Mickey Larkin
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Cllr David Lee-Surginor
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Cllr Alan Lewis
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Cllr Oonagh Magennis
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Mr Conor Mallon
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Cllr Aidan Mathers
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Cllr Declan McAteer
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Cllr Leeanne McEvoy
.....
Jonathan McGilly
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Cllr Andrew McMurray
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Maureen/Joanne Morgan/Johnston
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Cllr Declan Murphy
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Sinead Murphy
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Cllr Kate Murphy
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Cllr Selina Murphy
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Cllr Siobhan O'Hare
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Mr Andy Patterson
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Cllr Áine Quinn
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Cllr Henry Reilly
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Cllr Michael Rice
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Ms Alison Robb
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Cllr Michael Ruane
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Cllr Gareth Sharvin
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Donna Starkey
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Nicola Stranney
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Sarah Taggart
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Paul Tamati
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Cllr David Taylor
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Cllr Jarlath Tinnelly
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Cllr Jill Truesdale
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Mrs Marie Ward
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ACTIONS OUTSTANDING FROM PREVIOUS COUNCIL MEETINGS

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
<i>C/178/2019</i>	<i>Notice of Motion – C/131/2019: Live Animals in Circuses</i>	<i>At the request of Councillor McAteer it was agreed the motion remain on the action sheet.</i>	<i>Democratic Services</i>		<i>N</i>
<i>C/084/2022</i>	<i>Minutes of Special Council Meeting held on 28.03.22 – with NIAS & SHSCT</i>	<i>It was agreed to bring forth problem solving solutions to the NIAS in all facets of their work and for this action to be retained on the Action Sheet to keep track of progress</i>	<i>Democratic Services</i>		<i>N</i>

ACTION SHEET – COUNCIL MEETING – MONDAY 4 MARCH 2024

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
<i>C/046/2024</i>	<i>Action Sheet arising from Council Meeting held on 05.02.2024</i>	<i>It was agreed to note the action sheet.</i>	<i>Democratic Services</i>	<i>Noted</i>	<i>Y</i>
<i>C/047/2024</i>	<i>Minutes of Council Meeting held on 05.02.2024</i>	<i>The minutes were agreed as an accurate record and adopted.</i>	<i>Democratic Services</i>	<i>Noted</i>	<i>Y</i>
<i>C/048/2024</i>	<i>Minutes of Audit Committee Meeting held on 01.02.2024</i>	<i>The minutes were agreed as an accurate record and adopted.</i>	<i>Democratic Services</i>	<i>Noted</i>	<i>Y</i>

<i>C/049/2024</i>	<i>Minutes of Economy, Regeneration and Tourism Committee Meeting held on 12.02.2024</i>	The minutes were agreed as an accurate record and adopted.	<i>Democratic Services</i>	Noted	Y
<i>C/050/2024</i>	<i>Minutes of Strategy, Policy & Resources Committee Meeting held on 15.02.2024</i>	The minutes were agreed as an accurate record and adopted.	<i>Democratic Services</i>	Noted	Y
<i>C/051/2024</i>	<i>Minutes of Active and Healthy Communities Committee Meeting 19.02.2024</i>	The minutes were agreed as an accurate record and adopted.	<i>Democratic Services</i>	Noted	Y
<i>C/052/2024</i>	<i>Minutes of Sustainability and Environment Committee Meeting 21.02.2024</i>	The minutes were agreed as an accurate record and adopted.	<i>Democratic Services</i>	Noted	Y
<i>C/053/2024</i>	<i>Minutes of Special Audit Committee Meeting held on 26.02.2024</i>	The minutes were agreed as an accurate record and adopted.	<i>Democratic Services</i>	Noted	Y
<i>C/054/2024</i>	<i>Minutes of Special Strategy, Policy & Resources Committee Meeting 26.02.2024</i>	The minutes were agreed as an accurate record and adopted. It was agreed that Council write to Economy Minister asking that given the tight deadline if a business applies after the 24 March 2024 deadline that a further scheme is opened up to ensure they do not lose out.	<i>Democratic Services</i> <i>Democratic Services</i>	Noted	Y

		<p>data for the Belfast Road Bridge and 1934 Tidal Barrier in Downpatrick and seek clarity on the date following the major recent floods they were dug out and unblocked.</p> <p>It was agreed to note the correspondence report and appendices.</p>			
<i>C/059/2024</i>	<i>Notice of Motion – Democratic Improvements in Council’s Financial Assistance Programme</i>	<p>"This Council notes with concern: 1) the scale of dissatisfaction from community groups who were disallowed vital community funding from NMDDC in 2023; 2) a drop in SLA funding to community associations by 42% from the previous year, the largest decrease in this council’s history; 3) the absence of any member of the appeals panel being independent of Council; 4) the lack of a right of appeal for applicants who are rejected at Stage 1 even when the rejection is caused by a Council error; 5) the reluctance of Council to acknowledge ambiguous and flawed application questions which elicit inadequate answers; 6) The onus on councillors to approve all community funding recommendations presented to them without any detail whatsoever on the application and the reason for its approval or rejection.</p> <p>And therefore, this Council calls on senior officials to acknowledge and resolve these democratic shortcomings in its Financial Assistance programme."</p> <p>The Motion was referred to the Economy, Regeneration and Tourism Committee in accordance with Standing Order 16.1.6.</p>	<i>C Mallon</i>	Noted	<i>Y</i>

C/060/2024	<i>Notice of Motion – Projected Rates Increase</i>	<p>“In view of cost of living pressures on ratepayers, Council must tailor its investment plans to what the people of Newry Mourne and Down can actually afford. Current projected rates increases in our Council over the next few years are unsustainable both in the short-term and longer term. This requires a root-and-branch re-examination of proposed capital expenditure with any major non-essential projects with a negative rate of return cancelled to make rates affordable in the medium term. In particular, Council directs management to prepare a costing for Councillors of a downsized Newry Civic Centre project with suitable office accommodation for Newry-based council staff only. Alternate sites should be considered like Bagenals Castle LIDL site that only came on the market in December 2023.</p> <p>This should take account of - The loss of the Civil Service as an anchor tenant; The need to avoid speculative development in line with UK Department of Finance Guidance for Councils; The collapse of the office market in Ireland and GB since Covid and since Council voted to initiate this project in August 2019; An examination of any more affordable or appropriate sites; Aim to preserve the £130,000+ pa income stream from the Abbey car-park; These costings should include an option to remove the second fully-featured Council Chamber as an unnecessary luxury.</p> <p>A cost benefit case for this project should likewise be prepared showing the annual savings from leaving current premises v’s the annual cost of operating the new premises to ensure Councillors are fully informed. Council notes that no such operational cost/benefit case exists at the moment. Council request management to bring forward the above costings as soon as possible.”</p>	<i>J Kelly</i>	Noted	Y
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		The Motion was referred to the Strategy, Policy and Resources Committee in accordance with Standing Order 16.1.6.			
<i>C/061/2024</i>	<i>Notice of Motion – Rail Service between Belfast and Dublin including scheduled stops in Newry.</i>	It was agreed Newry Mourne and Down District Council notes the disparity between Newry and Portadown Rail Stations in morning commuter services to Belfast, welcomes the announcement by the Irish Government of €12.5m in funding for a new hourly service between Belfast and Dublin. Asks that this Council write to Department for Infrastructure and Irish Government requesting a commitment from both that the proposed new hourly rail service between Dublin and Belfast will include scheduled stops at Newry Train Station in both directions, with a particular focus on ensuring that the morning and evening commuter departure times from both Newry and Belfast should facilitate normal work starting times and furthermore that Council writes to Translink to gauge demand for additional commuter services from Newry Train Station.	<i>Democratic Services</i>	Noted	Y
<i>C/062/2024</i>	<i>Notice of Motion – Northern Ireland Public Service Ombudsman Complaints</i>	It was agreed that Council expresses its concerns at the processing time for NIPSO complaints. Noting that some investigations can take up to 4.5 years, this Council calls on the Northern Ireland Assembly's Audit Committee to assess whether the staffing levels within NIPSO are adequate so that determinations can be made in a timely manner.	<i>Democratic Services</i>	Noted	Y
<i>C/063/2024</i>	<i>Notice of Motion – Newry Market</i>	<i>"Newry Mourne and Down District Council embraces the historic importance of Newry as a market town and acknowledges with concern lower than expected attendance to our local market. NMDDC commits to revitalising the market through engagement with traders, the business community and other potential</i>	<i>S Murphy</i>	Noted	Y

		<p><i>stakeholders. Council officers will reach out to local councils with successful markets such as Belfast and Galway, and explore additional uses to encourage footfall, including with our arts and community groups."</i></p> <p>The Motion was referred to the Sustainability and Environment Committee in accordance with Standing Order 16.1.6.</p>			
<i>END</i>					

NEWRY, MOURNE & DOWN DISTRICT COUNCIL**NMD/C/****Minutes of Council Meeting held on Monday 4 March 2024 at 6.00pm in
Council Chamber, Downshire Civic Centre, Downpatrick and
via Microsoft Teams**

In the Chair:	Councillor G Sharvin	
In attendance in Chamber:	Councillor T Andrews Councillor P Campbell Councillor L Devlin Councillor K Feehan Councillor A Finnegan Councillor O Hanlon Councillor J Jackson Councillor T Kelly Councillor D Lee-Surginor Councillor A Mathers Councillor D Murphy Councillor A Quinn Councillor M Rice Councillor D Taylor Councillor J Truesdale	Councillor C Bowsie Councillor W Clarke Councillor C Enright Councillor D Finn Councillor C Galbraith Councillor G Hanna Councillor G Kearns Councillor C King Councillor A Lewis Councillor A McMurray Councillor K Murphy Councillor H Reilly Councillor M Ruane Councillor J Tinnelly
In attendance via Teams:	Councillor J Brennan Councillor M Larkin Councillor S O'Hare	Councillor M Gibbons Councillor O Magennis
Officials in attendance in Chamber:	Mrs M Ward, Chief Executive Mr A Cassells, Director of Sustainability and Environment Mrs J Kelly, Director of Corporate Services Mr C Mallon, Director of Economy, Regeneration and Tourism Mr A Patterson, Director of Active and Healthy Communities Mrs S Murphy, Director of Sustainability and Environment Ms S Taggart, Democratic Services Manager (Acting) Mrs D Starkey, Democratic Services Officer	

C/044/2024**APOLOGIES AND CHAIRPERSON'S REMARKS**

In the absence of the Chairperson, Deputy Chairperson Councillor Sharvin assumed the Chair.

Apologies were received from Councillors Byrne, Harte, McAteer and McEvoy.

The Chairperson expressed condolences following the passing of Mark Murphy following a tragic accident with thoughts of Council extended sympathy to his partner Danielle, their children and the entire family circle.

The Chairperson expressed condolences to the family of Ally Smyth who had passed away following a tragic accident at Coney Island.

The Chairperson extended congratulations to St Malachy's High School, Castlewellan who were in the All-Ireland Final.

Congratulations were sent to Down Railway volunteer, Jonathan King from Dundrum on winning volunteer of the year across the UK and Ireland.

Congratulations were extended to Harry McVeigh from the Bunscoil Bheanna Boirche in Castlewellan who made history on becoming the youngest winner of the final of the NI Primary School Cross Country League.

Good luck and congratulations were sent to Owen Rooney from Kilcoo who flew to England to compete in the PPC Youth Tour qualifiers in Darts.

The Chairperson congratulated Saintfield Community Association on winning the Live Here, Love Here Champion Award from Newry, Mourne and Down District Council.

Congratulations were extended to Ark Community Gardens, Newcastle on being recognised as the Live Here, Love Here Community Together Award.

The Chairperson took the opportunity to remind everyone of the St Patrick's Day events on Sunday 17th March, scheduled for a great day and it was hoped there would be massive crowds in Downpatrick and Newry.

C/045/2024**DECLARATIONS OF INTEREST**

Councillors Brennan and Hanna declared an interest in item 13: Letter from Department for Infrastructure regarding the appointment to Warrenpoint Harbour Authority.

Councillor Enright declared an interest in Item 20: Notice of Motion, Newry Market.

In referring to item 13 (letter from Department for Infrastructure regarding appointment to the Warrenpoint Harbour Authority) the Chairperson asked if Party Group Leaders and Independents wished to have nominations submitted by Council that these be forwarded to Democratic Services before that item was considered later in the meeting.

Members were advised that should there be more than six nominations put forward Democratic Services would require a proposer and seconder for that item.

Agreed: **The Minutes of Strategy, Policy and Resources Committee Meeting held on 15 February 2024 were agreed as an accurate record and adopted, on the proposal of Councillor Hanlon, seconded by Councillor O'Hare.**

C/051/2024 MINUTES OF ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 19 FEBRUARY 2024

Read: Minutes of Active and Healthy Communities Committee Meeting held on 19 February 2024 (copy circulated).

Agreed: **The Minutes of Active and Healthy Communities Committee Meeting held on 19 February 2024 were agreed as an accurate record and adopted, on the proposal of Councillor Lee-Surginor, seconded by Councillor Magennis.**

C/052/2024 MINUTES OF SUSTAINABILITY AND ENVIRONMENT COMMITTEE MEETING HELD ON 21 FEBRUARY 2024

Read: Minutes of Sustainability and Environment Committee Meeting held on 21 February 2024 (copy circulated).

The Chairperson advised this was the last Council meeting for Mr Cassells and wished him well in his retirement.

The Chairperson wished Mrs Murphy well in moving forward in her role as Director of Sustainability and Environment.

Councillors Andrews, Reilly, Taylor, Lee-Surginor and Hanlon joined the Chairperson in thanking Mr Cassells and wishing him well in his retirement and wished Mrs Murphy well in her new role as Director of Sustainability and Environment.

Agreed: **The Minutes of Sustainability and Environment Committee Meeting held on 21 February 2024 were agreed as an accurate record and adopted, on the proposal of Councillor Kearns, seconded by Councillor Larkin.**

C/053/2024 **MINUTES OF SPECIAL AUDIT COMMITTEE MEETING HELD ON 26 FEBRUARY 2024**

Read: Minutes of Special Audit Committee Meeting held on 26 February 2024 (copy circulated).

AC/027/2024: Kilbroney Pitches

Councillor Tinnelly asked that it be placed on record his concerns about the procedure undertaken in relation to this matter and how he had been unable to speak on the findings.

The Chairperson and Mrs Kelly confirmed Councillor Tinnelly was not able to take part in discussion or invited to the meeting due to conflict of interest.

Agreed: **The Minutes of Special Audit Committee Meeting held on 26 February 2024 were agreed as an accurate record and adopted, on the proposal of Councillor Hanlon, seconded by Councillor Devlin.**

C/054/2024 **MINUTES OF SPECIAL STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 26 FEBRUARY 2024**

Read: Minutes of Special Strategy, Policy and Resources Committee Meeting held on 26 February 2024 (copy circulated).

SPR/034/2024: Flood Relief Scheme

In response to a query from Councillor Lewis, Mrs Ward advised that once the minutes were ratified by Council the letter would be issued to the Minister for the Economy as agreed.

Councillor Galbraith spoke at length about the devastation of the flooding to many parts of South Down and beyond and the loneliness felt in the first couple of days as there were no officials from any Department or agency there to help. He spoke of how a whole Executive response was required that if flooding did recur in the future there would be a much quicker response. He added if changes needed to be made to the tidal bridge, the banks or to dredging, those needed to happen before businesses were left in exactly the same position of being left for months with no help or assistance.

Councillor Galbraith proposed Council write to the Minister for the Economy seeking an extension to the closing date of the current scheme, in order to allow the businesses affected an opportunity to gain a further understanding of the process and gather the necessary documentation to ensure they were not missing out.

Councillor Finn seconded Councillor Galbraith's proposal.

Councillor Hanlon voiced her disappointment at Councillor Galbraith's comments about not having agency and staff on the ground which she felt was an insult to the Council team who worked tirelessly to support businesses at the time and afterwards during cleanup.

Councillor Hanlon acknowledged it had been a lengthy process getting money distributed, and that it was not enough, however it was not the doing of the Departments but that of the Secretary of State who had not allowed enough to cover the scheme. She added the scheme did present many challenges however the Minister for the Economy had worked as fast as he could when he got into post.

In response to a query from Councillor Finn in relation to an appeals process for the initial payment scheme and if it could be done with the latest scheme, Mr Mallon advised the enhanced scheme had an appeals process in line with Council's Financial Assistance appeals process. He added the previous scheme did not have appeals process in place; however any queries or concerns were addressed for applicants who were ineligible and dealt with accordingly.

Mrs Ward took the opportunity to encourage all businesses including those who were not eligible in the initial scheme to complete applications as the scheme had changed and there could be different considerations.

Councillor Hanlon queried the proposal put forward by Councillor Galbraith as asking for an extension would delay money going out to businesses by it going into the next financial year.

Mr Mallon advised extending the scheme could have issues as firstly as part of the letter offer for the fund Council had to accrue £1.1million expenditure within the current financial year and applications would need to be submitted, closed and a preliminary assessment undertaken by end of March 2024. Secondly any delay to the closing date would delay an assessment of the total and the need to determine if the scheme was within the allocated funding envelope and payments could not be issued until the volume the number of eligible applications were determined.

In light of the information provided Councillor Galbraith agreed to withdraw his original proposal.

It was then agreed by all on the proposal of Councillor Devlin, seconded by Councillor Galbraith that Council write to Economy Minister asking that given the tight deadline if a business applies after the 24 March 2024 deadline that a further scheme is opened up to ensure they do not lose out.

Councillors Hanna, Lee-Surginor and Taylor voiced support for the proposal.

Agreed: **The Minutes of Special Strategy, Policy and Resources Committee Meeting held on 26 February 2024 were agreed as an accurate record and adopted, on the proposal of Councillor O'Hare, seconded by Councillor Quinn.**

It was agreed on the proposal of Councillor Devlin, seconded by Councillor Galbraith that Council write to Economy Minister asking that given the tight deadline if a business applies after the 24 March 2024 deadline that a further scheme is opened up to ensure they do not lose out.

C/055/2024 **PLANNING SECTION**

There were no issues arising.

Councillors Brennan and Hanna left the meeting during discussion on the following item – 6.47pm.

CORRESPONDENCE**C/056/2024** **LETTER FROM DEPARTMENT FOR INFRASTRUCTURE REGARDING APPOINTMENT TO WARRENPOINT HARBOUR AUTHORITY**

Read: Letter dated 30 January 2024 from the Department for Infrastructure seeking Council nominees for the appointment to the Board of Warrenpoint Harbour Authority.

Agreed: **It was agreed on the proposal of Councillor Lee-Surginor, seconded by Councillor Lewis that the names of the nine nominees be submitted for the appointment to the Board of Warrenpoint Harbour Authority.**

C/057/2024: **LETTER FROM THE DEPARTMENT FOR COMMUNITIES REGARDING COUNCIL REMOTE/HYBRID MEETINGS**

Read: Letter dated 1 March 2024 from the Department for Communities regarding Council Remote/Hybrid Meetings.

Mrs Ward advised the correspondence outlined the end to legislation that had enabled and facilitated hybrid working and from Wednesday 6 March 2024 all statutory meetings including Council meetings, Committee meetings and Special Council meetings would have to be held in person in the Council Chamber in which they were to be held.

Mrs Ward advised non-statutory meetings such as working groups, workshops, DEA meetings would remain hybrid and that a discussion would take place at the Party Leaders Grouping and reported to the Strategy Policy and Resources Committee in due course.

Councillor Kelly spoke of the benefits of hybrid meetings and how the decision to end such meetings would significantly disadvantage many.

In agreement Councillor Hanlon said the Minister had acted quickly regarding the removal of hybrid meetings and had not listened to the consultation that had been previously undertaken.

Councillor Devlin spoke in support of the proposal particularly as mother of two young Children.

Mrs Ward confirmed the media would have the ability to join statutory Council meetings in hybrid form and details around that would be examined and communicated to them to enable them to continue to engage.

Agreed: It was agreed on the proposal of Councillor Kelly, seconded by Councillor Hanlon that Council write to the Minister for Communities and outline that the suspension of hybrid meetings will disadvantage Councillors and Council staff on parental leave, with caring responsibilities, who are unwell or long-term sick and those on official business. It was also agreed to write to the Minister to ask whether his department are considering regulations or legislation to continue hybrid meetings and if so what does this regulation include and when does his department estimate it to be introduced.

C/058/2024 CORRESPONDENCE REPORT

Read: Report dated 4 March 2024 from Mrs Ward, Chief Executive, regarding an update on correspondence received for the attention of Council.

Appendix 3: Derry City and Strabane District Council in relation to a motion passed regarding Violence in Gaza

Councillor Feehan welcomed the correspondence received from Derry City & Strabane District Council in which they expressed their concern and alarm at the continuing humanitarian devastation in Gaza, and whilst offering support for the principles outlined in their motion he hoped that mechanisms it proposed would never have to be utilised.

Councillor Feehan proposed that Council initiates the process of twinning Newry with the City of Ramallah by writing to the Mayor of Ramallah, Issa Kassis, indicating desire to do so. Councillor Devlin seconded the proposal.

Councillor King welcomed the correspondence from Derry City & Strabane District Council and that it was great to see strong solidarity from all Councils.

The Chairperson put Councillor Feehan’s proposal to a vote, the results of which were as follows:

FOR: 29
AGAINST: 5
ABSTENTIONS: 1

The motion was carried.

Agreed: It was agreed on the proposal of Councillor Feehan, seconded by Councillor Devlin that Council initiates the process of twinning Newry with the City of Ramallah by writing to the Mayor of Ramallah, Issa Kassis, indicating desire to do so.

Appendix 6: Department for Infrastructure in relation to C/029/2024 and SE/004/2024 Notice of Motion, Flood Defences

Councillor Enright welcomed the response received and the maintenance schedule included however stated there were two omissions including the Belfast Road Bridge, Downpatrick and the 1934 Tidal barrier. He advised he had visited these sites with the Chair of the Flooding Council and both were blocked prior to flooding within the town.

Councillor Enright proposed that Council write back to the Minister for Infrastructure seeking the same maintenance data for the Belfast Road Bridge and 1934 Tidal Barrier in Downpatrick and seek clarity on the date following the major recent floods they were dug out and unblocked.

The proposal was seconded by Councillor Truesdale.

Councillor Truesdale made reference to the Department having responsibility for designated water courses and that non-designated water courses were the responsibility of the riparian landowner.

In referring to Island Park, Newcastle with watercourses on both sides and a main river she advised they were currently blocked and deemed by DfI as belonging to the riparian land owner. She enquired if Council held information on what was designated and non-designated watercourses.

Mrs Ward advised she would have the matter investigated to establish whether it was the responsibility of Council.

Agreed: **It was agreed on the proposal of Councillor Enright, seconded by Councillor Truesdale that Council write back to the Minister for Infrastructure seeking the same maintenance data for the Belfast Road Bridge and 1934 Tidal Barrier in Downpatrick and seek clarity on the date following the major recent floods they were dug out and unblocked.**

Appendix 2: Bank of Ireland in relation to C/249/2023 Notice of Motion, Bank Closures and Euro ATMs

Councillor Mathers welcomed the response from the Bank of Ireland however stated it was not the outcome Council had hoped for as access to Euro cash was limited across the District taking into the account the number of people working in the South with limited access to cash. He added the all island economy was thriving on both sides of the border and access should be encouraged by financial institutions.

Appendix 4: Ards and North Down Borough Council in relation to C/250/2023 Notice of Motion, Cystic Fibrosis Medication

Councillor Andrews welcomed the response received from other Councils regarding such an important matter and he hoped such responses encourage the provision of cystic fibrosis medication.

Agreed: It was agreed on the proposal of Councillor Andrews, seconded by Councillor Enright to note the correspondence report and appendices including the following:

Appendix 1: BBC NI

Appendix 2: Bank of Ireland

Appendix 3: Derry City and Strabane District Council

Appendix 4: Ards and North Down Borough Council

Appendix 5: Minister for the Economy

Appendix 6: Minister for Infrastructure

C/059/2024

NOTICE OF MOTION – DEMOCRATIC IMPROVEMENTS IN COUNCIL’S FINANCIAL ASSISTANCE PROGRAMME

The following motion was received from Councillor Bowsie:

"This Council notes with concern: 1) the scale of dissatisfaction from community groups who were disallowed vital community funding from NMDDC in 2023; 2) a drop in SLA funding to community associations by 42% from the previous year, the largest decrease in this council's history; 3) the absence of any member of the appeals panel being independent of Council; 4) the lack of a right of appeal for applicants who are rejected at Stage 1 even when the rejection is caused by a Council error; 5) the reluctance of Council to acknowledge ambiguous and flawed application questions which elicit inadequate answers; 6) The onus on councillors to approve all community funding recommendations presented to them without any detail whatsoever on the application and the reason for its approval or rejection.

And therefore, this Council calls on senior officials to acknowledge and resolve these democratic shortcomings in its Financial Assistance programme."

The motion was seconded by Councillor Lewis.

Agreed: The Motion was referred to the Economy, Regeneration and Tourism Committee in accordance with Standing Order 16.1.6.

C/060/2024

NOTICE OF MOTION – PROJECTED RATES INCREASE

19

The following motion was received from Councillor Enright:

"In view of cost of living pressures on ratepayers, Council must tailor its investment plans to what the people of Newry Mourne and Down can actually afford. Current projected rates increases in our Council over the next few years are unsustainable both in the short-term and longer term. This requires a root-and-branch re-examination of proposed capital expenditure with any major non-essential projects with a negative rate of return cancelled to make rates affordable in the medium term. In particular, Council directs management to prepare a costing for Councillors of a downsized Newry Civic Centre project with suitable office accommodation for Newry-based council staff only. Alternate sites should be considered like Bagenals Castle LIDL site that only came on the market in December 2023.

This should take account of - The loss of the Civil Service as an anchor tenant; The need to avoid speculative development in line with UK Department of Finance Guidance for Councils; The collapse of the office market in Ireland and GB since Covid and since Council voted to initiate this project in August 2019; An examination of any more affordable or appropriate sites; Aim to preserve the £130,000+ pa income stream from the Abbey car-park; These costings should include an option to remove the second fully-featured Council Chamber as an unnecessary luxury.

A cost benefit case for this project should likewise be prepared showing the annual savings from leaving current premises v's the annual cost of operating the new premises to ensure Councillors are fully informed. Council notes that no such operational cost/benefit case exists at the moment. Council request management to bring forward the above costings as soon as possible."

The motion was seconded by Councillor Truesdale.

Agreed: The Motion was referred to the Strategy, Policy and Resources Committee in accordance with Standing Order 16.1.6.

C/061/2024

NOTICE OF MOTION – RAIL SERVICE BETWEEN BELFAST AND DUBLIN INCLUDING SCHEDULED STOPS IN NEWRY

The following amended motion was received from Councillor Feehan:

"Newry Mourne and Down District Council notes the disparity between Newry and Portadown Rail Stations in morning commuter services to Belfast, welcomes the announcement by the Irish Government of €12.5m in funding for a new hourly service between Belfast and Dublin. Asks that this Council write to Department for Infrastructure and Irish Government requesting a commitment from both that the proposed new hourly rail service between Dublin and Belfast will include scheduled stops at Newry Train Station in both directions, with a particular focus on ensuring that the morning and evening commuter departure times from both Newry and Belfast should facilitate normal work starting times and furthermore that Council writes to Translink to gauge demand for additional commuter services from Newry Train Station".

The motion was seconded by Councillor Finn.

In presenting the motion Councillor Feehan advised he had brought the motion to highlight and address the stark disadvantage that Newry people find themselves in, with respect to commuting to both Belfast and Dublin.

He spoke of how at present there were eight scheduled morning train services per day from Portadown to Belfast arriving before 9am and by comparison, Newry had only one. Commuters travelling from Portadown were able to avail of a service departing every 20 minutes from 6am through to 8:20am, all of which guarantee arrival in Belfast before 9am. Commuters in Newry had one option, departing at 6:35am and arriving at 7:33am.

Councillor Feehan pointed out that in terms of commuting to Dublin, there were four morning services departing from Dundalk, as opposed to just one from Newry. He said it would be valuable to know how many Newry commuters were commencing their journeys from Dundalk in the morning rather than their local station, raising legitimate questions around the viability, or the credibility of decarbonising public transport when inadequate services from Newry were arguably giving rise to unnecessary car journeys to more adequately serviced stations.

In seconding the motion, Councillor Finn spoke of the frustration of commuting from Newry to Belfast and not being able to get into the office before 9am. She said she would like to see some form of survey undertaken by Translink and there needed to be more done at looking at active travel to ensure less cars on the road and ensure facilities were available for people going forward.

Councillor King stated workers from across the district would be delighted to hear that part of the Irish Government's financial package for the north included €12.5 million to provide an hourly Dublin to Belfast rail service and that this was welcome news as capacity on the Enterprise was currently stretched and there was an appetite for better services. He stated the hourly service would create greater access for jobs and opportunities, help to tackle the climate emergency and provide a boost to the thriving all-island economy.

Councillor Kelly spoke in support of the motion on behalf of Alliance and welcomed the Shared Island Funding announcement from the Irish Government including the commitment to the Narrow Water Bridge.

The Rail hub in Newry promotes cross border trade, tourism and opportunity and welcomed the commitment to a one hour travel time for the Belfast to Dublin service.

The inclusion of regular stops and journeys to and from Newry would connect the District to the major cities of Belfast and Dublin in a sustainable way and investment in rail services was needed to promote public transport and tackle the climate emergency.

Agreed: **It was agreed on the proposal of Councillor Feehan, seconded by Councillor Finn that Newry Mourne and Down District Council notes the disparity between Newry and Portadown Rail Stations in morning commuter services to Belfast, welcomes the announcement by the Irish Government of €12.5m in funding for a new hourly service between Belfast and Dublin. Asks that this Council write to Department for Infrastructure and Irish Government requesting a commitment from both that the proposed new hourly rail service between**

Dublin and Belfast will include scheduled stops at Newry Train Station in both directions, with a particular focus on ensuring that the morning and evening commuter departure times from both Newry and Belfast should facilitate normal work starting times and furthermore that council writes to Translink to gauge demand for additional commuter services from Newry Train Station.

Councillor Gibbons left the meeting at this point – 7.15pm

C/062/2024 NOTICE OF MOTION – NORTHERN IRELAND PUBLIC SERVICE OMBUDSMAN COMPLAINTS

The following amended motion was received from Councillor Devlin (on behalf of Party Group Leaders).

“This Council expresses its concerns at the processing time for NIPSO complaints. Noting that some investigations can take up to 4.5 years, this Council calls on the Northern Ireland Assembly’s Audit Committee to assess whether the staffing levels within NIPSO are adequate so that determinations can be made in a timely manner.”

The motion was seconded by Councillor Hanlon.

In presenting the motion, Councillor Devlin stated that as a body, the Northern Ireland Public Sector Organisation played an essential role in promoting good governance, improving accountability in public administration and addressing individual cases. The work of NIPSO was designed to be proactive and played an essential role in promoting the Councillor’s Code of Conduct.

Councillor Devlin highlighted the facts were stark and that since its establishment in 2016, the number of complaints made to NIPSO had only increased and that the best way to address these complaints was through early resolution and effective communication. This ensured the correct outcome and public confidence in such bodies and members was maintained. Despite this, there had been multiple instances in which it took NIPSO and the NI Local Government Commissioner for Standards over 4 years to make a determination on any given case detracted from public confidence and was not acceptable.

Councillor Devlin advised she wanted to highlight these delays and put on record Councils concern for the processing times and ask the issue to be escalated to the Executive Office for review and improvement.

Councillors Hanlon, Hanna, Lee-Surginor and Taylor all spoke in support of the motion.

Agreed: It was agreed on the proposal of Councillor Devlin, seconded by Councillor Hanlon that Council expresses its concerns at the processing time for NIPSO complaints. Noting that some investigations can take up to 4.5 years, this Council calls on the Northern Ireland Assembly’s Audit Committee to assess whether the staffing levels within NIPSO are adequate so that determinations can be made in a timely manner.

C/063/2024

NOTICE OF MOTION – NEWRY MARKET

The following motion was received from Councillor Finn:

"Newry Mourne and Down District Council embraces the historic importance of Newry as a market town and acknowledges with concern lower than expected attendance to our local market. NMDDC commits to revitalising the market through engagement with traders, the business community and other potential stakeholders. Council officers will reach out to local councils with successful markets such as Belfast and Galway, and explore additional uses to encourage footfall, including with our arts and community groups."

The motion was seconded by Councillor Feehan.

Agreed: The Motion was referred to the Sustainability and Environment Committee in accordance with Standing Order 16.1.6.

here being no further business, the meeting concluded at 7.24pm.

For confirmation at the Council Meeting to be held on Monday 8 April 2024.

Signed:

Chairperson

Chief Executive

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

Minutes of Special Council Meeting held on 26 February 2024 at 6.00pm in Downshire Chamber and via Microsoft Teams

In the Chair: Councillor G Sharvin**In attendance in Chamber:** Councillor T Andrews Councillor C Bowsie
Councillor C Enright Councillor C Galbraith
Councillor O Hanlon Councillor G Kearns
Councillor D Lee-Surginor Councillor A Mathers
Councillor D McAteer Councillor K Murphy**In attendance via Teams:** Councillor J Brennan Councillor P Byrne
Councillor P Campbell Councillor W Clarke
Councillor L Devlin Councillor K Feehan
Councillor D Finn Councillor A Finnegan
Councillor R Howell Councillor O Magennis
Councillor A McMurray Councillor D Murphy
Councillor A Quinn Councillor M Ruane**In attendance in Chamber: (Officials),**
Mrs J Kelly, Director of Corporate Services
Miss S Taggart, Democratic Services Manager (Acting)
Ms F Branagh, Democratic Services Officer**Also in attendance in Chamber:**
Mr S Leheny, Chief Executive, NIFHA
Ms A Conway, Director of Development, Radius Housing**SC/001/2024 APOLOGIES & CHAIRPERSON'S REMARKS**

In the absence of the Chairperson, the Deputy Chairperson assumed the Chair.

Apologies were received from Councillors Kelly, Harte and McEvoy.

SC/002/2024 DECLARATIONS OF INTEREST

There were no interests declared.

SC/003/2024 NORTHERN IRELAND FEDERATION OF HOUSING ASSOCIATIONS

The Chairperson welcome Mr Seamus Leheny and Ms Anita Conway to the meeting and invited them to make their presentation.

Mr Leheny thanked the Council for their invitation to attend the meeting and gave a brief overview of how Social Housing was covered throughout Northern Ireland. He stated there are 20 housing associations in Northern Ireland and just under 60,000 homes managed by these associations. Mr Leheny advised there were 1449 new social homes completed last year however he advised the minimum that needed to be built was 2200 homes per year. He stated the funding mechanism operated in Northern Ireland was that the Department would be the majority shareholder and housing associations etc would make up the rest of the funding. (Copy of presentation attached to these minutes).

The Chairperson invited questions and comments from Members:

- Although there was a lot of Folds provision in Ballynahinch, there was a need to develop additional social housing in the area.
- There was no mention in the presentation of South Armagh, what was the situation with regards to social housing within the area?
- Unfortunately there were many occasions of negative impact on people having to wait years on maintenance being carried out on existing housing.
- Within the Rowallane area there were people with houses that had become too large, would it be possible to provide Fold-type accommodation in order to allow residents to downsize?
- Issue regarding demand within South Armagh, how often would the demand be reviewed by the Housing Executive?
- Welcomed work being undertaken within the Newcastle area. Regarding possible sites, how would a meeting be arranged with landowners etc to explore these?
- Regarding Ardmore development in Newry, the area had been mentioned at a recent PCSP meeting with a slight rise in anti-social behaviour, did Radius have a housing officer in place for the new developments?
- The waiting list within South Armagh was enormous, therefore the scheme recently in South Armagh that there was not much support for was staggering. It would be important that officials attend the Slieve Gullion DEA Forum and bring along the figures in order that a discussion could take place highlighting the demand that existed within the area.
- With regard latent demand, people would not put down choices in areas where there was no social housing and were afraid to use up their choices. Did the Housing Executive actively complete latent demand tests around the District?
- Serious issues existed around available land and wastewater structures, would housing associations work with other departments with regard to these issues?
- Were there any barriers obstructing development e.g. wastewater structures?
- When new builds were being developed, were renewable energy sources considered?
- Challenges with funding obviously exist, however if the funding were to stay the same today, would the number of houses being delivered increase?
- There was an amount of social housing that were sitting vacant, was there a process in place stating vacant properties should be occupied as quickly as possible?

Councillors Finnegan and D Murphy left the meeting during the above discussions – 6.48pm

The delegation responded to the queries as follows:

- Prospectus get delivered to the housing associations and the Housing Executive determine the demand for social housing. If there were any sites Members felt should be looked at, Members should contact the housing associations directly.
- Maintenance was discussed at an all-Party working group and raised with the Department with 91% success rate achieving KPI on repair work.
- There were a number of properties in South Armagh built over the last number of years. If there was a demand within the area, officials from housing associations would meet with Members to discuss the issues.
- With regard to the Fold schemes, category 2 schemes were not getting developed any longer. The category 1 model was being developed at present as the scheme was for older people with independence. A further model was being looked at with pilots for slightly bigger apartments.
- The Housing Executive assess need and it should be stressed that anyone in need should put their name on the waiting list as if the names were not on the list, then it would seem there was no demand. If there was real demand in areas that were not being reflected within the brochures sent from the Housing Executive, latent demand tests could be carried out within these areas.
- In terms of future potential sites, Members could contact the officials from the housing associations.
- There was a Radius office in Newry, there was an officer attached to each scheme with a manager also in place therefore if there was any anti-social behaviour this could be managed. Members could send through any specific details to officials in order to investigate any issues that were in place.
- Sites had been looked at in Forkhill and Crossmaglen where demand had not existed however officials were content to attend the DEA forum as requested.
- Housing Executive were commissioning a study on how to improve and get more development, when available a copy could be provided to the Council. Rural development came with a lot of issues which needed to be built into the process.
- Latent demand must be led by Housing Executive, however, Elected Members would hold more power to influence this process. Links with Departments take place on a monthly basis.
- Collaborative working occurred on a regular basis particularly with Northern Ireland Water regarding investment for infrastructure upgrades. Barriers include approval for access from DFI Roads and also with Northern Ireland Electricity with grid capacity.
- Housing Associations did try to make homes sustainable and Radius were operating above the regulations with regard to sustainable energy solutions.
- Funding levels were different across all Council areas, therefore would be difficult to complete same across all areas.
- Vacant properties could have issues that exist e.g. damp etc or kept empty to decant into same. Once allocated, the rent would begin within a week, therefore they should not remain vacant for long.
- There was a huge piece of work the Housing Associations completed through supporting people programme with the funding through Department for Communities with no increase since 2014.

Councillor Enright suggested that himself and Mr Leheny would meet up to discuss the policy that had been developed by Council around social and affordable housing within rural areas. The Chairperson suggested that Johnathon McGilly, Assistant Director in charge of Planning would be best placed to meet to discuss same.

The Chairperson thanked the delegation for their attendance.

AGREED:

On the proposal of Councillor Byrne, seconded by Councillor Finnegan, it was agreed for NIFHA and Housing Association representatives attend a meeting of the Slieve Gullion DEA to discuss the demand that existed within the area for social housing.

It was also agreed on the proposal of Councillor McAteer, seconded by Councillor Finn, that Council write to the Department for Communities Minister asking to protect and enhance the funding for social housing delivery in order to service the growing demand.

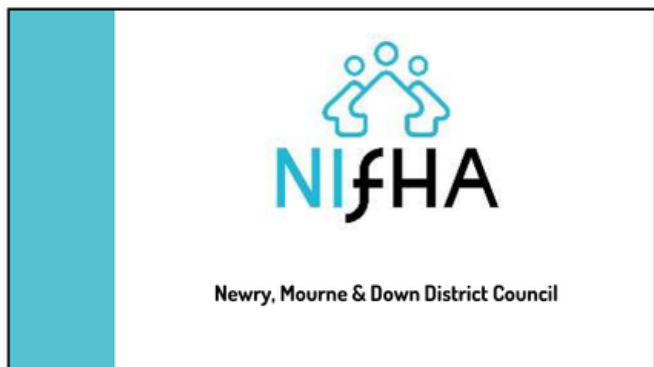
There being no further business, the meeting concluded at 7.15pm.

For adoption at the Council Meeting to be held on Monday 8 April 2024.

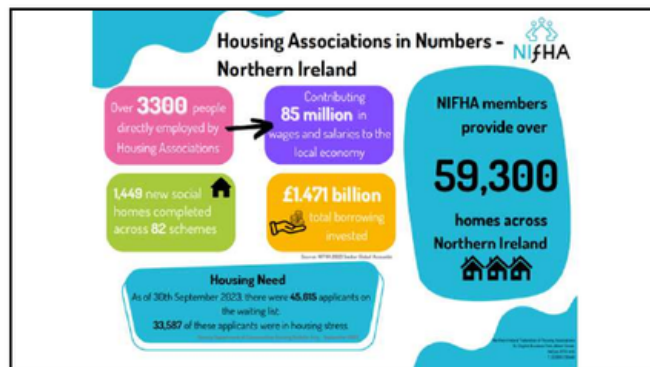
Signed:

Chairperson

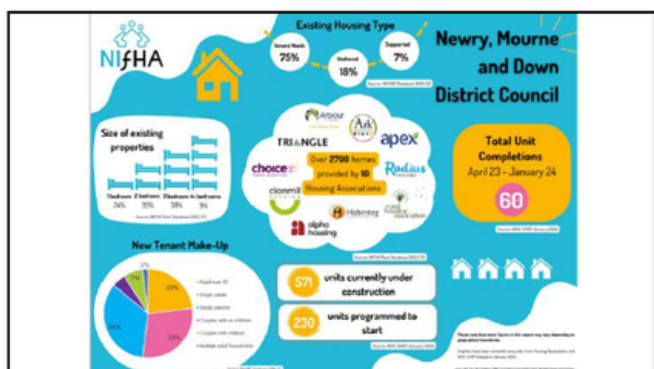
Director



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Radius Housing Association
Newry, Mourne and Down Borough Council
26th February 2024
Anita Conway – Director of Development

4

Our Purpose

Highlights of the year 2022-23

- £97m turnover
- £50 million+ in grants
- 700 new homes under construction
- £16.5M in spend
- £966K in grants
- £19,695 in grants

Council Area

Our purpose

- 453 properties
- 10 schemes
- 251 units
- 39 schemes
- 51 units
- 5 schemes
- 22 units

Total value of DC funding: £335,481

5

Investment in the Borough

Scheme	Scope of Works	Contract Sum / Cost Estimate (inc. VAT)	Status
Glen Fold	Communal Heating Upgrade	£ 480,000.00	COMPLETE
Glen Fold	Redecoration	£ 120,000.00	COMPLETE
Merchants Court	Domestic Heating upgrade (E7 to Gas)	£ 200,000.00	DESIGN
Donard Fold	New kitchens, windows, fire stopping and redecoration	£ 630,000.00	COMPLETE
TOTAL		£ 1,430,000.00	

6

Recently Completed - Lock Keepers Quay, Newry




Apartments



Split Level House



Semi Detached

7

Recently Completed Ardmore, Belfast Road, Newry






8

On Site
Newcastle CAT 1 –
19 units





COMING SOON – SUMMER 2024



9

Thank you

Any questions?



10

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

Minutes of Special Council Meeting held on 25 March 2024 at 6.00pm in Downshire Chamber and via Microsoft Teams

In the Chair: Councillor V Harte

In attendance in Chamber:	Councillor T Andrews	Councillor C Bowsie
	Councillor P Byrne	Councillor P Campbell
	Councillor W Clarke	Councillor L Devlin
	Councillor C Enright	Councillor K Feehan
	Councillor D Finn	Councillor A Finnegan
	Councillor C Galbraith	Councillor M Gibbons
	Councillor O Hanlon	Councillor G Hanna
	Councillor J Jackson	Councillor G Kearns
	Councillor C King	Councillor D Lee-Surginor
	Councillor A Lewis	Councillor O Magennis
	Councillor D McAteer	Councillor A McMurray
	Councillor D Murphy	Councillor K Murphy
	Councillor S Murphy	Councillor S O'Hare
	Councillor A Quinn	Councillor H Reilly
	Councillor M Rice	Councillor G Sharvin
	Councillor J Tinnelly	

In attendance in Chamber: (Officials),
 Mrs M Ward, Chief Executive
 Mr A Cassells, Outgoing Director of Sustainability & Environment
 Ms S Murphy, Incoming Director of Sustainability & Environment
 Mr A Patterson, Director Active and Healthy Communities
 Ms S Trainor, Head of Environmental Health
 Miss S Taggart, Democratic Services Manager (Acting)
 Ms F Branagh, Democratic Services Officer

Also in attendance in Chamber:**NIEA**

Mr Brian McVeigh, Principal Scientific Officer

Warrenpoint Harbour Authority

Mr David Holmes, Chief Executive
 Mr Herard O'Hare, Chair of Warrenpoint Harbour Board
 Mr David Graham, PWS Consultant

Re-Gen

Mr Joseph Doherty, Chief Executive
 Mr John Murphy, Director of Business Development
 Mr Adrian Thompson, Technical Director for Taggarts.

SC/004/2024 APOLOGIES & CHAIRPERSON'S REMARKS

Apologies were received from Councillors Brennan, Howell, Kelly, Larkin, Mathers, McEvoy, Ruane, Taylor and Truesdale. Councillor Sharvin advised he had another meeting to attend and would need to leave at 7pm.

The Chairperson welcomed everyone to the meeting advising it had been called as a result of the Notice of Motion regarding smells at Warrenpoint Harbour. She advised Members she would be taking the presentations in the order as on the agenda and then would invite questions from Members to each of the delegations in turn.

SC/005/2024 DECLARATIONS OF INTEREST

There were no interests declared.

SC/006/2024 COUNCIL RESPONSE TO NOTICE OF MOTION

Ms Murphy outlined the Council's Environmental Health response following the complaints referenced in the motion, and detailed the investigations taken in line with the complaints procedure and relevant legislation. She further detailed the results of the investigations, and how the conclusions were reached.

The Chairperson thanked Ms Murphy for the presentation and invited questions and comments from Members as follows:

- How would residents and the local community be assured that issue would not arise again?
- What was the threshold for a nuisance being met, as the report advised that the nuisance threshold for odour was not met, despite odours being detected at various times and locations?
- Was consideration given to other sources of smells within the area during the Council investigations, such as silage or slurry spreading, chimney smoke etc as was detailed in another report?
- Was the Council content with the bale storage time limits?
- Did Council believe they should have been informed with regard to the non-compliance as assessed by NIEA?
- Clarification was requested on the contradictory view of the wording in the report, regarding a correlation between the foul odour, but the threshold not being met?
- What was an "abatement notice", and how was it enforced?
- What equipment was used in relation to the ongoing smell tests during the investigations?
- Many residents complained they had no officer calling at their door, were the officers tasked with leaving a calling card if no one was in the properties they visited?
- What were the next steps to ensure there was no recurrence?
- Members noted their hopes that all stakeholders were committed to following the recommendations to ensure the situation did not arise again.
- Was Environmental Health department happy with the contents of the reports as presented, or did a further review need to be scheduled to allow recommendations to be actioned?

Ms Murphy responded as follows:

- The threshold was not just a standard threshold but was dependent on the outcome of 8 factors as outlined within the report when considered together during all of the ongoing investigations.
- With regards to correlation of smells related to activities within the harbour, the same Environmental Health Officers carried out the investigations and noted that the smell decreased the further away from the Harbour, given to natural dispersion and dilution.
- Other sources of smells were noted within the individual Environmental Health Officers investigation reports and were defined separately from the RDF smell.
- There was no equipment used for odour testing other than the human olfactory system which was in line with regulations and similar to NIEA testing.
- An abatement notice would be issued when a threshold was met, the serving of the notice on a subject required the receiving party to abate the issue within a set period. Should further breaches occur, the Environmental Health Department would proceed to legal action. In this instance, other legislation noted in the regulations apply and the Department would be consulted prior to instigating legal proceedings.
- The bale management storage was regulated and monitored by NIEA, and Environmental Health would revert to NIEA for guidance and action.
- All complaints received had been actioned and any new complaints would be actioned accordingly.
- The normal procedure for calling on residents who were not home was to leave a card or a note, however the issues raised by Members regarding the lack of correspondence would be fed back to the Environmental Protection Team. Visits would have taken place at various times throughout the day and in the vicinity of residential areas relating to complaints, therefore officers may not have gone to specific properties to engage with residents.
- The Notice Of Motion being debated related to odour, but the detail in relation to noise complaint can be reported back to the relevant Committee.
- Waste management licenses were managed by NIEA, but Council were content that the positive steps taken by Re-Gen in relation to bale wrapping were positive and should further complaints arise, further investigations would be actioned.
- It was stressed that all complaints be forwarded to Environmental Health to enable them to be investigated and actioned.

SC/007/2024

NIEA RESPONSE TO NOTICE OF MOTION

The Chairperson welcomed Mr Brian McVeigh from Northern Ireland Environment Agency and invited him to present to the meeting.

Mr Brian McVeigh detailed the regulatory overview of the last financial year, April 2023 to March 2024 and noted the error on the submitted document relating to the dates. He advised the requirement for NIEA issuing waste management licenses was the provision of valid planning approval, which he noted Re-Gen did hold. He noted the details of the license that Re-Gen held regarding capacity at the site, and dwell time on site. He outlined the regulations that NIEA used to monitor and evaluate the site, and detailed the monitoring of the area, which included both scheduled and unscheduled visits. He noted that Re-Gen was compliant with the required regulations on 7 of the 14 inspections.

He outlined the compliance and non-compliance data as recorded within the report and noted that NIEA would allow authorised operators to make attempts to return to compliance in line with the Department's Enforcement Policy, which happened in this instance by October 2023.

Mr McVeigh then detailed the response to the odour complaints and outlined the results from the testing carried out. He summarised by outlining the engagement of NIEA with other authorities such as the Warrenpoint Harbour Authority, Council Environmental Health, Re-Gen and the Health and Safety Executive NI, alongside elected representatives.

The Chairperson thanked Mr McVeigh for the presentation and invited questions and comments from Members as follows:

- NIEA did not share detail of the license breaches with anyone other than the license holders, was this believed to be conducive to public confidence, and were changes needed to the protocols regarding this?
- In September 2023, the storage capacity and dwell time was increased, despite the number of complaints received. Could this decision be explained?
- Could the 3-month storage time and 20,000 tonnes be amended at any time, and what were the requirements for these to be changed?
- How was the non-compliance data shared, and why it was not shared with all stakeholders?
- Did the protocol need to be changed in relation to sharing information, timeframes for storage and the capacity of the site?
- What guided the capacity and storage time of the bales on site and if they would be amended should the odour issue arise again?
- What were the next steps to ensure this doesn't happen again?

Mr McVeigh responded as follows:

- The Department were in receipt of a judicial review application in relation to the amendments to storage and dwell times and it was therefore not appropriate to discuss that matter.
- Storage on site and dwell times was taken from industry best practice and was written into a number of waste management licenses across the UK and Northern Ireland.
- The storage time and 20,000 tonne capacity could be amended under two circumstances, those being an application from a license holder or an amendment from NIEA, with the caveat that this must be backed up with significant non-compliance with a license agreement.
- NIEAs statutory responsibility lay with the license holder, not any other stakeholders or landowners. While NIEA did engage with landowners, reports would only be shared with the license holder. This was due to the content of the report, and GDPR guidelines. A sharing agreement may be in place, but the statutory responsibility remained with the license holder.
- The number of compliance assessments would be reassessed in the upcoming financial year, and they would likely be increased. Inspections were unannounced unless staff were required to provide access to certain areas or equipment.
- NIEA must work within the associated Department framework when sharing reports on investigations and inspections. There was now a sharing agreement in place relating to assessment reports, but it was stressed that this was managed by the licence holder, not NIEA.
- There were no plans to change the license requirements for waste management regarding dwell time or storage capacity at this time.

SC/008/2024 WARRENPOINT HARBOUR AUTHORITY RESPONSE TO NOTICE OF MOTION

The Chairperson welcomed the delegation from Warrenpoint Harbour Authority.

Mr O'Hare noted that in August 2023 when the Harbour Authority became aware of odours, they immediately apologised and took steps to improve the situation, advising they worked tirelessly with Re-Gen introducing new procedures to mitigate issues. He advised that by the end of September engaged an independent consultant to address how the issue had arisen and suggested steps to ensure it didn't happen again.

Mr David Graham, Independent Consultant for Practical Waste Solutions (PWS) presented the findings of the independent report stressing that it was independent with clear terms of engagement between the main stakeholders, PWS and Warrenpoint Harbour.

Following this, Mr Holmes advised Warrenpoint Harbour Authority and Re-Gen had committed to implementing the recommendations contained within the report and the process to establish a community forum, on top of the existing elected representative forum had begun. He further noted the enhanced controls and resources on site to reduce any further issues occurring.

The Chairperson thanked the delegation for the presentation and invited questions and comments from Members as follows:

- Why did it take three months to get to an independent review, especially during summer months when smells naturally increase?
- It was stressed that stakeholders must always remember that residents were at the heart of the issue.
- The improvement in community engagement was welcomed, however had this been accepted by the community?
- It was one thing to be compliant with regulations, but all stakeholders should be mindful that issues could still impact on the community, regardless of compliance.
- How could we be sure that this issue did not happen again?
- Why was an Environmental Health Officer not in place prior to the beginning of the contract on site?
- How could the bale management system be verified and monitored on behalf of the public?
- NI Water had been mentioned within the report and it was noted that there was a possibility of discharges as a contributory factor as their pipelines are within the area, was this a consideration?
- How independent was the commissioned report?
- The independent report did not absolve WHA from its responsibility and Members thanked them for their engagement and openness.
- The word "target" contained within the report was aspirational and needed to be more concrete, as targets could easily be ignored.
- Who would monitor compliance of the stakeholders within the proposed targets?
- A Member noted that 12 members of WHA staff had contacted them to advise of ongoing headaches and difficulty concentrating, alongside complaints of bluebottle flies, due to the smell. Could the delegation comment on this?
- What actions had been taken to ensure the noise complaints had been addressed?
- Members noted that it was best practice to respond and update residents that had complained, and to forward complaints to the relevant bodies to action.

The delegation responded as follows:

- Action was taken immediately following the complaints, however the independent review had a 12-week procurement process, hence the unfortunate delay.
- The community was stressed to be at the heart of all actions taken, and several community forums were in operation, alongside an elected representative forum. The WHA also highlighted its community support fund.
- Ongoing meetings were scheduled with all stakeholders to address any issues or concerns.
- An Environmental Officer was always due to be in place, not just in response to the complaints and concerns and there had been delays in recruiting same, however, the role was now filled.
- The targets within the report had been accepted and committed to, in writing, by all stakeholders and would be strenuously worked towards.
- While it was not the duty of Warrenpoint Harbour to monitor compliance, as landlord the Environmental Officer would assist in the process. PWS had also been retained on a bi-weekly monitoring basis until the end of 2024.
- The report was independent as it went through a procurement period, to ensure it was robust and scientifically correct, and was able to be used as a working tool for actions going forward.
- It was further noted that the Council's Environmental Health, the NIEA and PWS were all independent bodies and were involved in the investigations that contributed to the report.
- In relation to communication, a new community forum was to be set up, but the open-door policy of the Harbour Authority was emphasised. Members of the public were also able to sit on the Board and their quarterly meetings were open to all. Elected Members that sit on the Board were also available to address issues within the Elected Members Forum.
- The Harbour Authority's Christmas Fund was highlighted, offering support to 70 organisations within the locale.
- WHA was unable to comment on the 12 members of staff complaining as it had not been highlighted to them. The delegation requested that all complaints be forwarded to them to be actioned and investigated.
- Independent noise monitoring had been carried out, and the results indicated that the port was reported to be safe with recognised decibel limits.
- In response to the query regarding flies, Mr Graham noted that bluebottles were not associated with RDF waste and stressed that lay people could find it hard to distinguish between house flies and bluebottles.
- Mr Graham advised that he had invited residents to the Harbour for a meeting and noted that it was poorly attended.
- Complaints were welcomed by the delegation as it allowed them to action any issues arising.
- The delegation advised they would be content to attend further special council meetings, but requested Members to attend the existing forum that meets every three months.

SC/009/2024**RE-GEN RESPONSE TO NOTICE OF MOTION**

The Chairperson welcomed the delegation from Re-Gen Waste.

Mr Adrian Thompson, independent advisor for Re-Gen, took Members through a presentation detailing Re-Gen's surveys and responses in relation to the Notice of Motion. He outlined the details of the investigations, and the outcomes of the same, in relation to odour and flies. He further advised that the site had always been compliant with all regulations in relation to noise.

The Chairperson thanked Mr Thompson for his presentation and invited questions and comments from Members as follows:

- The digital bale management system and the additional bale wraps were noted as excellent and proactive in managing the ongoing complaints and issues.
- It was noted that engagement with the public was of paramount importance to restoring confidence with the local community.
- What were the next steps to ensure this did not happen again?
- What impact did the industrial action have on the waste arriving on site and could this have been a contributing factor to the issue?
- Could the lack of marine transport during a certain period of time have been a contributing factor to the issue, resulting in excess dwell time for bales?
- Was the organisation content that the mitigating measures would be effective in reducing the issues that existed?
- It was noted that communicating with those who had complained would offer reassurance that they were being listened to.
- It was accepted that there was a major issue, but it was also accepted that everyone involved was taking measures to ensure that it did not happen again.

The delegation responded to queries as follows:

- NIEA and Environmental Health officers were taken through the bale management system and advised it could be reviewed any time. This was hopefully a level of scrutiny that should reassure the public.
- The increased shipping schedule, and the increased bale wraps, were noted as improvements to mitigate the issue arising again.
- Re-Gen noted the open and ongoing stakeholder discussions to action any issues immediately.
- Onsite monitoring was ongoing, and all stake holders had access to the reports.
- In relation to next steps, the bale management system was working well, and as a live system would always represent what was onsite. It could be audited by the relevant bodies at any time.
- A large improvement had been noted with the increased bale wrapping.
- If materials arriving on site were more odorous than usual, regardless, Re-Gen must treat what was received, and the result could have been a factor to the issues that had arisen.
- The improvements had been clear over the past few months due to the steps taken, and this was due to the commitment given to improve actions, and the ongoing engagement with stakeholders.

- The delegation stated that they believed the measures put in place would go a long way to ensuring the issue did not arise again, and the continual monitoring would help to ensure the site remained compliant.
- In terms of communication, the delegation advised they did leaflet the local residents highlighting the issue, and what actions had been taken to mitigate it.

Councillor Enright and Sharvin left the meeting during the above discussions – 7.00pm.

AGREED: On the proposal of Councillor Reilly, seconded by Councillor Kearns, it was agreed to note the contents of the reports and presentations.

On the proposal of Councillor Devlin, seconded by Councillor Hanlon, the following was agreed:

- **Council write to the DAERA Minister to examine the legislative framework with a view to creating a mechanism for NIEA to share issues with relevant landlords/stakeholders in a redacted format.**
- **That Council write to NI Water and ask that they commence collecting data in respect of discharges into the sea.**
- **That Council monitor activity over spring and summer and give consideration to inviting all of the stakeholders to a further Special Council meeting to review progress.**

On a point of clarification, Mr Cassells confirmed that there was no bin strike, there had been industrial action taken short of a strike over two fortnightly periods last year during which the trade unions worked to rule, so there was no strike per se. He noted that following those two fortnights of industrial action, the situation was recovered in both instances within a fortnight.

The Chair ended the meeting by highlighting that communication was key between all parties involved.

There being no further business, the meeting concluded at 7.53pm.

For adoption at the Council Meeting to be held on Monday 8 April 2024.

Signed:

Chairperson

Director

NEWRY MOURNE & DOWN DISTRICT COUNCIL**Minutes of the Economy, Regeneration & Tourism Committee Meeting
held on Monday 11 March 2024 at 6.00pm in the Boardroom, Monaghan Row,
and remotely via Microsoft Teams****Chairperson:** Councillor M Ruane**Committee Members
in attendance:**

Councillor T Andrews	Councillor C Bowsie
Councillor P Campbell	Councillor W Clarke
Councillor G Hanna	Councillor G Kearns
Councillor C King	Councillor A McMurray
Councillor A Quinn	Councillor J Truesdale

Members in attendance**Via teams:** Councillor J Brennan

Officials in attendance: Mr C Mallon, Director of Economy, Regeneration & Tourism
 Mr J McGilly, Assistant Director of Regeneration
 Ms M Boyle, Head of Tourism Development and Visitor Experience
 Ms A McVeigh, Head of Regeneration and Business Development
 Ms S Burns, Head of Programmes
 Ms F Branagh, Democratic Services Officer

Officials in attendance**Via teams:** Ms S Taggart, Democratic Services Manager**ERT/020/2024: APOLOGIES / CHAIRPERSON'S REMARKS**

The Chairperson noted that item 7 was to be deferred to next months Committee meeting to allow Members time to read thoroughly and understand the content.

Apologies were received from Councillors Galbraith, S Murphy and Tinnelly.

ERT/021/2024: DECLARATIONS OF INTEREST

Councillors Clarke, Hanna and Andrews declared an interest in Item 10 – Service Level Agreements / Letters of Offer 2024/25
 Councillor Campbell declared an interest in Item 11 – Tourism Events Programme.

**ERT/022/2024: ACTION SHEET ECONOMY, REGENERATION & TOURISM
COMMITTEE MEETING MONDAY 12 FEBRUARY 2024**

Read: Action Sheet arising out of the Minutes of the Economy, Regeneration & Tourism Committee Meeting held on Monday 12 February 2024.
(Copy circulated)

AGREED: **On the proposal of Councillor Hanna, seconded by Councillor Campbell, it was agreed to note the Action Sheet arising from the Economy, Regeneration & Tourism Committee Meeting held on Monday 12 February 2024.**

NOTICES OF MOTION

ERT/023/2024: NOTICE OF MOTION C/042/2024 - PEATLANDS

Read: Report dated 11 March 2024 from Mr C Mallon, Director of Economy, Regeneration and Tourism, regarding Peatlands. **(Copy circulated)**

Mr Mallon presented the report outlining the work that has been ongoing regarding peatland restoration, the use of peat within the Council alongside information regarding the trials of alternatives to peat. He outlined the recommendations within the report, and advised Council will continue to consider the options of alternatives to reduce the use of peat-based compost.

Councillor Truesdale thanked the Officers for the comprehensive report and noted that Council had ordered one pallet of peat based potting compost last year, compared to 4 in 2019. She commended the actions to date and called on Council to take the final step to being peat free. She called on Council to either plant according to the soil type and stop using peat-based compost or utilise the community gardens within the district and task them to design a peat alternative, utilising money that would have been spent on peat-based compost. She proposed that a report be brought back in 6 months, detailing what alternatives had been investigated and the outcome of this work.

In seconding Councillor Truesdale's proposal, Councillor McMurray advised that he was able to source peat-free compost for his needs, but advised he was aware that Council requirements were different.

Councillor Clarke advised that peatlands were important to the long-term storage of carbon and that he was aware of a number of organisations that were involved in restoring peatlands. He then proposed an amendment to the motion, as follows:

"That Council write to the DAERA Minister asking that his department conduct a review and publish a key issues paper on peat extraction and the use of peat and peat products in line with the Executive Peatlands strategy."

The Chairperson confirmed that Councillor's Truesdale and McMurray were content to accept the amendment.

AGREED:

On the proposal of Councillor Clarke, seconded by Councillor Kearns, it was agreed that:

- **this Council believes peatlands are a critical part of our ecosystems, regulating the water cycle, purifying water and supporting biodiversity; further recognises that peatlands store more carbon for long periods than any other ecosystem worldwide; and therefore, resolves to protect peatlands and to end its purchase and use of peat-based compost by the end of 2024.**
- **Council continues to advance projects and partnership working through AONB and Geopark team in respect of the protection of peatlands through both Peace+ and Shared Island Unit.**
- **Council continues to consider the use of alternatives to peat-based produce and works to reduce the use of peat-based compost.**
- **Council writes to the DAERA Minister asking that his department conduct a review and publish a key issues paper on peat extraction and the use of peat and peat products in line with the Executive Peatlands strategy.**

FOR DECISION**ERT/024/2024: ARTISAN MARKETS**

Read: Report dated 11 March 2024 from Ms A McVeigh, Head of Regeneration and Business Development, regarding Artisan Markets in Downpatrick, Newcastle, Newry and Warrenpoint.
(Copy circulated)

Councillor Kearns noted that her Party believed that the markets were yet to realise their full potential and stated that it required support and sustainable promotion to be able to contribute to the local economy.

In a response to Councillor Campbell, Ms McVeigh confirmed that weather was the reason for the drop in attendance for the market.

Councillor Bowsie proposed that Council support Ballynahinch Artisan Market alongside the 4 markets mentioned in the Officer's Report as this was an historic market established in the 17th Century. This was seconded by Councillor Hanna. Councillor Andrews also queried whether Crossgar could also be considered as a location.

Councillor Clarke paid tribute to the staff involved with the Artisan Markets and spoke highly of Newcastle Market having a great atmosphere. He queried if Newcastle Market could move to the open space behind Newcastle Leisure Centre.

Councillor Truesdale queried if a customer survey was carried out alongside the trader survey. She noted that traders informed her it was hard to get confirmation of a stall

within Newcastle Market.

Ms McVeigh advised there was only 17 pitches at the market and advised that Council try to limit the number of similar stalls to encourage a variety of traders, but stated she would take on board the Member's comments.

Following a query from Councillor Feehan, Ms McVeigh advised that one of the recommendations was to work with both traders and the Tourism, Culture and Events department to identify more opportunities to generate footfall into the town.

Following a concern raised by Councillor Hanna regarding the ownership of the gazebos for markets, Ms McVeigh confirmed that the gazebos were either owned by the Council or by the delivery agent. She recognised that some needed replaced, and it was an ongoing piece of work.

Mr Mallon advised Members that a recent Notice of Motion had been referred to the Sustainability and Environment regarding the revitalisation of Newry Market.

- AGREED:** **On the proposal of Councillor Bowsie, seconded by Councillor Hanna, the following was agreed:**
- **To note the attendance figures at the artisan markets**
 - **That officers liaise with the Tourism, Culture and Events department to identify opportunities for Newry Artisan Markets, e.g. Halloween, Christmas, etc**
 - **To offer Artisan Market traders a pitch at Newry Variety market (trading Thursday and Saturday) as an alternative to the Sunday market.**
 - **To extend the trading hours of the markets in July and August to 4pm.**
 - **Council would look at expanding the Artisan Markets to other areas of the district.**

ERT/025/2024: PEACEPLUS THEME 1.1

Read: Report dated 11 March 2024 from Ms S Burns, Head of Programmes, regarding PEACEPLUS Theme 1.1. **(Copy circulated)**

Councillor Bowsie expressed his concerns regarding the location of the applications, with only one being from Rowallane. He noted that there were a small number of applications from the Rowallane area, but if none were successful then it needed to be addressed.

He proposed that Council work with applicants from Rowallane that narrowly missed out on the funding in order to assist them to improve their applications. This was seconded by Councillor Hanna.

Ms Burns noted the Member's comments however advised that there had been an open

process throughout which there were many workshops undertaken involving the DEA co-ordinators. She stated she understood the frustration of the Member however there seemed to be a capacity issue within the area and although at this stage Council would not re-open the process, a targeted approach to Rowallane could be taken going forward with regard to capacity building which would hopefully help with other funding applications.

Following a query from Councillor Campbell, Ms Burns advised that officers will provide a breakdown of DEA areas relating to the reserve list for each theme.

Councillor Bowsie's proposal was put to a show of hands vote, and voting was as follows:

For: 3
Against: 7
Abstention: 1

The proposal was declared lost.

Councillor Campbell proposed to accept the officer's recommendation. This was seconded by Councillor Andrews. The proposal was then put to the vote, and voting was as follows:

For: 9
Against: 2
Abstention: 0

The proposal was declared carried.

AGREED:

On the proposal of Councillor Campbell, seconded by Councillor Andrews, it was agreed that the Committee accept the recommendations of the Peace Partnership to proceed with the following:

- **Theme 1 – to include the 11 projects and 6 reserve projects in the Local Authority Co-designed PEACEPLUS resubmission.**
- **Theme 2 – to include the 14 projects and 3 reserve projects in the Local Authority Co-designed PEACEPLUS resubmission.**
- **Resubmission of the Co-design Local Authority Action Plan to SEUPB.**

ERT/026/2024: TOURISM STRATEGY 2024-2029 DRAFT

Read: Report dated 11 March 2024 from Ms M Boyle, Head of Tourism, Product Development & Visitor Experience, regarding Tourism

Strategy 2024-2029. **(Copy circulated)**

This item was deferred until April Committee to allow time for Members to read through all the documents provided.

AGREED: **On the proposal of Councillor Ruane, seconded by Councillor Campbell, it was agreed to defer this item to the next Committee Meeting in April.**

RESTRICTED – FOR DECISION**EXEMPT INFORMATION**

AGREED: **On the proposal of Councillor Campbell, seconded by Councillor Andrews, it was agreed to exclude the public and press from the meeting during discussion on the following matters 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 Bowsie, seconded by Councillor Truesdale, it was agreed to come out of Closed Session.**

The Chairperson advised the following had been agreed while in closed session.

ERT/027/2024: ARTIST IN RESIDENCE AND ARTS BURSARY SCHEMES 2024-25

Read: Report dated 11 March 2024 from Ms M Boyle, Head of Tourism, Product Development and Visitor Experience, regarding Artist in Residence / Artist Bursaries and Grants. **(Copy circulated)**

AGREED: **On the proposal of Councillor Quinn, seconded by Councillor Andrews, it was agreed to approve the following:**

- **To appoint an Artist in Residence and establish a Service Level Agreement as detailed in the Officer's Report for the delivery of an Artist in Residence Programme in the Down Arts Centre.**
- **To continue to award the Artist Bursaries and Individual Artist Grants through a selection process for 2024/2025.**

It was also agreed that Officers would review the hours of opening within Down Arts Centre to potentially include Saturday opening hours.

ERT/028/2024: LABOUR MARKET PARTNERSHIP (LMP) ACTION PLAN 2024/2025

Read: Report dated 11 March 2024 from Mr C Mallon, Director Economy, Regeneration and Tourism, regarding LMP Action Plan for 2024/25. **(Copy circulated)**

AGREED: **On the proposal of Councillor Quinn, seconded by Councillor Andrews, the following was agreed:**

- **To note that Council have prepared and submitted a Strategic Assessment and Action Plan to DfC for implementation of a programme of Employability and Skills initiatives across the District for 2024/25.**
- **When received, to approve acceptance of DfC letter of offer for NMD LMP, Skills and Employability activities to include administration and operational costs as set out in section 2.2 of the Officer's Report.**
- **To approve the attached Business Case for the implementation of the LMP Action Plan for 2024/2025**
- **On acceptance of the Letter of Offer, Council will undertake procurement including SLAs to appoint delivery agents to implement the range of initiatives outlined in the attached business case.**

Having previously declared an interest, Councillors Clarke and Andrews left the meeting for this item of business – 6.45pm

ERT/029/2024: SERVICE LEVEL AGREEMENTS / LETTERS OF OFFER 2024/2025

Read: Report dated 11 March 2024 from Ms M Boyle, Assistant Director Tourism Culture & Events, and Ms A McVeigh, Head of Regeneration & Business Development, regarding Service Level Agreements / Letters of Offer 2024/2025 **(Copy circulated)**

AGREED: On the proposal of Councillor Campbell, seconded by Councillor Kearns, it was agreed to consider and approve the list of Service Level Agreements / Letters of Offer for 2024/2025 as detailed in section 2.1 of the Officer's Report.

Councillors Clarke and Andrews rejoined the meeting at this stage – 6.50pm

Having previously declared an interest, Councillor Campbell left the meeting for this item of business – 6.50pm

ERT/030/2024: TOURISM EVENTS PROGRAMME

Read: Report dated 11 March 2024 from Ms M Boyle, Head of Tourism, Product Development & Visitor Experience, regarding Tourism Events Programme 2024/2025 (**Copy circulated**)

AGREED: On the proposal of Councillor Clarke, seconded by Councillor Hanna, the following was agreed:

- To approve the Annual Tourism Events Programme as detailed in Appendix 1
- To approve the undertaking of the necessary procurements and appointment of suppliers for the delivery of major festivals in the Annual Tourism Events Programme.
- To approve to issue 4 Letters of Offer to named groups as detailed in the Officer's Report.
- To undertake a review of Event Programme options for 2025/2026 Financial Year

Councillor Campbell rejoined the meeting at this stage – 6.59pm

ERT/031/2024: TOURISM EVENTS PROCUREMENT

Read: Report dated 11 March 2024 from Ms M Boyle, Assistant Director Tourism Culture & Events, and Ms A McVeigh, Head of Regeneration & Business Development, regarding Tourism Events Procurement (**Copy circulated**)

AGREED: On the proposal of Councillor Kearns, seconded by Councillor Clarke, it was agreed to note the 2 STAs as outlined in section 2.1 of the Officer's Report.

ERT/032/2024: DOWN GAA SUPPORT FOR PEACE PLUS APPLICATION

Read: Report dated 11 March 2024 from Mr C Mallon, Director Economy, Regeneration & Tourism, regarding Down GAA Support for Peace Plus Application. **(Copy circulated)**

- AGREED:** **On the proposal of Councillor Ruane, seconded by Councillor Campbell, the following was agreed:**
- **Officers continue to consider options for the future of the hut structure in advance of March 2025 and report back to Members.**
 - **That the contents of the Ballykinlar hut will be retained by the Council for use in future exhibitions at suitable locations.**
 - **Council notes the application for the Down county Board Multi-Sports Hub at the Ballykinlar site through Financial Assistance.**
 - **Unfortunately, Council are not in a position to support Down County Board's Centre of Participation, Wellbeing and Shared Learning Hub as their application to Peace Plus is in direct competition with Council's Wellbeing Hub in Warrenpoint.**

There being no further business the meeting concluded at 07.28pm.

For adoption at the Council Meeting to be held on Monday 8 April 2024.

Signed: Councillor M Ruane
Chairperson
Economy, Regeneration & Tourism Committee

Signed: Mr C Mallon
Director Economy, Regeneration & Tourism

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

Minutes of Appeal Hearing re: Application for Amusement Permit by Carousel Slots, Downpatrick held on Monday 11 March 2024 at 5.00pm in the Chamber Council Offices, Monaghan Row Newry

Chairperson: Councillor M Ruane (Chamber)

Committee Members

In attendance:

Councillor T Andrews	Councillor C Bowsie
Councillor G Kearns	Councillor C King
Councillor A McMurray	Councillor J Truesdale

Non-Committee Members

in attendance via teams: Councillor J Brennan

Officials in attendance: Mr C Mallon, Director Enterprise Regeneration & Tourism.
Mr J McGilly, Assistant Director, Regeneration.
Mr P Rooney, Acting Head of Legal Administration.
Ms P Hughes, Senior Licensing Officer.
Mr C Toner, Licensing Officer.
Ms F Branagh, Democratic Services Officer.

Also in attendance: Mr Alan Stewart, Anderson Agnew and Co (in objection)
Mr Damian Agnew, Anderson Agnew & Co (in objection)
Mr Andy Stephens, Matrix Planning Consultancy (in support)
Mr Alan Humphries (applicant)

APOLOGIES

Apologies were received from Councillors Galbraith, Hanna, S Murphy, Quinn and Tinnelly.

DECLARATIONS OF INTEREST

There were no declarations of interest.

HEARING RE: APPLICATION FOR AMUSEMENT PERMIT PREMISES AT: CAROUSEL SLOTS, 8 SCOTCH STREET, DOWNPATRICK, BT30 6AQ

Read: Report dated 11 March 2024 from Mr J McGilly, Assistant Director, ERT regarding an application for an Amusement Permit for premises at Carousel Slots, 8 Scotch Street, Downpatrick, BT30 6AQ. **(Circulated)**

The Chairperson noted that some late information had been received, and following review by Council Officer's, he highlighted that it was agreed that no one had sight of the information. Mr Mallon confirmed that the late information provided had not been

taken into account due to the time lapse between the deadline for submission, and the date the information was received.

- The Council's Licensing Section received an application for an Amusement Permit for premises at Carousel Slot, 8 Scotch Street, Downpatrick, BT30 6AQ, on 06 February 2023.
- The Applicant had been informed of Council's intention to refuse the application as it did not meet the criteria set out in Section 4 and 5 of the Council's Gaming and Amusement Policy.
- Under Legislation the applicant had the right to appeal and be heard in accordance with the Enterprise Regeneration & Tourism Committee's Protocol for Hearing of Statutory Referrals to Committee.
- An appeal hearing was held on 14 August 2023, and the application was refused.

This meeting was the second appeal hearing of the application for an amusement permit at Carousel Slots, 8 Scotch Street, Downpatrick, BT30 6AQ.

Mr Alan Stewart and Mr Damian Agnew addressed the Members present and summarised the written submissions already received. They put forth their arguments in objection to the application, and highlighted various points as follows:

- There was an issue with planning permission, as the building was currently used as a hair salon and no change of use permission had been granted from the previous use as amusements.
- No evidence was put forth to show that the building was owned by the applicant.
- Highlighted a range of community groups and services within 200m of the venue that contradicted this venue as being a suitable location.
- Site was based in the retail core of the town, a local conservation area and the cultural centre of the town.
- Stated they believed this was a new application for the site, as the Council guidelines around amusement permits had been introduced since the last permit had been granted on site.

Following this briefing, there were no questions from Members. The Chair then invited those in support of the application to make their address.

My Andy Stevens, with the support of the applicant, then put forth their arguments as to why they believed the permit should be granted, detailed as follows:

- Planning permission had been granted in March 2012, with no objections from statutory consultees.
- Full amusement permit was granted in November 2012, on the condition that Planning be completed within a five-year period.
- There was no application regarding a change of use to a hair salon, therefore this was not a legal business.
- The 2012 permission had been enacted, and its permission had not been succeeded by a change of use to the hair salon, therefore this was not a first-time application for a permit at this address.

- The Council 2019 policy for amusement and permits did not overrule the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, therefore the previous permit should be renewed, despite the 11-year gap.

Councillor Bowsie stated that amusement permits were to be renewed annually and queried the gap in application from 2012. Mr Stevens advised that he was not aware of the previous applicant as he was acting on behalf of a new applicant, and reliant on a previous application and permit.

Councillor Truesdale queried if residents had objected to the application in 2012. Mr Stevens advised that he did not have that information to hand as he was not acting on behalf of the previous applicant.

Following the presentations, the Chair advised that the applicant would be notified of the decision in due course, at which point both parties left the Chamber.

After a short discussion, Members unanimously agreed to proceed as follows:

- Agreed:** **On the proposal of Councillor Bowsie, seconded by Councillor Truesdale, it was agreed:**
- a) **To refuse the application for the Grant of an Amusement Permit at 8 Scotch Street, Downpatrick, for Alan Humpries, based on the criteria within Section 4 and 5 of the Gaming and Amusement Policy.**
 - b) **To note the applicant may appeal the Council's decision within 21 days of notification of the decision to the County Court.**

There being no further business the meeting concluded at 5.31pm.

For adoption at the Council Meeting to be held on Monday 8 April 2024.

Signed: **Councillor M Ruane**
Chairperson of Enterprise Regeneration & Tourism Committee

Signed: **Mr C Mallon**
Director of Enterprise Regeneration & Tourism Committee

NEWRY MOURNE AND DOWN DISTRICT COUNCIL

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**Minutes of Strategy Policy & Resources Committee Meeting held on
Thursday 14 March 2024 at 6.00pm in the Council Chamber, Downshire Civic Centre****In the Chair:** Councillor S O'Hare**In Attendance in Chamber:**
Councillor P Byrne
Councillor O Hanlon
Councillor A Lewis
Councillor A Mathers
Councillor H Reilly
Councillor G Sharvin
Councillor C Enright
Councillor T Kelly
Councillor D McAteer
Councillor A Quinn
Councillor M Rice
Councillor D Taylor**Non-Committee Members
in Attendance in Chamber:** Councillor J Truesdale**Officials in Attendance
in Chamber:**
Mrs M Ward, Chief Executive
Mr A Cassells, Director of Sustainability and Environment
Ms S Murphy, Director of Sustainability and Environment
Mrs J Kelly, Director of Corporate Services
Mr C Mallon, Director of Economy Regeneration & Tourism
Mr A Patterson, Director of Active & Healthy Communities
Mr C Boyd, Assistant Director: Capital and Procurement
Mr G Byrne, Assistant Director: Finance and Performance
Mr C Moffett, Head of Corporate Policy
Ms S Taggart, Democratic Services Manager (Acting)
Ms F Branagh, Democratic Services Officer**Officials in Attendance
via teams:** Ms V Keegan, Head of Communications and Marketing**SPR/036/2024: APOLOGIES AND CHAIRPERSON'S REMARKS**

Apologies were received from Councillors Howell, McEvoy and Reilly.

The Chairperson noted that Item 4 was to be tabled at April Committee, as agreed with the proposer of the original notice of motion.

SPR/037/2024: DECLARATIONS OF INTEREST

There were no declarations of interest.

**SPR/038/2024: ACTION SHEET ARISING FROM STRATEGY, POLICY AND
RESOURCES COMMITTEE MEETINGS HELD ON THURSDAY
15 FEBRUARY 2024**

Read: Action Sheet of the Strategy, Policy and Resources Committee Meeting held on Thursday 15 February 2024. **(Copy circulated)**

Agreed: **It was agreed on the proposal of Councillor Byrne, seconded by Councillor Hanlon, to approve the action sheet from the Strategy, Policy and Resources Committee Meeting held on 15 February 2024.**

NOTICE OF MOTION

SPR/039/2024

NOTICE OF MOTION – ETHICAL PROCUREMENT

AGREED: **It was agreed that this item be tabled at April Committee.**

FOR DECISION

SPR/040/2024

CORRESPONDENCE FROM THE ULSTER SCOTS COMMUNITY NETWORK

Read: Report dated 14 March 2024 from Mr C Moffett, Head of Corporate Policy, regarding Officer Report on correspondence from Ulster Scots Community Network. **(Copy circulated)**

Mr Moffett presented the Report, highlighting the correspondence received and the subsequent discussions at the Equality and Good Relations Reference Group relating to the Ulster Scots Community Network.

In proposing the Officer's Report, Councillor Taylor noted the productive discussions that had taken place at the Working Group on 5 March 2024.

Councillor Lewis seconded the proposal noting his thanks to the Ulster Scots Community Network and to the Council staff who carried the work through to this stage. He queried the timeline for the review, how far reaching it would be and whether this review would result in similar funding being received as what was received by the Irish Language.

Councillor Sharvin noted the positive discussions that had taken place at the meeting and suggested researching what other local authorities' policies were regarding Ulster Scots. He noted the limited number of Councils who had an Ulster Scots Policy and welcomed the opportunity to work with other Councils who had also received this communication.

Councillor Hanlon reiterated the sentiments expressed and welcomed the recommendations. She noted that Council was leading the way with Irish Language Policy to date, and this was an opportunity to strengthen and show diversity in languages across the district.

Councillor McAteer noted how important this recommendation was to assist and promote the different cultures within the district

AGREED: **On the proposal of Councillor Taylor, seconded by Councillor Lewis, it was agreed that Officers proceed to undertake a review of Council's**

current approach to Ulster Scots, including consideration of the policy approaches being implemented within other local government authorities in Northern Ireland, and prepare a paper for consideration at a future meeting of the Councillor's Equality & Good Relations Reference Group.

SPR/041/2024:

OFFICER REPORT ON NOTICE OF MOTION – ENDING VIOLENCE AGAINST WOMEN AND GIRLS

Read:

Report dated 14 March 2024 from Mr C Moffett, Head of Corporate Policy, regarding officer report on Notice of Motion – Ending violence against Women and Girls. **(Copy circulated)**

Mr Moffett presented the Report, and noted the recommendations as outlined within the Report.

Councillor Hanlon, in proposing the Report, welcomed that Council were wholly supportive of the recommendations and able to use their influence to elevate awareness of the issue. She noted the importance of allowing victims to be both seen and recognised and giving them a chance to come forward was crucial.

Councillor Byrne, in seconding the Report, stated that this issue was too important not to utilise every opportunity to highlight, educate and raise awareness and asked that the proposed day of 25 November be focused on events, and not just on a media campaign.

Councillor Lewis noted his full Party's support on the issue and asked if consideration had been given to involving PCSP given their experience in organising awareness raising campaigns.

Councillor Quinn echoed the sentiments already expressed and noted her frustration at being unable to assist constituents that approached her with similar issues. She stressed the important role men had to play in raising awareness, and looked forward to the work that would be done on the issue on the Women's Working Group.

Councillor Kelly noted the importance of raising awareness on this prominent issue and was grateful that Council would create an environment where people feel supported and safe enough to come forward to speak about the issue.

Agreed:

It was agreed on the proposal of Councillor Hanlon, seconded by Councillor Byrne that Newry, Mourne and Down District Council write to the Minister calling for the delivery of a fully-funded strategy to end violence against women and girls; and commits to instituting November 25th as Elimination of Violence Against Women and Girls Day across the District with a series of events to help educate, raise awareness and end this abhorrent humanitarian abuse.

It was also agreed that the recommendation be forwarded to the Council's Woman's Sub-Committee to progress events to acknowledge

November 25th as Elimination of Violence Against Women and Girls Day and Council undertake an exercise to determine what support Council is currently providing in relation to this.

SPR/042/2024: HYBRID MEETINGS

Read: Report dated 14 March 2024 from Ms M Ward, Chief Executive, regarding hybrid meetings. **(Copy circulated)**

Mrs Ward presented the Report stating it highlighted how Council would operate given the changes in legislation and outlined the resource implications.

Councillor Hanlon proposed the Report noting the importance and flexibility of hybrid meetings around issues such as maternity leave and caring responsibilities.

Councillor Byrne stressed the necessity of allowing public access to meetings, ensuring the transparency of Council. He supported the current resource requirements be kept in place until new legislation was reviewed regarding hybrid meetings.

Councillor Kelly seconded the Report welcoming the response from the Communities Minister regarding reviewing hybrid meetings.

Councillor Sharvin noted the importance of meetings being accessible but stressed the resource implications on the Council departments. He queried the use of MS Teams and asked whether resources were available long term to accommodate the hybrid meetings.

Ms Ward noted the ability of the current system to manage live streaming and officers were working to recruit an IT resource to manage same, as although Democratic Services had been managing the system well up to this stage, an IT resource would enable them to concentrate on their usual role within meetings.

Following a query from Councillor Sharvin regarding timeframes of recruitment, Ms Ward advised that she would bring a report back to the committee with options next month.

Agreed: **It was agreed on the proposal of Councillor Hanlon, seconded by Councillor Kelly, to note the contents of the report.**

SPR/043/2024: MOURNE MOUNTAINS GATEWAY PROJECT – CONTRACT FOR FUNDING AND FUNDING AGREEMENT.

Read: Report dated 14 March 2024 from Mr C Mallon, Director of Economy, Regeneration and Tourism, regarding Mourne Mountains Gateway Project – Contract for Funding and Funding Agreement. **(Copy circulated)**

Mr Mallon presented the Report which sought approval for the contract for funding and funding agreement. He advised that officials in Council and Department for the Economy had been engaged for some time on the agreement of the contract and funding agreement to allow the project to proceed to Full Business Case. He highlighted the current project

position whereby the Department continued to view the project as strategically important and one that would form a key part of Northern Ireland's overall tourism offering.

Mr Mallon outlined the next steps for Council regarding the project and advised, as had been previously acknowledged by Council, that any costs over and above the £30m BRCD contribution were to be met by Council. He stated both Council and the Department recognised that due to the early stage of the development of the project, there could not be absolute certainty over costs, however as the design developed, this would provide further information to inform decisions on budget requirements.

Mr Mallon asked Members to approve the recommendations as outlined within the Report.

Councillor Enright stated the Report was founded on an MOU which indicated that National Trust were not onboard and despite having asked for a risk register on a number of occasions, none had been forthcoming. He outlined the increasing costs of the project and stated his Party could not accept the recommendations without a full analysis of an updated risk register. He proposed that the Committee reject the recommendations of the report and do not approve the Contract for Funding or Funding Agreement until Committee was presented with a full analysis of an updated risk register for the project. This was seconded by Councillor Kelly.

Councillor Hanlon stated this project was a fantastic opportunity and Councillors as custodians of one of the best natural assets within the District should seize this, particularly given the support it had received from the Department. She stated she understood there were concerns however recognised that these would be discussed as Council moved through the consultations and through the management of the project. She understood that the Project Board's role was to manage the project and to critically scrutinise it at every stage in order to ensure it was something that would serve the community and create jobs.

Councillor Hanlon continued stating this would be a world class tourism attraction and was a very positive project for the District, however, to have Parties being consistently negative about it was very disheartening. She stated Elected Representatives had a role to play in bringing investment into the area for residents and visitors alike and welcomed the support and work completed by the Department and Council officials to attempt to make this a very successful project. She highlighted that projects were not pitted against each other and there was space for all projects to be delivered.

Councillor Kelly stated the Alliance Party would not be supporting the recommendations as they could not sign off on a project that could potentially cost up to £50m. She stated there was no guarantee of planning approval with regard to environmental impact assessments or a lease with the National Trust or any other land-owners. She stated the Report essentially asked Councillors to sign a blank cheque to approve any future increase in costs and she was unsure as to why other Councillors and Parties were content to do so given some of the same Councillors voted against the largest ever rates increase last month.

Councillor Sharvin stated that Council had always strived to secure external funding to promote and delivery projects for the betterment of the District. He stated the message that would be taken away from the meeting would be that Newry, Mourne and Down District Council had turned down funding of £30m from the Belfast Region City Deal which would be the wrong message to send out. He highlighted that the Mourne Gateway Project was much more than just the gondola and he recently had the opportunity to attend a Region City Deal session in Belfast where this project was one of the biggest beacons of the whole Deal being promoted. He stated other Councils, along with central government departments were envious of the project.

Councillor Sharvin addressed the statement that had been made about the National Trust stating they had signed a Memorandum of Understanding with the Council and if they were not fully on board, they would not have completed this. He stated the Project Board was the forum to raise concerns and he understood the National Trust would become a stakeholder on this Board to continue discussions.

Councillor Byrne stated there was a lot of misinformation consistently coming through the Programme Board, Committee and full Council Meetings, despite receiving answers to questions, the same misinformation was being put forward which was reckless. He stated there was too much negativity about the Council which came from people thinking they were not liable in order to get headlines. He made a plea, as he had done before, for the negativity to stop and for people to respect the officers and staff in the Council who were working very diligently to try to deliver high class tourism projects for the District.

Councillor Byrne outlined that the Report being discussed would allow Council to move to the full business case, which would then make a determination on the value for money on the Project. He stated the risk register, as per previous projects, would be updated as the Project continued and recognised there would be risks as this was a game changer project, which were the words used by Departments of Finance and Economy. He addressed the issue around Councillors voting against the rates increase stating he had made it very clear at the time why the decision had been taken. He highlighted the additional funding that had come through the complementary funding on the back of the City Park, therefore there was likely to be additional funding coming to Newcastle in terms of transport and access which would stem from this project.

Councillor McAteer stated it was probably the first time that South Down and South Armagh were not being forgotten about which years ago would not have been considered.

Councillor Truesdale highlighted there was a quarter of a million shortfall that would have to be paid for by ratepayers which was an increase from the original 18% to 40% of the cost. She stated she was aware of how project boards operated and as a member of the Project Board had been told to reconsider her position or that her scrutiny had been termed as too detailed.

Councillor Lewis stated the debate had gone on for long enough and he was sure the information being discussed had already been debated at the Project Board.

Councillor Rice advised he was concerned at the attempts to derail the project, particularly given the jobs that would be brought into the District. He asked whether there was an opportunity to secure external funding to offset the expense on ratepayers.

In response to the queries raised, Mrs Ward advised that Council officers were in place to deliver on behalf of the Council and did so at the direction of Council. She stated the officers of the Council had faced significant criticism and scrutiny in the media which, on a lot of occasions was inaccurate information. She stated officers would provide answers to questions when asked, whether at programme boards, Committee or Council meetings. She stated however the challenge lay when the same questions were being asked repeatedly and the answers that were given, although correct, were not being accepted. She highlighted there may be a capacity issue in terms of Councillors' knowledge as to the operation of Council project boards and training could be organised to address same.

With regard to the risk register, she advised risk registers were presented to the project boards and those that sit on the boards had the advantages of full sight of the risk register and also the various consultants and project managers who explain the elements of the

registers. She advised this was the governance process of Council and risk registers would not be tabled in full at Committee meetings. She highlighted the project risks were actually presented in the Report that there was a cost discrepancy between Council's professional consultants and that of the Department so was content that everyone should be clear on the risks set out.

Mrs Ward stated the delivery of this Project, like every project undertaken by Council was completed by going through the project systematically from conception to completion. She reinforced, as the Chief Financial Officer of the Council, that there would be absolutely no way any Councillor would be asked at this meeting, or any meeting, to sign a blank cheque. She stated this was wholly wrong, wholly inaccurate and something that should not be in the public domain.

She stated costs could change however the Project was not at that stage. Council was going through a process and would be looking at the appointment of an Integrated Consultancy Team (ICT) whose work would take Council to the next stage where Council could get to the point where they would conclude if it was the right or wrong thing to be doing either financially, or for the long-term investment in the District.

Mrs Ward highlighted that the Project had been considered of strategic importance for Northern Ireland and this was part of the move towards ensuring the District became the number one tourism destination in Ireland. She assured Councillors again that there was absolutely no one asking that a blank cheque be signed in respect of the project. She stressed that the National Trust had signed an MOU which outlined how both organisations would work together and have opportunities to make decisions as the project moved through various gateways.

In conclusion, Mrs Ward stated she would not ask anyone to sign up to anything that was not appropriate and would always present the detail to Members for their decision. In response to a query regarding the creation of jobs in the area, she stated the Project sets out that it would deliver improved educational skills and employability outcomes including training and opportunities for hard to reach, economically inactive groups including over 400 direct, indirect, operational and construction jobs in a rural area and an area of social and economic disadvantage. She stated anything that the Council would not damage the areas of outstanding natural beauty that exist as the jewels in the crown of the District. She referred to the Capital Projects report that had been released by the Northern Ireland Audit Office that stated the biggest challenge to capital delivery was delay as each time a project was delayed, the costs increased.

Councillor Taylor highlighted his frustration that at times when projects reached a certain level, people got nervous about taking them forward to the next level because something may go wrong. He proposed to accept the officer's recommendation but asked that another recommendation be added that Council also look at the opportunity of sourcing external funding. This was seconded by Councillor Lewis.

The Chairperson thanked all Members for their contribution and as there was dissent within the Chamber asked for a vote on the proposal by Councillor Enright not to accept the recommendations within the Report until a full analysis of an updated risk register for the project was presented. Councillor Enright asked that the vote be recorded, copy of which is appended to these minutes. The vote was taken and the results were as follows:

FOR:	2
AGAINST:	10
ABSTENTIONS:	0

The proposal was LOST.

The Chairperson then put Councillor Taylor's proposal to accept the officer's recommendations with the additional recommendation that Council also look at the opportunity of sourcing external funding. Councillor Enright asked that the vote be recorded, copy of which is appended to these minutes. The vote was taken and the results were as follows:

FOR: 10
AGAINST: 2
ABSTENTIONS: 0

The proposal was CARRIED.

Agreed: **On the proposal of Councillor Hanlon, seconded by Councillor Sharvin, the following was agreed:**

- **To note the project updates and next steps as outlined in the letter from DfE in Appendix 2**
- **That Council acknowledge that any costs over and above the £30m BRCD contribution for the MMGP are to be met by the Council.**
- **Approve the draft CFF and FA as per Appendix 3 and 4.**
- **Council also look at the opportunity of sourcing external funding.**

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

AGREED: **On the proposal of Councillor Lewis, seconded by Councillor Quinn, it was agreed to exclude the public and press from the meeting during discussion on the following matters 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 Hanlon, it was agreed the Committee come out of closed session.**

The Chairperson advised the following had been agreed whilst in closed session:

RESTRICTED - FOR DECISION

SPR/044/2024: BAD DEBT

Read: Report dated 14 March 2024 from Mr G Byrne, Assistant Director of Finance & Performance, regarding Bad Debt write off at March 2024. **(Copy circulated)**

Agreed: **It was agreed on the proposal of Councillor Lewis, seconded by Councillor Sharvin, to approve the bad debt write off at March 2024 as outlined in the Officer's Report.**

SPR/045/2024: **16 THE SQUARE, ROSTREVOR**

Read: Report dated 14 March 2024 from Mr A Patterson, Director of Active & Healthy Communities, regarding Electricity Bills at 16 The Square, Rostrevor. **(Copy circulated)**

Agreed: **On the proposal of Councillor McAteer, seconded by Councillor Hanlon, it was agreed to approve the recommendations as outlined in the Officer's Report.**

SPR/046/2024: **PROPOSED RENEWAL OF LICENSE FOR ADVERTISEMENT HOARDINGS AT NEWRY TENNIS AND BOWLING FACILITY**

Read: Report dated 14 March 2024 from Mr P Rooney, Head of Legal Administration, regarding the proposed renewal of license for advertisement hoardings at Newry Tennis and Bowling Facility. **(Copy circulated)**

Agreed: **It was agreed on the proposal of Councillor Taylor, seconded by Councillor Quinn, to grant a License to the party noted in the Officer's Report permitting them to operate the advertisement hoardings at Newry Tennis and Bowling Facility for a term of 3 years, subject to a yearly license fee to be determined by Council's valuer.**

SPR/047/2024: **PROPOSED LEASE OF LANDS ADJACENT TO ST NICHOLAS PRIMARY SCHOOL ARDGLASS FOR A BUS SHELTER**

Read: Report dated 14 March 2024 from Mr P Rooney, Head of Legal Administration, regarding the proposed lease of lands adjacent to St Nicholas Primary School, Ardglass, for a bus shelter. **(Copy circulated)**

Agreed: **It was agreed on the proposal of Councillor Sharvin, seconded by Councillor Hanlon, to enter into a lease with the party noted in the Officer's Report in respect of the lands outlined in red on the map attached to the Officer's Report for a term of 25 years subject to a one-off premium as outlined within the Officer's Report.**

SPR/048/2024:**PROPOSED LEASE AT CASTLEWELLAN FOREST PARK****Read:**

Report dated 14 March 2024 from Mr P Rooney, Head of Legal Administration, regarding Lease of the Monument Building and a building in The Grange Yard, Castlewellan Forest Park. **(Copy circulated).**

Agreed:

On the proposal of Councillor Hanlon, seconded by Councillor Lewis, the following was agreed:

- **That the commencement date of Phase 4 of the 2021 Lease is brought forward from 2029 until 2024, as per the content of the officer's report.**
- **That Council grant the existing tenant identified within the officer's report, a lease until 31st December 2045 of the areas outlined in red on the map attached to the officer's report, subject to the yearly rent determined by Council's Valuer as set out at paragraph 1.6 of the Officer's Report.**

SPR/049/2024:**MOURNE MOUNTAINS GATEWAY PROJECT – APPOINTMENT OF ICT****Read:**

Report dated 14 March 2024 from Mr C Mallon, Director of Economy, Regeneration and Tourism, regarding Mourne Mountains Gateway Project – Appointment of ICT. **(Copy circulated)**

A show of hands vote was requested on the proposal to accept the recommendations as contained within the Officer's Report, and the voting was as follows:

FOR	10
AGAINST	2
ABSTENTIONS	0

The proposal was declared CARRIED.

Agreed:

On the proposal of Councillor Byrne, seconded by Councillor Hanlon, it was agreed to approve the appointment of the preferred bidder for the ICT at the tendered sum as outlined in section 4.1 of the Officer's Report, subject to updated approval from Department of Finance.

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

SPR/050/2024: MANAGEMENT ACCOUNTS PERIOD 9

Read: Report dated 14 March 2024 from Mr G Byrne, Assistant Director of Finance & Performance, regarding Quarter 3 Management Accounts Update. **(Copy circulated).**

Agreed: **On the proposal of Councillor Byrne, seconded by Councillor McAteer, it was agreed to note the quarter three 2023-24 Management Accounts.**

SPR/051/2024: TREASURY MANAGEMENT UPDATE

Read: Report dated 14 March 2024 from Mr G Byrne, Assistant Director of Finance & Performance, regarding Prudential Indicators and Treasury management Update for Quarter 3. **(Copy circulated).**

Agreed: **On the proposal of Councillor Byrne, seconded by Councillor McAteer, it was agreed to note the quarter three Treasury Management Update.**

FOR NOTING

SPR/052/2024: MINUTES OF WOMEN'S WORKING GROUP MEETING HELD 01.02.2024

Read: Minutes of Women's Working Group Meeting held 01.02.2024 **(Copy circulated).**

Councillor Quinn proposed the minutes and noted her excitement in working and engaging with various groups to further progress the work of the Council relating to the Women's Working Group. She congratulated Councillor Harte on her successful International Women's Day event, noting especially the contribution of the panel of speakers.

Councillor Kelly queried how the decision regarding the keynote speaker was made for the International Women's Day event, and asked for a report be brought back to the Women's Working Group for Members to review the decision-making process to ensure the issue did not arise again.

Councillor Sharvin requested an apology and a retraction from Councillor Kelly following a public statement on social media, where he noted she accused him as Chairperson of 'shutting down any discussion in relation to International Women's Day at full Council meeting of 4 March 2024'. He noted that Members should recognise that under Standing Orders it was at the discretion of the Chairperson how a meeting was operated. He further noted that it was common practice for a Member who wished to note an item for Chairperson's remarks approached the Chair in advance of the meeting to discuss this. He advised that he had spoken

with Councillor Kelly and other members of the Alliance Party prior to the meeting with respect to another item of business, and no request regarding Chairperson's remarks was forthcoming.

Councillor Quinn noted the issues regarding International Women's Day, but also stated that the feedback she received all reported that the speakers at the event were fantastic, as was the event itself. She further advised the Women's Working Group would continue to promote events such as this and stated that in 2024 men should not be excluded from conversations promoting women.

Agreed: **On the proposal of Councillor Quinn, seconded by Councillor Kelly, it was agreed to note the minutes.**

There being no further business, the Meeting concluded at 8.19pm.

For adoption at the Council Meeting to be held on Monday 8 April 2024.

Signed: **Councillor Siobhan O'Hare**
Chairperson

Signed: **Josephine Kelly**
Director of Corporate Services

NEWRY, MOURNE & DOWN DISTRICT COUNCIL
RECORDED VOTE

DATE: 14/03/24 VENUE: Downshire Civic Centre MEETING: SPR Committee

SUBJECT OF VOTE: Item 8 – Proposal from Councillor Enright not to accept officer's recommendation, seconded by Councillor Kelly

COUNCILLOR	FOR	AGAINST	ABSTAIN	ABSENT
P Byrne		1		
C Enright	1			
O Hanlon		2		
R Howell				1
T Kelly	2			
A Lewis		3		
D McAteer		4		
L McEvoy				2
A Mathers		5		
S O'Hare		6		
A Quinn		7		
H Reilly				3
M Rice		8		
G Sharvin		9		
D Taylor		10		
TOTALS	2	10	0	3

NEWRY, MOURNE & DOWN DISTRICT COUNCIL
RECORDED VOTE

DATE: 14/03/24 VENUE: Downshire Civic Centre MEETING: SPR Committee

SUBJECT OF VOTE: Item 8 – Proposal from Councillor Taylor to accept officer's recommendation along with additional recommendation that Council look at opportunities for sources of external funding, seconded by Councillor Lewis

COUNCILLOR	FOR	AGAINST	ABSTAIN	ABSENT
P Byrne	1			
C Enright		1		
O Hanlon	2			
R Howell				1
T Kelly		2		
A Lewis				
D McAteer	4			
L McEvoy				2
A Mathers	5			
S O'Hare	6			
A Quinn	7			
H Reilly				3
M Rice	8			
G Sharvin	9			
D Taylor	10			
TOTALS	10	2	0	3

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

Ref: AHC/2024

Minutes of Active and Healthy Communities Committee Meeting held on Tuesday 19 March 2024 at 6.00pm in the Mourne Room, Downshire Civic Centre and via Microsoft Teams

Chairperson: Councillor O Magennis (Chamber)**In attendance in Chamber:** Councillor L Devlin Councillor D Finn
Councillor A Finnegan Councillor C Galbraith
Councillor A Lewis Councillor A Mathers
Councillor A McMurray Councillor D Murphy
Councillor K Murphy Councillor S O'Hare**Officials in Chamber:** Mr A Patterson, Director, Active and Healthy Communities,
Mr P Tamati, Assistant Director, Leisure and Sport
Mrs D Starkey, Democratic Services Officer**Official on Teams:** Ms S Taggart, Democratic Services Manager (Acting)**AHC/022/2024: APOLOGIES & CHAIRPERSON'S REMARKS**

In the absence of the Committee Chairperson Councillor Howell, Deputy Chairperson Councillor Magennis assumed the Chair.

Apologies were received from Councillors Howell, Jackson and Lee-Surginor and Mrs A Robb, Assistant Director, Community Development.

The Chairperson congratulated all the winners from the Newry, Mourne and Down Sports Awards event held on 8 March 2024.

AHC/023/2024: DECLARATIONS OF INTEREST

There were no declarations of interest.

AHC/024/2024: ACTION SHEET ARISING FROM ACTIVE & HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 19 FEBRUARY 2024

Read: Action sheet of the Active & Healthy Communities Committee Meeting held on Monday 19 February 2024. **(Copy circulated)**.

AHC/020/2024: Living High Street, Newcastle

Councillor Devlin expressed concern at negative comments on social media regarding this issue and asked Mr Tamati to reconfirm the detail provided at previous Committee Meetings. Councillor Devlin also took the opportunity to thank officers for securing the funding and

reiterated that this was an additionality and was not withstanding the need for a replacement Leisure Centre for Newcastle.

Mr Tamati advised it had been great to secure £200,000 funding from the Living High Street Scheme which had been done in partnership with Newcastle Chamber of Commerce and would allow temporary use of space bringing significant benefit to the town particularly with big events such as the Irish Golf Open.

Mr Tamati added the Newcastle Leisure Centre project was a key action on the Council's Corporate Plan and would continue to progress towards that. He advised that officers planned to bring an updated Outline Business Case back to elected members. He assured Members that the Leisure Centre was a priority project for Council and use of the space was temporary.

Agreed: **It was agreed on the proposal of Councillor O'Hare, seconded by Councillor Devlin, to note the Action Sheet of the Active and Healthy Communities Committee Meeting held on Monday 19 February 2024.**

AHC/025/2023: **REVISED REPORT ON PLAYING FIELDS AT CARRIGENAGH ROAD, KILKEEL**

Read: Report dated 19 March 2024 from Mr P Tamati, Assistant Director, Leisure and Sport regarding Playing Fields at Carrigenagh Road, Kilkeel. **(Copy circulated)**

Mr Tamati reminded Members a previous report regarding these playing fields had been tabled at the Committee Meeting in February 2024 with members requiring clarification regarding the request. Officers had since re-engaged with the respective clubs and a revised map as per appendix 1 of the officer's report was proposed as part of the expression of interest process.

Agreed: **It was agreed on the proposal of Councillor Lewis, seconded by Councillor Devlin, to commence and progress through the various stages Council's Sport and Leasing Policy 2016 in relation to Playing Fields at Carrigenagh Road, Kilkeel.**

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

Agreed: **On the proposal of Councillor Finn, seconded by Councillor O'Hare, it was agreed to exclude the public and press from the meeting during discussion on items 11 to 14, which related to exempt information by virtue of para. Three of Part 1 of Schedule 6 of the Local /Government (Northern Ireland) 2014 – Information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.**

Agreed: On the proposal of Councillor O'Hare, seconded by Councillor Finnegan, it was agreed the Committee come out of closed session.

The Chairperson advised the following had been agreed whilst in closed session:

AHC/026/2024: **WARRENPOINT HEALTH AND WELLBEING HUB – EXPRESSIONS OF INTEREST**

Read: Report dated 19 March 2024 from Mrs A Robb, Assistant Director, Community Development presented by Mr A Patterson regarding expressions of interest in respect of the Warrenpoint Health and Wellbeing Hub.

Agreed: It was agreed on the proposal of Councillor K Murphy, seconded by Councillor McMurray, to approve the following:

- To open a call for expressions of interest for the area identified in Appendix 1 of the report in line with Council's Policy and Procedures on Sports and Community Facility Management and Leasing.
- To obtain a valuation for the site for the purposes of a long-term lease.

AHC/027/2024: **EXPRESSIONS OF INTEREST LAND LEASING REPORT - BESSBROOK FOOTBALL FIELD, ORIEL PARK**

Read: Report dated 19 March 2024 from Mr P Tamati, Assistant Director, Leisure and Sport regarding an update on expressions of interest received for the leasing of land and facilities as per the Sport and Community Leasing Policy 2016 in respect of Bessbrook Football Field, Oriel Park.

Agreed: It was agreed on the proposal of Councillor D Murphy, seconded by Councillor Finnegan, to note the contents of the officer's report and that Expressions of Interest for land and facilities will progress to stage 3 of the Sport and Leasing Policy 2016 in relation to Bessbrook Football Field, Oriel Park.

AHC/028/2024: **NEWRY SWIMMING POOL**

Read: Report dated 19 March 2024 from Mr A Patterson, Director of Active and Healthy Communities, regarding Newry Swimming Pool.

Agreed: It was agreed on the proposal of Councillor D Murphy, seconded by Councillor Galbraith to approve the recommendation outlined within the officer's report to progress remedial works at the Newry Leisure Centre pool.

FOR NOTING**AHC/029/2024: DISTRICT ELECTORAL AREA (DEA) FORUMS UPDATE**

Read: Report dated 19 March 2024 from Mrs A Robb, Assistant Director, Community Development regarding an update on the District Electoral Area Forums. **(Copy circulated)**

Agreed: **It was agreed on the proposal of Councillor Lewis, seconded by Councillor Galbraith, to note the officer's report and the update on recent DEA activity and planned activity to be undertaken by the DEAs. It was also agreed to approve the actions in the Action Sheets attached for Slieve Croob DEA Forum Private Meeting held on Tuesday 27 February 2024.**

AHC/030/2024: AREA INTEGRATED PARTNERSHIP BOARD

Read: Report dated 19 March 2024 from Mrs A Robb, Assistant Director, Community Development regarding Area Integrated Partnership Board **(Copy circulated)**

Agreed: **It was agreed on the proposal of Councillor Lewis, seconded by Councillor Galbraith, to note the report on Area Integrated Partnership Board.**

There being no further business the meeting ended at 6.34pm.

For adoption at the Council Meeting to be held on Monday 8 April 2024.

Signed: Councillor Magennis
Chairperson

Signed: Andrew Patterson
Director Active and Healthy Communities

NEWRY, MOURNE AND DOWN DISTRICT COUNCIL

Ref: SE/2024

**Minutes of Sustainability & Environment Committee Meeting held on
Wednesday 20 March 2024 at 6.00pm in Council Chamber,
Monaghan Row, Newry**

Chair:	Councillor W Clarke	
In Attendance in Chamber:	Councillor C Enright Councillor D Finn Councillor G Kearns Councillor O Magennis Councillor H Reilly	Councillor K Feehan Councillor J Jackson Councillor M Larkin Councillor K Murphy Councillor D Taylor
Officials in Attendance:	Mr A Cassells, Outgoing Director Sustainability and Environment Ms S Murphy, Incoming Director Sustainability and Environment Mr C Sage, Assistant Director Sustainability Ms F Branagh, Democratic Services Officer	
Officials in attendance via teams:	Ms S Taggart, Democratic Services Manager (Acting)	

SE/033/2024: APOLOGIES AND CHAIRPERSON'S REMARKS

In the absence of the Chairperson, Deputy Chairperson Councillor Clarke assumed the Chair.

Apologies were received from Councillors Andrews, Brennan, McEvoy and Truesdale

Councillor Clarke noted that this was Mr Cassells final meeting as Director of Sustainability and Environment and wished him well for the future, stating that he had been a pleasure to work with, commending his work ethic and advised that he was always keen to try and find a solution to any problems.

Councillor Enright echoed the sentiments expressed and further commended Mr Cassells on his work in relation to the green economy.

Councillors Finn, Jackson, Magennis, Reilly and Taylor expressed their best wishes to Mr Cassells in his future endeavours and thanked him for his patience and working with them on the Committee. Members also extended their best wishes to Mrs Murphy in her new role as Director.

Mr Cassells thanked the Members for their kind words and wished them well in their future endeavours, both individually and within their Parties.

SE/034/2024: DECLARATIONS OF "CONFLICTS OF INTEREST"

There were no declarations of interest.

SE/035/2024: ACTION SHEET: SUSTAINABILITY AND ENVIRONMENT COMMITTEE MEETING HELD ON 21 FEBRUARY 2024

Read: Action Sheet of the Sustainability and Environment Committee Meeting held on 21 February 2024. **(Copy circulated)**

Councillor Jackson asked for an update on item SE/128/2023 specifically relating to CCTV within the Ballynahinch area. Mr Cassells advised he would respond to the Member directly following the meeting.

AGREED: On the proposal of Councillor Magennis, seconded by Councillor Finn, it was agreed to note the Action Sheet of the Sustainability and Environment Committee Meeting held on 21 February 2024.

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

Agreed: On the proposal of Councillor Enright, seconded by Councillor Kearns, it was agreed to exclude the public and press from the meeting during discussion on items 4 to 9, which related to exempt information by virtue of para. 3 of Part 1 of Schedule 6 of the Local /Government (Northern Ireland) 2014 – Information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

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

The Chairperson advised the following had been agreed whilst in closed session:

RESTRICTED – FOR DECISION

SE/036/2024: FORMER LANDFILL SITE REVIEW – AUGHNAGUN AND DRUMANAKELLY

Read: Report dated 20 March 2024 from Mr A Cassells, Director of Sustainability and Environment, regarding Former Landfill Site Reviews: Aughnagun and Drumanakelly. **(Copy circulated)**

AGREED: On the proposal of Councillor Reilly, seconded by Councillor Clarke, it was agreed that officers develop a Business Case for the installation of Solar (Photovoltaic) Panels at the former landfill site Aughnagun for further consideration.

It was also agreed that Council further explore the benefits of installing reed beds at both sites in order to make the sites self-sustaining in terms of the management of the leachate generated on site.

SE/037/2024: BUSINESS CASE FOR MINI-TRACTOR AT CASTLEWELLAN FOREST PARK

Read: Report dated 20 March 2024 from Mr C Sage, Assistant Director: Sustainability, regarding the purchase of a mini tractor for Castlewellan Forest Park. **(Copy circulated)**

Following a query from Councillor Enright, Mr Cassells confirmed that if an electric version of proposed new machinery was not available or a viable option, this would be noted within the respective reports.

AGREED: **On the proposal of Councillor K Murphy, seconded by Councillor Enright, it was agreed to note the contents of the report and associated business case, and to accept the conclusion of the business case to proceed with the procurement of effective replacement machinery.**

SE/038/2024: WASTE PROCESSING SINGLE TENDER ACTIONS

Read: Report dated 20 March 2024 from Sinead Murphy, Director Sustainability & Environment, regarding Single Tender Actions. **(copy circulated)**

AGREED: **It was agreed on the proposal of Councillor Magennis, seconded by Councillor Kearns, to approve the STAs as outlined in Section 2.1 of the Officer's Report.**

FOR NOTING ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE LOCAL GOVERNMENT ACT (NI) 2014**SE/039/2024: NEWCASTLE HARBOUR – ALLOCATION OF MOORING LICENSES**

Read: Report dated 20 March 2024 from Mr C Sage, Assistant Director: Sustainability, regarding the Allocation of Moorings at Newcastle Harbour. **(Copy circulated)**

Councillor Taylor left the meeting – 6.57pm

AGREED: **It was agreed on the proposal of Councillor Larkin, seconded by Councillor Enright, to note the allocation of mooring licenses at Newcastle Harbour for a 3 year period from March 2024.**

SE/040/2024: ELECTRIC FORKLIFTS

Read: Report dated 20 March 2024 from Mr C Sage, Assistant Director: Sustainability, regarding the business case for the purchase of a forklift truck. **(Copy circulated)**

Councillor Feehan left the meeting – 7.02pm

AGREED: **It was agreed on the proposal of Councillor Enright, seconded by Councillor Reilly, to note that in line with the**

Council's Climate Change Emergency Declaration and environmental objectives, Council officers will progress with the procurement of a battery powered forklift truck.

SE/041/2024: ARC21 JOINT COMMITTEE MEMBERS' MONTHLY BULLETIN OF 29 FEBRUARY 2024 AND IN COMMITTEE MINUTES OF THURSDAY 25 JANUARY 2024

Read: ARC21 – Joint Committee Members' Monthly bulletin of meeting held 29 February 2024, and "in committee" minutes of meeting held 25 January 2024. **(Copy circulated)**

AGREED: **It was agreed the proposal of Councillor Kearns, seconded by Councillor Magennis, to note the arc21 Joint Committee Members' Monthly bulletin of meeting held 29 February 2024, and "in committee" minutes of meeting held 25 January 2024.**

FOR NOTING

SE/042/2024: ARC21 JOINT COMMITTEE MEETING MINUTES OF THURSDAY 25 JANUARY 2024

Read: ARC21 Joint Committee Meeting In Committee Minutes of Thursday 25 January 2024. **(Copy circulated)**

AGREED: **It was agreed the proposal of Councillor Magennis, seconded by Councillor Kearns, to note the minutes of the arc21 Joint Committee meeting of Thursday 25 January 2024.**

Councillor Reilly raised an issue regarding the dumping of illegal matter within the Kilkeel area. The Chairperson advised Councillor Reilly to send the details through to officers for them to deal with same.

There being no further business the meeting ended at 07.08pm.

For adoption at the Council Meeting to be held on Monday 8 April 2024.

Signed: **Councillor Willie Clarke**
Chairperson

Signed: **Mr Andrew Cassells**
Director of Sustainability & Environment

Report to:	Council
Date of Meeting:	8 April 2024
Subject:	Correspondence to Council
Reporting Officer (Including Job Title):	Mrs M Ward, Chief Executive
Contact Officer (Including Job Title):	Ms S Taggart, Democratic Services Manager (Acting)

Confirm how this Report should be treated by placing an x in either:-

For decision	For noting only	x
1.0	Purpose and Background	
1.1	To provide an update on correspondence received for attention of Council.	
2.0	Key issues	
2.1	This paper refers to correspondence to be brought to the attention of Council. Items are referred to in 3.0 below.	
3.0	Recommendations	
	That Council considers and notes the following correspondence:	
3.1	Correspondence from Robin Swann, MLA. Council received a response from Robin Swann in relation to C/040/2024 Notice of Motion, Daisy Hill Hospital. Refer to Appendix 1.	
3.2	Correspondence from Education Authority. Council received a response from Education Authority in relation to C/195/2023 and C/013/2024 re NOM Transport & Availability of places for children with additional needs. Refer to Appendix 2.	
3.3	Correspondence from Department for Communities Council received a response from Gordon Lyons in relation to C/057/2024, hybrid meetings. Refer to Appendix 3.	
3.4	Correspondence from Tánaiste Council received a response from Office of the Tánaiste re C/061/2024 Notice of Motion – Rail Service from Belfast to Dublin. Refer to Appendix 4.	
3.5	Correspondence from Department for Infrastructure Council received a response from John O’Dowd in relation to C/029/2024 Notice of Motion – Flood Defences. Refer to Appendix 5.	

4.0	Resource implications
4.1	Not applicable.
5.0	Due regard to equality of opportunity and regard to good relations (complete the relevant sections)
5.1	<p><i>General proposal with no clearly defined impact upon, or connection to, specific equality and good relations outcomes</i></p> <p>It is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations <input checked="" type="checkbox"/></p>
5.2	<p><i>Proposal relates to the introduction of a strategy, policy initiative or practice and / or sensitive or contentious decision</i></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>The policy (strategy, policy initiative or practice and / or decision) has been equality screened <input type="checkbox"/></p> <p>The policy (strategy, policy initiative or practice and / or decision) will be subject to equality screening prior to implementation <input type="checkbox"/></p>
5.3	<p><i>Proposal initiating consultation</i></p> <p>Consultation will seek the views of those directly affected by the proposal, address barriers for particular Section 75 equality categories to participate and allow adequate time for groups to consult amongst themselves <input type="checkbox"/></p> <p>Consultation period will be 12 weeks <input type="checkbox"/></p> <p>Consultation period will be less than 12 weeks (rationale to be provided) <input type="checkbox"/></p> <p><i>Rationale:</i></p>
6.0	Due regard to Rural Needs (please tick all that apply)
6.1	<p>Proposal relates to developing, adopting, implementing or revising a policy / strategy / plan / designing and/or delivering a public service</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>Rural Needs Impact Assessment completed <input type="checkbox"/></p>

	<p>If no, please complete the following:</p> <p>The policy / strategy / plan / public service is not influenced by rural needs <input type="checkbox"/></p>
7.0	Appendices
	<p>Appendix 1: Correspondence re C/040/2024 Appendix 2: Correspondence re C/195/2023 Appendix 3: Correspondence re C/057/2024 Appendix 4: Correspondence re C/061/2024 Appendix 5: Correspondence re C/029/2024</p>
8.0	Background Documents
	None

FROM THE MINISTER OF HEALTH



Ms Marie Ward
Chief Executive
Newry, Mourne and Down Council

Castle Buildings
Stormont Estate
BELFAST, BT4 3SQ
Tel: 028 9052 2556
Email: private.office@health-ni.gov.uk

Your Ref:

Our Ref: INV-1117-2024
Date: 27th March 2024

Dear *Marie,*

Thank you for notice of the above motion of 13/02/24 to request a meeting of a delegation with me to discuss the closure of the Emergency General Surgery service at Daisy Hill Hospital.

I understand that you have been in regular contact with Peter May in my absence regarding the progress of the public consultation and the decision-making process that drew us to this conclusion.

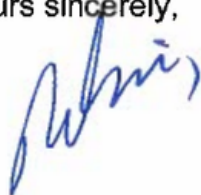
You will recall a decision was made by the Southern Health and Care Trust that was then approved by the Permanent Secretary, in line with *Change & Withdrawal of Services Guidance (2023)* utilising powers set out in the Executive Formation Act. This allows for approval of such a decision in the absence of ministerial direction and therefore the lack of a health minister is not grounds in itself for review of the decision.

Whilst I fully understand many of the concerns that have been raised, ultimately patient safety will always have primacy in the decisions that the Department of Health has to make. The case for change has proved that the reconfigured service at Craigavon Area Hospital is safe and provides a quality and sustainable service for all the people living in the Newry & Mourne area. I believe that evidence of the safe and improved service was demonstrated during the consultation period. I can also assure you that the Department of Health continues to very closely monitor the ongoing operation of the service.

I believe it may be helpful if a delegation were to meet with some of the senior officials from the Department of Health who had been directly involved in the service review to discuss the situation with you. Those officials would be Mr. Paul Cavanagh, Director of Hospital Care and Mr. Tomas Adell, Director of Elective Care.

I would ask you to contact Ms Sophie Lusby at Sophie.lusby@hscni.net to make these arrangements at your convenience.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Robin Swann', is positioned above the printed name.

ROBIN SWANN MLA
Minister of Health



Our Ref: CEO 671-10-23

By email to: Donna.Starkey@nmandd.org

22 March 2024

Dear Ms Ward

RE: Notice of Motion – Education Authority, Transport and Availability of Places for Children with additional needs.

Thank you for your letter to Sara Long, Chief Executive on whose behalf I am responding to which was received on 16 January 2024 regarding the Notice of Motion - Education Authority, Transport and Availability of Places for Children with additional needs. Please accept our apologies for the delay in replying.

It is useful to consider the entire process regarding the availability of places for children with additional needs and the transport need relating to that.

The EA has a statutory obligation to adhere to the prescribed legislative time limits in relation to the completion of statutory assessments which is currently 26 weeks. On occasion there may be exceptions to this timeframe, for example where medical advice is delayed, and therefore the EA is unable to complete the assessment within the relevant timeframe, whilst we await this advice. However, every effort is made to ensure the process is completed as timely as possible.

Children with Statements of Special Educational Needs do not follow the same admissions process as children who do not hold Statements. In this regard, children with Statements do not 'apply' for a place in a post primary school, rather the pupil is subject to the Annual Review process with all documentation forwarded to the Statutory Assessment & Review Service (SARS) for consideration and action accordingly. As part of the Annual Review process, schools consult with the Educational Psychology Service where the school considers this is required and the outcome of this consultation will determine the most appropriate provision to meet a pupil's needs.

While a parent can express a preference at an early stage in the Annual Review process, it should be noted that this is not a necessity as many parents are still considering their options and therefore this cannot be considered a definitive preference nor a confirmed placement. The Statutory Assessment and Review Service (SARS) must consider all information submitted with the Annual Review, issue an Amendment Notice to the parent for their consideration and ask for confirmation of nominated school. At this stage only can the EA SARS team consult with the relevant school if this is appropriate to their age, ability, aptitude, or special educational needs.

Although pupils with Statements of SEN do not follow the same process as outlined earlier, in the interest of fairness and equality, SARS endeavour to ensure pupils and parents/guardians are notified of their placement as soon as it is confirmed and generally in line with the date their peers who have applied via the Admissions process are notified. It should be recognised however that given the complexity of the Annual Review

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Education Authority

3 Charlemont Place, The Mall, Armagh BT61 9AX

T: 028 37512535 | email: dale.hanna@eani.org.uk Web: <https://www.eani.org.uk>

process and the ongoing capacity pressures regionally that it is not always possible to adhere to this timeframe for all children/young people with statements.

With reference to “backlog of those requiring statements of education or amended statement” The SARS teamwork within a 26-week statutory timeframe in relation to the Statutory Assessment Process. Currently compliance with this 26-week timeframe is at 94% with just over 120 cases remaining open beyond 26 weeks across the region. 10 of those cases are within the Armagh Office which services Newry, Mourne and Down.

Regarding the “provisions in place for September 2024 ensuring that placements will be within a reasonable distance”. EA can advise that there has been an increased demand on SEN provision and the complexity of need, has resulted in increasing capacity pressures across a number of Special Schools and Specialist Provisions in Mainstream Schools. This is being addressed by providing additional accommodation across a number of special schools and where applicable providing funding to allow small groups of pupils with a statement of special educational needs to be placed in classes within our mainstream schools.

Each child’s placement is managed on a case-by-case basis, ensuring that each child receives a suitable placement that will appropriately support and cater to their individual needs. Whilst every effort is made to provide children with an appropriate placement within their local community, in some circumstances children will be required to travel to a school better placed to meet their individual needs in line with their SEN statement.

EA will continue to engage directly with all families involved to discuss all the options available and identify an appropriate placement for each child.

In the same way that a transport application for a pupil attending mainstream provision cannot be assessed until their school placement has been confirmed, the process to secure a child’s transport provision cannot commence until their SEN placement has been agreed and confirmed and the transport requirement is identified.

Parents of Pupils with Statements of SEN who are attending their nearest School to meet their needs and have had a special transport need identified during the statutory assessment process, do not have to make an application for transport assistance. The relevant information is relayed to the Transport team by SARS once the child’s placement has been confirmed.

The following steps are used to provide transport assistance for pupils who have had a special transport need identified during the statutory assessment process.

- Step 1: Identification of need – The EA’s SARS team will identify whether a child has a special transport need during the statutory assessment process and if they are attending their nearest suitable school.
- Step 2: Transport Assistance-Information – The EA’s SARS team will forward information to the EA’s Transport Service requesting consideration of transport and outlining any key information that would impact upon a pupil’s transport requirements.
- Step 3: Parent/Guardian communication - Parents will receive an email confirmation and will then be contacted by the EA Transport Service to discuss their child’s needs and transport requirements.
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- Step 4: Confirmation of transport arrangements - The Transport Service will put in place appropriate transport arrangements and notify parents. This is done as quickly as possible, but it can take up to 20 working days; particularly if the route must be publicly procured (i.e. advertised as a new contract) or the requirements of the transport route or pupils' needs are particularly complex.

Occasionally a child's need for transport might not be identified at the early stages of review and only becomes more definite as further details are made available either from medical staff or parents.

The EA will always aim to have transport in place for the start of a pupil's school year, but it may not be possible depending on when information is received or for particularly complex cases. If this does happen, EA may provide transport assistance in the form of a parental payment in the interim period.

The assessment for appropriate provision can vary throughout the process and due to the bespoke nature of solutions, this may result in a requirement for specialist training to be completed and in certain cases we may require additional support to provide appropriate training from Health and Social Care Trusts and other outside bodies. On occasion there may also be a requirement to employ a new member of staff, to assist some children, such as a Bus Escort, in which case the relevant recruitment procedures and Access NI checks must be followed, to ensure that children's safety is maintained.

The EA transport service provides transport assistance to a large number of pupils in the Newry, Mourne and Down area and make every effort to ensure that transport arrangements are safe, appropriate, and put in place as quickly as possible. Where there may be operational pressures or cases where pupils have complex needs that require additional consideration and support, final transport arrangements may take longer to arrange than parents may expect. Transport staff are expected to keep parents/guardians updated in such cases and alternative transport assistance may be awarded as an interim measure. There may also be occasions where it is not deemed possible or appropriate to provide transport via bus or taxi, in which case the EA can provide transport assistance in the form of a parental payment.

I trust that this information further explains the process and how each step must be taken in a sequential manner to ensure that the outcome for children accessing education is best suited to their individual needs.



Tracy Kennedy | Assistant Director of Transport



Education Authority

Antrim Board Centre, 17 Lough Road, Antrim, BT41 4DH

Tel: 028 9598 5959 Mob: 07761045494

✉: tracy.kennedy@eani.org.uk | Web: www.eani.org.uk

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Department for
Communities
www.communities-ni.gov.uk

An Roinn
Pobal

Department fur
Commonities

78

From: The Minister

**Level 9
Causeway Exchange
1-7 Bedford Street
Belfast
BT2 7EG**

Telephone: (028) 90512692
e-mail: private.office@communities-ni.gov.uk
Our ref: CORR 1125 2024
Date: 26 March 2024

Marie Ward
Chief Executive
Newry Mourne & Down District Council

Via email: Donna.Starkey@nmandd.org

Dear Marie,

COUNCIL REMOTE/HYBRID MEETINGS

Thank you for your letter of 13 March 2024.

I acknowledge and understand the concerns raised regarding the potential impact of the temporary removal of provisions to allow councils to hold meetings by remote or hybrid means, however, I do not consider the Coronavirus Act 2020 to be the right mechanism to provide councils with powers to hold remote or hybrid meetings.

As I outlined in my previous correspondence, I am committed to giving councils the flexibility to hold remote/hybrid meetings and intend to bring forward regulations, within as short a timeframe as possible, using enabling powers in the Local Government (Meetings and Performance) Act (NI) 2021.

My officials have been in contact with all council Chief Executives regarding the preparation of the regulations and will continue to engage and update councils regularly on this matter.

Yours sincerely,



Gordon Lyons MLA
Minister for Communities

Oifig an Tánaiste
Office of the Tánaiste

19 March 2024.



Ms. Marie Ward,
Chief Executive,
Newry, Mourne and Down District Council,
Newry Office,
O'Hagan House,
Monaghan Row,
Newry BT35 8DJ.

Dear Ms. Ward,

I wish to acknowledge receipt of your correspondence to the Tánaiste and Minister for Foreign Affairs and Minister for Defence, Mr. Micheál Martin, T.D., concerning a motion agreed at a meeting of Newry, Mourne and Down District Council regarding the rail service between Belfast and Dublin including scheduled stops in Newry. Your correspondence will be brought to the Tánaiste's attention.

Yours sincerely,

A handwritten signature in blue ink that reads "Carol O'Dwyer". The signature is written in a cursive, flowing style.

Carol O'Dwyer
Office of the Tánaiste

Tithe an Rialtais, Sráid Mhuirfean Uachtarach, Baile Átha Cliath 2, D02 R583
Government Buildings, Merrion Street Upper, Dublin 2, D02 R583
T +353 1 619 4000 | E: tanaiste@tanaiste.gov.ie
www.gov.ie

From the office of the Minister for Infrastructure
JOHN O'DOWD MLA

Ms Marie Ward
Chief Executive
Newry, Mourne and Down District Council

Donna.Starkey@nmandd.org

Room 708
Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB
Telephone: (028) 9054 0540
Email: Private.office@infrastructure-ni.gov.uk

Your reference: SE/004/2024 & C/029/2024
Our reference: COR-1154-2024
26th March 2024

Marie, a chara,

NOTICE OF MOTION – FLOOD DEFENCES

Thank you for your letter dated 12 March 2024 following the Council's meeting on 4 March 2024 requesting maintenance data for the Belfast Road Bridge and 1934 Tidal Barrier in Downpatrick.

My Department's Rivers Directorate target annual inspection of the watercourse reaches of the Quoile River that encompass the structures of the Belfast Road Bridge and the 1934 Tidal Barrier.

During the November flood event, my Department received a report of debris accumulations on the Quoile Bridge (Old Belfast Road) on 2 November 2023 and had operational teams deployed to remove as much of this as possible later that night. My Department then continued to monitor and remove debris from the Quoile Bridge, Belfast Road Bridge and the 1934 Tidal Barrier throughout the flood event. Post flood event, further debris was removed from the Quoile Bridge on 13 November 2023 and a specialist external contractor was also used on 27 to 29 November 2023 to carry out debris removal at the Belfast Road Bridge and the 1934 Tidal barrier.

Is mise le meas,



JOHN O'DOWD MLA
Minister for Infrastructure

6th March 2024

National Association of Councillors Conference

Leisure & Tourism

The Royal Hotel, Scarborough 12th-14th April 2024

Dear Colleagues,

Leisure & Tourism is an important contributor to the national and local economies of the UK. The sector employs around 3.64 million people throughout the UK and it is vital that local government plays its part.

This conference will look at ways local authorities can operate leisure services and drive tourism. This sector provides essential jobs for the local population and impacts on the majority of our Local Authority areas. Councils are short of cash and ways of supporting the industry need to be innovative to help protect this vital part of the economy.

This event will provide opportunities to hear good quality speakers from Local Government & the Tourism industry, participate in Q&A sessions and contribute to conference workshops. The conference will benefit elected members from every tier of local government.

Please see booking form attached for booking details.

Yours Faithfully

Councillor Brian Nelson

National Secretary