



September 16th, 2025

Notice Of Meeting

You are requested to attend the Council meeting to be held on **Monday, 22nd September 2025 at 6:00 pm** in **Mourne Room, Downshire Civic Centre.**

Agenda

1.0 Apologies

2.0 Declarations of Interest

3.0 National Trust

In attendance:

- Heather MacLachlan, Director for Northern Ireland
- Jonny Clarke, Assistant Director of Operations, NI
- Patrick Lynch, General Manager of South Down Property Portfolio
- Victoria Magreehan, External Affairs & Corporate Communications Manager
- Roger McKenna, Senior Estate Manager

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Invitees

Cllr Terry Andrews

Mr Alan Beggs

Cllr Callum Bowsie

Fionnuala Branagh

Cllr Jim Brennan

Cllr Pete Byrne

Cllr Philip Campbell

Cllr William Clarke

Cllr Laura Devlin

Ms Louise Dillon

Cllr Cadogan Enright

Cllr Killian Feehan

Cllr Doire Finn

Ms Lynne Fitzsimons

Ms Joanne Fleming

Cllr Conor Galbraith

Cllr Mark Gibbons

Cllr Oonagh Hanlon

Cllr Glyn Hanna

Mrs Catherine Hanvey

Cllr Valerie Harte

Mr Conor Haughey

Cllr Martin Hearty

Cllr Roisin Howell

Cllr Tierna Howie

Ms Catherine Hughes

Cllr Jonathan Jackson

Joanne/Noelle Johnston

Cllr Geraldine Kearns

Miss Veronica Keegan

Mrs Josephine Kelly

Mrs Sheila Kieran

Cllr Cathal King

Cllr Mickey Larkin

Cllr David Lee-Surginor

Cllr Alan Lewis

Cllr Oonagh Magennis

Mr Conor Mallon

Cllr Aidan Mathers

Cllr Declan McAteer

Cllr Leeanne McEvoy

Cllr Kate Murphy

Cllr Selina Murphy
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Sinead Murphy
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Cllr Declan Murphy
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Cllr Siobhan O'Hare
.....
Mr Andy Patterson
.....
Cllr Áine Quinn
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Cllr Henry Reilly
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Cllr Michael Rice
.....
Ruth Rooney
.....
Cllr Michael Ruane
.....
Donna Starkey
.....
Sarah Taggart
.....
Cllr David Taylor
.....
Cllr Jarlath Tinnelly
.....
Cllr Jill Truesdale
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Mrs Marie Ward
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National
Trust

Mourne Mountains Gateway Project & Thomas's Quarry

Briefing / Presentation to Newry, Mourne
& Down District Council

22 September 2025



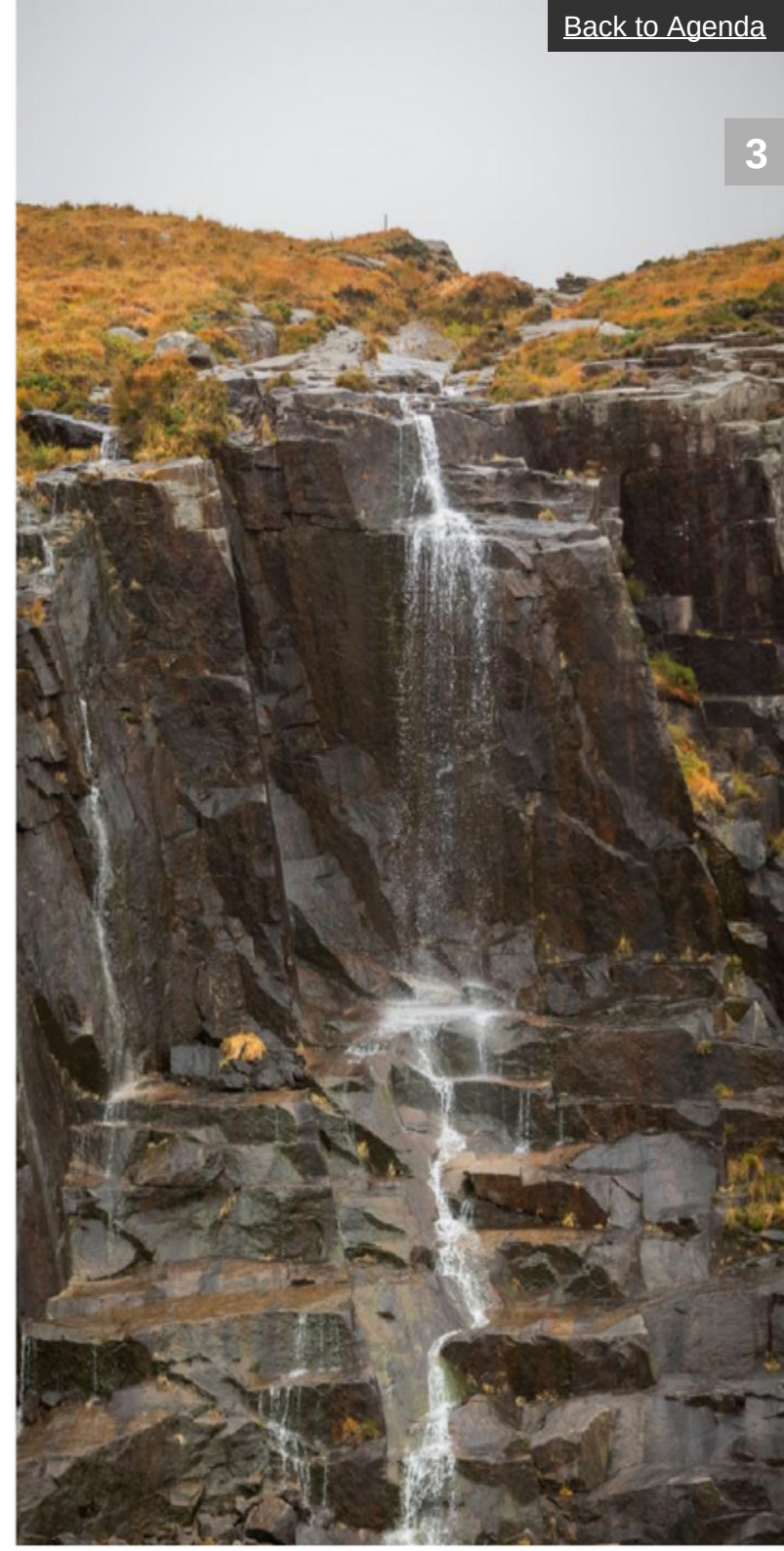


National Trust in the Mournes

The National Trust is responsible for managing 526ha of upland habitat in the Eastern Mournes ASSI / SAC, including Slieve Donard and Slieve Commedagh.

Engagement with the MMGP

- Engaged with Council since 2017 – consistently expressed concerns
- RSK Report (June 2022) highlighted significant environmental impacts
- MOU with the Council in 2024 to facilitate ongoing engagement





Our decision

- Core purpose to look after nature, beauty and history for everyone, for ever
- Informed by discussions with partners and stakeholders
- Growing body of evidence, including recent 'Donard Nature Recovery Report', suggests significant environmental risk

Our decision

Key findings from monitoring programmes:

- Peatland habitat in unfavourable condition: erosion features in 22% of plots (target <2%)
- Major changes in Montane Heath habitat due to grazing, trampling, and nitrogen deposition
- Collapse in variety and abundance of invertebrates in the area impacted by the 2021 wildfire



Looking to the future

- Opportunity for an adapted **Mourne Gateway project** that is truly sustainable
- Continue to work with the Council and other bodies, including through Forever Mournes Partnership





The Mournes: Building a Sustainable Future Together



NATIONAL TRUST STATEMENT

1 May 2025

National Trust statement on the proposed Mourne Mountains Gateway Project and Thomas's Quarry

As a conservation charity and a key guardian of the Mournes, the National Trust is responsible for parts of the Eastern Mournes Special Area of Conservation including Slieve Donard (Northern Ireland's highest mountain) which includes Thomas's Quarry – the proposed upper gondola station and visitor centre site. We have engaged in goodwill with Newry, Mourne and Down District Council on its proposal to build a gondola which would take visitors almost a third of the way up Donard Mountain.

We have consistently expressed our serious concerns about the potential environmental impact of this proposed project as far back as eight years ago and encouraged other options to be considered. We have never endorsed the project and have not been a partner in its development.

A key responsibility of the National Trust is to restore nature in the Mournes, whilst balancing safe and sustainable access for people. Since 2021 our dedicated local team has been funded to put in place nature recovery measures following a substantial fire in the Eastern Mournes which reached the quarry site.

It is important to the National Trust that its review of any development proposal is evidence led. Therefore, we have engaged extensively with the Council and a wide range of stakeholders on this matter. Following assessment of the information available to us, including completion of environmental survey work set out in our recent '[Donard Nature Recovery Report](#)' and other considerations such as use of public funds and community feedback, the National Trust believes that the proposed gondola project and visitor centre would risk placing additional pressures on already degraded upland habitats.

With the known existing recreational and other pressures on the protected areas, as a conservation charity we cannot support a project of this scale that would be inviting substantial visitor numbers into fragile and threatened areas of the Mournes landscape and **therefore we will not be considering a lease at Thomas's Quarry.**

Our recent report looks at the condition and recovery of National Trust land in the Eastern Mournes and makes clear that these fragile habitats are not in favourable condition. Recovery of both the habitat and the species in the Special Area of Conservation remains at

an early stage but we believe that with continued favourable management habitat condition will improve.

Over the last two years we have participated in a range of project stakeholder engagement sessions, and we have also been contacted directly by people from across the local community. This engagement has confirmed that local people share our concerns about the impact on the environment, the need for a robust assessment of alternative options for access to the Mourne and well-considered use of public funds.

We have informed Newry, Mourne & Down District Council and Department for the Economy of our position on this matter and understand that those who have championed the proposed Gondola project as their preferred development option will be disappointed.

We will continue to work with the Council and others to consider alternative projects with significantly less risk and environmental impact.

We are firm in our resolve to look after the Mourne for current and future generations and continue working with our partners and the local community to support habitat recovery efforts and the long-term sustainability of this important landscape.

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National
Trust

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Executive Summary

Donard Nature Recovery Report

A report on the condition, recovery and approach to caring for National Trust land in the Eastern Mourne.

Published: April 2025

Executive Summary

The National Trust are responsible for managing 526ha of upland habitat in the Eastern Mourne Area of Special Scientific Interest (ASSI) / Special Area of Conservation (SAC). The site includes a variety of priority habitats, including wet and dry heath, blanket bog and montane heath.

In April 2021, a wildfire burnt an area of over 290ha in the Eastern Mourne ASSI/SAC, significantly impacting on the land under the National Trust's care. This event highlighted the fragility of the delicate habitats in this area, bringing attention to the need to monitor, maintain and restore them.

This report outlines the condition of the land and nature under the National Trust's care in the Mourne, looking particularly at how the land around Donard has been impacted by the 2021 wildfire and the efforts to promote recovery in the aftermath.

Context: Designations, threats and condition

The National Trust land in the Eastern Mourne is designated as a Special Area of Conservation due to its habitats – the blanket bog, dry heath, wet heath, montane heath and inland rock outcrop and scree. It has also been designated as an Area of Special Scientific Interest due to its importance for habitats, species (plants, alpine fungi and invertebrates) and earth science (tertiary igneous rocks, glacial erosion and depositional features).

However, the area faces a number of threats and pressures – most notably from grazing, recreation, burning, invasive species, land use changes, nitrogen deposition and climate change. As a result, in 2016, five of the six habitats surveyed in NIEA's Condition Assessment were found to be in unfavourable condition, with grazing pressure, recreation, erosion features and below target dwarf shrub coverage key reasons for these results.

As a nature conservation organisation, the National Trust is committed to restoring a healthy, beautiful natural environment. Our driving principle for the 526ha of land we care for around Slieve Donard, Slieve Commedagh and Bloody Bridge is to improve the condition of the habitats.

Action: National Trust in the Mourne

In 2019, the National Trust was able to employ the first dedicated rangers for the Mourne to undertake path maintenance and repair. Our team has grown since then, with the 2021 wildfire necessitating recruitment of staff who could focus on wildfire recovery. We now have a lead ranger, two path rangers and a wildfire recovery ranger, along with a project manager and project support officer for the Forever Mourne Partnership, who are aiming to enhance co-operation in the landscape of the Mourne. This group are supported by volunteers, the South Down portfolio team and the Regional Consultancy team.

A wide range of site management strategies have been put in place:

- Conservation grazing is used across the site. Nofence collars, along with the reintroduction of cattle, allow grazing intensity to be managed for different habitats, with virtual fences and enclosures used to create zones where livestock can or cannot graze. The primary target of this grazing is Purple Moor Grass (*Molinia caerulea*), which is inhibiting recovery of habitats destroyed in the 2021 wildfire due to its dominance in the landscape.

- Maintenance of paths encourages visitors to avoid desire lines and keeps most of the human activity within 50m of the path, protecting habitats from trampling. This is particularly important in light of the increased visitor numbers since the Covid-19 pandemic.
- A Wildfire Plan has been put in place to streamline the response between emergency services and the Trust in the event of a wildfire.
- Peatland restoration is taking place between Thomas and Millstone Mountain, including peat hagg reprofiling, gully blocking, and damming using timber dams and sheep wool rolls.
- A variety of monitoring programmes have been put in place, looking at habitats and species (see next section for details).

Results: Key findings of monitoring programmes

NIEA Condition Assessments and Wildfire Recovery Monitoring (2021-2024)

15 survey plots within the area impacted by the 2021 wildfire have been monitored. These plots were surveyed by NIEA in 2016, providing baseline data. Results show a quick recovery of grasses and more gradual recovery of dwarf shrubs, which in 2024 was recorded at 41% cover (compared to 53% in 2016, pre-wildfire). Monitoring of conservation grazing sites shows a reduction in sward height. It is hoped that the reduction in height will result in a more diverse mosaic heathland in years to come.

Peatland Monitoring – National Trust Peatland Monitoring Approach (2023-)

In 2023, a total of 270 peat probes were measured across Thomas and Millstone Mountain, finding an estimated 21ha of peat with a depth greater than 50cm and a greatest depth of 180cm. A Condition Assessment Survey found the habitat to be in unfavourable condition, with 65% grass cover (target <50%), dwarf shrub cover at 20.5% (target >33%) and erosion features in 22% of plots (target <2%).

Wildfire Regime Analysis by Pau Costa Foundation (2023)

This analysis looked at the impact of both management (strategic vs. business-as-usual) and climate change on wildfire impact. They found that with the current climate, strategic management would lead to decreased impacts of wildfire, with lower rate of spread and lower flame lengths. This compared to business-as-usual management, which would see variable rate of spread, with an increase in rate of spread in the Glen River Valley and slopes of Donard and Commedagh. Factoring in climate change, with no change in management strategies they found the impacts would be “devastating”, but, while still severe, could be reduced with adapted management.

Montane Heath Condition Assessment (2022)

This survey displayed that major changes to this habitat have taken place, and identified grazing pressure and trampling by hill walkers as key pressures. Nitrogen deposition was also identified as a key pressure, with levels well above critical for this habitat. This has led to reductions in some dwarf shrubs and woolly fringe moss, and an increase in grass and sedge cover. The key recommendation that emerged is to reduce pressure on the habitat that can be dealt with on site – i.e. from grazing and recreation.

Ammonia Monitoring (2023-)

Northern Ireland has the highest level of atmospheric nitrogen in the UK and Ireland. This excess nitrogen may lead to biodiversity loss, as it favours fast-growing species such as grasses, which outcompetes other species which favour more nutrient poor environments. All three sites monitored on Donard are below or just below the critical level for bryophytes and lichens but have recorded months where the threshold was exceeded. Concerningly, vegetation looks in worse state than might be expected given the nitrogen levels, suggesting that there are other sources of nitrogen input such as through rain or fog.

Invertebrate Surveys (2022 and 2024)

The 2022 survey recorded some rare beetles which had long gaps since their last records in Ireland. At Bloody Bridge, an important site for bees, the first record of Lathbury's nomad bee was made, along with records of the Dark-winged blood-bee and Gooden's nomad bee, which have red list statuses of Endangered and Critically Endangered respectively.

The 2024 survey aimed to look at the differences between areas affected by the 2021 wildfire and those unaffected. Rare and scarce species were recorded, including the water beetle and montane spider, showing the importance of this habitat. However, the findings show that the burnt area has had a collapse in both variety of species present (18 species in burnt area compared to 48 in unburnt area) and abundance of invertebrates (90% lower in burnt area than in unburnt area). This is likely to impact on other animals who feed on insects, including birds and common lizard.

Other

The Great Fuel Moisture Survey (2023) showed Mourne's fuel moisture is moderate, but one sample from Slievenamaddy had low moisture, meaning this area is more at risk of ignition in a wildfire event.

Fixed Point Photography provides a visual of the landscape's recovery and allows for monitoring of vegetation regrowth and habitat restoration.

The Butterfly Survey (Single Species Transect) of Grayling Butterfly (2023-2024) showed fluctuating grayling activity and abundance. In 2023, graylings were observed sporadically, with numbers peaking at 5 in August (week 32) and minimal sightings otherwise. In 2024, the species appeared across more weeks, reaching a high of 9 sightings in July (week 30) and tapering off gradually through late summer.

Monitoring has also taken place through the following surveys, outlined in the report: Red Grouse Survey, GPS Collared Sheep and Livestock Counts, Breeding Bird Survey, National Plant Monitoring Scheme and Path Surveys.

Next steps:

The work of the National Trust in the Mourne's since acquisition in 1992, but most notably since the wildfire in 2021, has been intended to protect and improve the important habitats present, and the species they support. The habitats are fragile, and it will take many years for the site to fully recover from the impacts of the wildfire. The threats and pressures facing these habitats and associated wildlife are increasingly evident, and we will continue to monitor the ecology of the area and act in accordance with the evidence we find. The National Trust are committed to taking action to protect this landscape; its nature, beauty and history, for everyone forever.



Photograph: @DeeJayDready/PA

Fire ravaging the Mourne: 21st - 24th April 2021



An Roinn
Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe

Department o'
Fairmin, Environment
an' Kintra Matthers

Projects Funded by DAERA in the Mourne:

Mourne Path Repair, Challenge Fund, Oct 2019- Mar 2020

Mourne Path Repair, Challenge Fund, Oct 2020-Mar 2021

Nature Recovery and Sustainable Access, Environment Fund, Apr 2021 - Mar 2023

Wildfire Recovery, Challenge Fund, Sep 2021 - Mar 2023

Mourne Community Renewal (Phase 2), Environment Fund Strategic Strand, Aug 2023 – Mar 2025

Nature Recovery and Sustainable Access, Environment Fund Strategic Strand, Apr 2023 - Mar 2025



MEMORANDUM OF UNDERSTANDING

Mournes Gateway Project

This document is a statement of intent about how the National Trust and Newry Mourne and Down District Council will communicate and engage effectively with each other in relation to the Council's proposed Mournes Gateway Project. It does not represent a formal commitment by either party to enter into any future legal agreement.

1. Between

- 1.1. **The National Trust**, a registered charity in England with the number 205846, whose office in Northern Ireland is at Rowallane Stable Yard Saintfield Ballynahinch BT24 7LH (hereinafter referred to as "**the Trust**") and
- 1.2. **Newry, Mourne and Down District Council**, a local authority established under the Local Government Act (Northern Ireland) 2014, whose principal office is at District Council Offices, O'Hagan House, Monaghan Row, Newry, BT35 8DJ. (hereinafter referred to as "**the Council**")

2. Background

- 2.1. The Trust is the owner of Thomas Quarry, a former granite quarry on the northern slope of Slieve Donard, the highest mountain in Northern Ireland (hereinafter referred to as "**the Property**").
- 2.2. The Trust is also owner of part of the surrounding Mourne Mountains, a granite mountain range in the south-east of Northern Ireland. Designated as an Area of Special Scientific Interest (ASSI) under the Environment Order (NI) 2002 (as amended), a Special Area of Conservation (SAC) under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). Designated an Area of Outstanding Natural Beauty (AONB) by the Department of Agriculture, Environment and Rural Affairs (DAERA) since 1986. The Mountains are also part of the Mourne Gullion Strangford UNESCO Global Geopark, which was officially recognised in 2021. The Mountains are a natural treasure that deserve to be protected and appreciated by everyone who visits them. They offer a unique combination of beauty, diversity, heritage, and adventure that can enrich lives and imaginations (hereinafter referred to as "**the Mournes**").
- 2.3. The Mournes area is already under considerable pressure from recreation, grazing, wildfires and traffic and parking demands. The Trust is investing heavily in helping this part of the Mournes to recover from the devastating wildfire of April 2021. The Trust, in partnership with the Woodland Trust, Mourne Heritage Trust and NI Water, commissioned a range of studies and stakeholder engagement to provide better insight and understanding of the area to help inform and create a shared long-term vision for the Mournes. A partnership approach between the agencies involved, "Forever Mournes" was established in April 2023. The Northern Ireland Environment Agency (NIEA), the Council, and Forest Service have also joined the partnership as observer members.
- 2.4. The Council invests heavily in the conservation and protection of the Mournes and provides significant annual funding to the Mournes Heritage Trust to assist in this important conservation work across the wider Mournes AONB. The Council also

works in partnership with stakeholders in the development and implementation of Conservation Management Plans supported by NIEA across the 3 AONBs in the District, including the Mournes.

- 2.5. NIEA is responsible for developing Conservation Management Plans (CMPs) for all SACs. Mourne Heritage Trust has been tasked with developing the CMP for the Eastern Mournes. They have started the process in the high Mournes – capturing land owned by those signed up to Forever Mournes. All SACs have Conservation Objectives, and they will form the basis of the SAC CMPs. The conservation objectives in this case, are to maintain and restore SAC features such as montane heath. Recent studies carried out by the Trust show that this protected habitat is in decline. The Trust's Land Outdoors and Nature Plan sets out a vision for Slieve Donard and how its management aims to improve the condition of the ASSI/SAC features.
- 2.6. The Council project proposes a Visitor Centre at Thomas Quarry with an uplift by gondola from Donard Park at the foot of Slieve Donard to the Property, (hereinafter referred to as the **"Visitor Centre"**) as part of the Mourne Gateway project, which aims to boost tourism and regeneration in the area. The project is estimated to cost £44 million, with £30m of the funding coming from the Belfast City Deal and £14m from the Council
- 2.7. The Trust and the Council have been in preliminary discussions about the possibility of entering into a lease agreement for the use of part or all the Property for the proposed Visitor Centre.
- 2.8. The Trust and the Council have agreed that, before entering formal discussions regarding a lease requested by the Council, they need to establish a clear and mutually beneficial framework for their communication and cooperation going forward.
- 2.9. The purpose of this MOU is to set out the principles and expectations of the Trust and the Council in relation to their potential landlord and tenant relationship, and to outline the steps and processes that they will follow to explore and (subject to contract) negotiate the possible lease agreement.

3. Principles

- 3.1. The Trust and the Council acknowledge that they share a common interest in protecting and enhancing the natural heritage and habitat of the region for the benefit of the public.
- 3.2. The Trust and the Council agree to work together in good faith, with respect, transparency, and accountability, to achieve their common goals and objectives.
- 3.3. The Trust and the Council recognise that they have both distinct and shared roles, responsibilities, and obligations.
- 3.4. The Trust as a Conservation Charity and landowner and Council as the Local Authority with responsibility for the environmental heritage, culture and is the project promoter. Each will respect each other's autonomy, authority, and decision-making processes.
- 3.5. The Trust and the Council commit to communicating regularly and effectively with each other, and to keeping each other informed of any developments or issues that may affect their potential relationship or/ and respective interests.

If either The Trust or The Council makes any material decision (s) which may impact the viability of the potential project they shall notify the other party forthwith (within 48 hours) of the decision, to ensure and safeguard any future expenditure.

- 3.6. The Trust and the Council agree to cooperate and collaborate with each other on matters of mutual concern or benefit, examples include communications, marketing, public relations, education, research, conservation, or community engagement as appropriate.
- 3.7. The Trust and the Council agree to seek constructive solutions to any problems or disputes that may arise between them, and to resolve them amicably and promptly.

4. Expectations

4.1. The Trust expects that the Council will:

- 4.1.1. Respect the Trust's ownership rights, responsibilities and interests in relation to the Property and Mournes.
- 4.1.2. Prioritise compliance with all applicable laws, regulations, policies, standards, and best practices in relation to the Property and Mournes.
- 4.1.3. Obtain any necessary consents or approvals from the Trust or any other relevant authorities for any action that it may wish to make affecting the Property (including but not limited to access for land surveys, intrusive surveys, ecology surveys etc.)
- 4.1.4. Seek to discuss with and inform the Trust in advance of any publicity or promotion of the proposed Visitor Centre;
- 4.1.5. Provide commissioned reports to the Trust on the forecasted or anticipated performance and impact in relation to the proposed Visitor Centre and Mournes more generally.
- 4.1.6. Consult with the Trust on any major changes, developments or amendments to the proposals which would constitute a change to the planning approval or require other statutory permissions;
- 4.1.7. Notify the Trust of any complaints or claims that may arise in relation to proposed Visitor Centre or its proposed relationship with the Trust.
- 4.1.8. Grant full access (except where information is of a financial or commercial sensitive nature) to reports and surveys commissioned by the Council and invite and permit adequate opportunity to respond.
- 4.1.9. Respect the aims of the "Forever Mournes" partnership in relation to the wider Mournes area.

4.2. The Council expects that the Trust will:

- 4.2.1. Respect the Council's objectives to
 - 4.2.1.1. deliver a world-class tourist attraction that will support the sustainable regional growth of tourism in Northern Ireland and help to position Newry, Mourne and Down as one of the premier tourism destinations

on the Island of Ireland.

- 4.2.1.2. provide major enhancements to the visitor experience in and around the Mourne, whilst protecting and enhancing the natural heritage and habitat of the region.
- 4.2.1.3. create a standout experience for visitors, that will be sensitive to the environment and local community, currently comprising a gondola that will commence in Donard Park and a visitor centre at the Property recognised as a world-class visitor attraction, catering for 350,000 visitors annually.
- 4.2.1.4. highlight the diverse geology, landscapes, wildlife, culture, and history of the region, and offer many opportunities for visitors to explore and learn.
- 4.2.1.5. create jobs and opportunities for the region, and to attract more investment and spending from domestic and international tourists.
- 4.2.1.6. be part of the Belfast Region City Deal funding for projects based on tourism, regeneration, and innovation. to promote tourism in relation to the proposed Visitor Centre;
- 4.2.2. Comply with all applicable laws, regulations, policies, standards, and best practices in relation to its ownership of the Property and Mourne.
- 4.2.3. Provide reasonable access to the Property for inspection [subject to prior notification and where reasonably practicable prior appointment, the Council having due regard to its SAC status and using best endeavours to avoid any damage to the Property];
- 4.2.4. Notify the Council of any complaints or claims that may arise in relation to the proposed Visitor Centre or its proposed partnership with the Council.

5. Process

- 5.1. The Trust and the Council agree to establish a joint working group, consisting of representatives from both parties, and Tourism NI, NIEA as observer members, to explore and negotiate the terms and conditions of a lease agreement for the use of the Property.
- 5.2. The joint working group will meet regularly, at least once every quarter and will report to senior management, and if appropriate, governing bodies of both parties on their progress and recommendations.
- 5.3. The joint working group will assess the feasibility, viability, and desirability of a lease agreement, considering the following factors:
 - 5.3.1. the compatibility and alignment of the vision, mission, values, and objectives of both parties;
 - 5.3.2. the availability and suitability of the Property for the proposed Visitor Centre;
 - 5.3.3. the costs and benefits of a lease agreement for both parties;
 - 5.3.4. in partnership with the Forever Mourne group and other key stakeholders, the effect of additional visitors as a result of the proposed gateway project and the effect on the Trust's and Council's ability to continue protecting and enhancing the natural heritage and habitat of the Mourne.
 - 5.3.5. the risks and challenges of a lease agreement for both parties;

- 5.3.6. the legal and regulatory implications and requirements of a lease agreement for both parties;
- 5.3.7. the stakeholder and public opinions and expectations of a lease agreement for both parties.
- 5.4. If the conservation impact has been assessed and if found acceptable by the Trust, the joint working group will aim to reach a consensus, in principle, on the key terms and conditions of a lease agreement, such as:
 - 5.4.1. the duration, and renewal options of the lease;
 - 5.4.2. the decommissioning and restoration of the site at lease expiry;
 - 5.4.3. the rent and fees payable by the Council to the Trust taking into consideration the impact on the Mournes;
 - 5.4.4. the performance indicators and evaluation methods for measuring the success and impact of the proposed Visitor Centre on the Mournes;
 - 5.4.5. the rights and responsibilities of both parties in relation to maintenance, repair, improvement, insurance, security, and access of the Property and the Mournes.
 - 5.4.6. the dispute resolution mechanisms for resolving any conflicts or issues that may arise between the parties. The termination clauses for ending or modifying the lease agreement in case of breach, default, unanticipated impact to the Mournes or by mutual consent.
- 5.5. The joint working group may by agreement draft a lease agreement based on agreed terms and conditions and submit it to the senior management and governing bodies of both parties for consideration. Each party respects the other's decision-making boards and processes as authoritative and independent.
- 5.6. The joint working group will work together to review and agree a set of holistic values and vision for the Property and Mournes to reflect the special qualities and key delivery aims.
- 5.7. Parties will openly share reports, information and knowledge whilst encouraging and facilitating effective working relationships between each other.

6. Legal Status & Enforceability

- 6.1. Nothing in this MOU shall constitute a legal agreement or the formation of a partnership as recognised under the Partnership Act 1890 between the parties and no Member shall be entitled to enforce any rights or liabilities against any other Member in relation to any issues arising under this MOU.
- 6.2. This MOU does not
 - 6.2.1. constitute a legally binding contract but is a non-binding expression of mutual understanding between the Trust and the Council.
 - 6.2.2. create any rights or obligations for either party, nor does it grant any exclusive or preferential treatment to either party.
 - 6.2.3. Commit either party to the proposal under discussion nor imply or guarantee that a lease agreement will be entered into by the Trust and the Council, nor preclude either party from pursuing other options or opportunities.

6.2.4. affect or limit any existing or future agreements or arrangements between the Trust and the Council, or between either party and any other third parties.

7. Duration

- 7.1. This MOU will run from the date of agreement for a period of five years unless previously amended or terminated by either party.
- 7.2. Every five years this MOU will be reviewed by the parties, amended if appropriate, and renewed for a further period of five years if required.
- 7.3. This MOU may be amended or extended at any time by mutual written consent of both parties.

8. Variation and Waiver

- 8.1. No variation of this MOU will be valid unless it is in writing and signed by or on behalf of each party.
- 8.2. The parties cannot assign or in any other way dispose of or delegate responsibilities under the MOU or any part of it to any third person or organisation.

9. Limitations of Liability

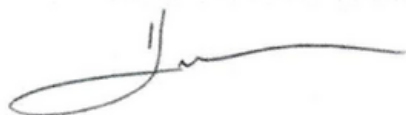
The parties will not be liable for any direct, special, or consequential loss or damage; or any loss of profits, turnover, business opportunities or damage to goodwill (whether direct or indirect).

10. Governing Law

This MOU and all disputes or claims arising out of or in connection with the activities of the parties shall be governed by and construed in accordance with the laws of Northern Ireland.

SIGNED on behalf of The National Trust

SIGNATURE



DATE 21/03/2024

SIGNED on behalf of Newry Mourne & Down District Council

SIGNATURE



DATE 21/3/24.