



November 17th, 2016

Notice Of Meeting

You are invited to attend the Strategy Policy and Resources Committee Meeting to be held on **Thursday, 17th November 2016 at 5:00 pm** in **Downshire Civic Centre**.

The Members of the Strategy Policy and Resources Committee are:-

Chair: Councillor P Brown

Vice Chair: Councillor C Enright

Members: Councillor T Andrews Councillor N Bailie

Councillor R Burgess Councillor P Byrne

Councillor M Carr Councillor W Clarke

Councillor S Doran Councillor M Murnin

Councillor B Ó'Muirí Councillor B Quinn

Councillor M Ruane Councillor G Sharvin

Councillor W Walker

Agenda

1 Apologies

2 Declarations of Interest

3 Action Sheet of the Strategy, Policy and Resources Committee Meeting held on 13 October 2016

[SPR-13102016.pdf](#)

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Items Restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (NI) 2014

4 Williams & Shaw Energy Consultants Presentation re Down Leisure Centre

This item is deemed to be restricted 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).

Report re Renewable Energies.pdf

Not included

Williams & Shaw - Renewable Energy Technologies.pdf

Not included

Report re Renewable Energies.Appendix 2.pdf

Not included

Report re Renewable Energies.Appendix 2.1.pdf

Not included

Appendix 3 WS.Cllr E comparison.pdf

Not included

Presentations

5 Presentation on the Draft Community Plan

H McKee

For Noting

6 Report of Narrow Water Stakeholder Meeting - 3 October 2016 (copy attached)

7 Report from NMD/Louth CC Joint Forum Meeting - 9 November 2016 (copy attached)

Report from NMD Louth CC Joint Forum Mtg re Brexit.pdf

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Appendix A - ToR re Border Corridor research key issues surrounding Brexit.pdf

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Appendix B - E Magennis - 30.10.16.pdf

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Finance/Budget/IT

8 Councillor's Allowances (copy attached)

Councillors Allowances.pdf

Page 23

Corporate Services - Democratic Services

9a Future Delivery of Electoral Services in Northern Ireland (copy attached)

Future delivery of electoral services - consultation paper.pdf

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Future delivery of Electoral Services in NI - response..pdf

Page 71

9b NIPSA response - future delivery of electoral services. (Copy attached).

NIPSA - Future of Electoral Services.pdf

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Equality and Policy

10 Corporate Consultation Arrangements (copy attached)

Report on Corporate consultation arrangements for consideration at SP&R meeting 17 November 2016.pdf

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Correspondence from Equality Commission for NI dated 29 June 2016 re Equality Scheme consultation arrangements.pdf

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11 Updated Guidelines and associated procedure in relation to (re)naming of facilities (copy attached)

Estate

12 Correspondence from Lidl re Planning Permission in Newcastle (copy attached)

16-09-14 Newcastle Letter.pdf

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13 Disposal of Land at Carnbane Road, Newry beside Carnbane Playing Fields (copy attached)

Land at Carnbane.pdf

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Disposal of Land at Carnbane.pdf

Page 99

14 Disposal of Land at Sugar Island, Newry (copy attached)

Disposal of Land at Sugar Island, Newry.pdf

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LPS - Sept 16.pdf

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Licence.pdf

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Conferences/Events

15 Conference - Economic Development in NI - Key Challenges and Future Opportunities post Brexit (copy attached)

Date: Monday 16 January 2017 - 08:30 - 13:00

Venue: Belfast

Cost: £210 + VAT

For those who cannot attend:

· Copies of the briefing document, including full transcripts of all speeches and the questions and comments sessions and further articles from interested parties, will be available approximately **10 days** after the event for **£95** plus VAT;

16 NILGA Planning Session - The Councillor Role in the Development Plan Process

The NILGA Planning Session 'The Councillor Role in the Development Plan Process'.

13 December 2016

Antrim Civic Centre

The NILGA Planning Session 'The Councillor Role in the Development Plan Process', scheduled to take place on the 22 November 2016 has been merged with the 3rd session scheduled to take place on the 13th December 2016. There will therefore be no session on the 22nd November 2016 and instead an extended session will take place on the 13th December to include a piece on the development plan process and the Code Conduct.

For Consideration and/or Decision

17 Big Screen - Newry (copy attached)

Newry Screen.pdf

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18 Update on Solar PV Panels at Community Centres (copy attached)

Solar Panels at CC's.pdf

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19 Replacement of Sub-station at Mourne Presbyterian Church, Kilkeel (copy attached)

Replacement of Sub Station at Mourne Presbyterian Church Kilkeel.pdf

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Grant Aided Programmes

20 Peace IV - Capital Submission (copy attached)

21 Brexit (copy attached)

Brexit Report.pdf

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Appendix A Brexit.pdf

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Appendix B Brexit.pdf

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Items Restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (NI) 2014

22 St. John Bosco GFC - Phase 2 Newry Leisure Centre (copy attached)

This item is deemed to be restricted 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).

Report Template May 2016 Bosco accomodation Newry Leisure Centre.pdf

Not included

St John Bosco map.pdf

Not included

23 Downshire Civic Centre Final Account (copy attached)

This item is deemed to be restricted 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).

Downshire Civic Centre Final Account.pdf

Not included

24 Review of Management Accounts (to follow)

This item is deemed to be restricted 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).

Report re Management Accounts.pdf

Not included

Report re Management Accounts.Appendix 1.pdf

Not included

Report re Management Accounts.Appendix 2.pdf

Not included

25 LPS Valuation for Kindle (copy attached)

This item is deemed to be restricted 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).

Draft Business Plan for CAT November 16.pdf

Not included

Invitees

Cllr Terry Andrews	terry.andrews@downdc.gov.uk
Cllr Naomi Bailie	naomi.bailie@nmandd.org
Cllr Patrick Brown	patrick.brown@nmandd.org
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Cllr John Trainor	john.trainor@nmandd.org
Cllr William Walker	william.walker@nmandd.org
Mrs Marie Ward	marie.ward@downdc.gov.uk

ACTION SHEET – STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING (SPR) – THURSDAY 15 SEPTEMBER 2016 –

ITEMS STILL IN PROGRESS OR ON-GOING.

SPR/192/2016	Former Kindle Primary School – Business Case	Agreed - officer's recommendation to purchase the site from Department of Education in order to develop a community centre, subject to a full economic appraisal and business case being carried out on the site.	M Lipsett	On-going.	
SPR/200/2016	Report on Brexit	<p>Agreed to :</p> <p>Newry, Mourne and Down District Council request all Councils along the border corridor to participate in the appointment of a consultant via East Border Region Company to carry out a scoping exercise on the economic and social impact of Brexit.</p> <p>Council representatives to lobby Brussels at a meeting on 10.10.16 with the AFCCO Committee. EBR to cover cost of their Chairperson, VC and one official attending the meeting.</p> <p>The Council to meet the cost of any delegates it wished to send in addition to those from EBR.</p> <p>Write to Republic of Ireland Government to seek that they expedite the SWELL funding application and other relevant cross-border initiatives.</p> <p>Organise a conference for Councils to manage Brexit for the future.</p>	S Burns	In progress	

ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE LOCAL GOVERNMENT ACT (NI) 2015					
SPR/210/2016	Derelict Site- Daisy Hill, Newry	<p>Agreed to:</p> <p>Declare the land as surplus.</p> <p>Request LPS to provide a current market valuation and a recommendation on the most appropriate way to dispose of the land.</p> <p>Concrete shed on-site to be demolished if required in advance of the proposed sale.</p> <p>Review and if necessary improve security at the site to reduce unauthorised entry/anti-social behaviour.</p>	K Scullion		

ACTION SHEET – STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING (SPR) – THURSDAY 13 OCTOBER 2016

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
SPR/216/2016	Report from Community Planning Project Board Meeting – 15 September 2016	It was agreed to note the report from the Community Planning Project Board Meeting held on 15 September 2016	H McKee	None required.	
SPR/217/2016	Strategic Environmental Screening and Determination from NIEA	It was agreed to note the Screening Report and the Determination from NIEA	H McKee	None required.	
SPR/218/2016	Terms of Reference	It was agreed to approve the Terms of Reference for the	Regina Mackin	Noted.	Y

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
	for the Irish Language Strategy Cross Party Working Group	Irish Language Strategy Cross Party Working Group			
SPR/219/2016	Section 75 Policy Screening Report – Quarterly Report July-September 2016	It was agreed to note the Section 75 Policy Screening Report – Quarterly Report July-September 2016	C Moffett	Noted.	
SPR220/2016	Consultation: Education Authority Draft Development Proposal 478 – Killyleagh Integrated Primary School	It was agreed that a letter of support be sent to the Education Authority regarding the nursery unit at Killyleagh Integrated Primary School	C Moffett	Letter emailed to Stephen Martin, Property Services, Education Authority. 14.11.16.	
SPR/221/2016	Management Accounts to 31 August 2016	It was agreed to note the Management Accounts to 31 August 2016	D Carville	Noted.	
SPR/222/2016	Report of Proposed Arrangements for Council's Annual Meeting 2017-2018	<p>It was agreed to approve the following dates: Annual Meetings to be held on the following dates: Thursday 1 June 2017 Thursday 31 May 2018</p> <p>Mock Annual Meetings to be held prior to the Annual Meetings – dates being: Thursday 25 May 2017 Thursday 24 May 2018</p>	Democratic Services Officers	<p>Dates Agreed.</p> <p>Entered in Minutepad/NMDDC Diary.</p>	
SPR/223/2016	Report on Former Chairperson's Portraits	<p>It was agreed that the former Chairperson's portraits be disposed of as follows:</p> <ul style="list-style-type: none"> • If the subjects of the original portraits are still alive, the portraits should be offered to them at nil consideration. If an individual does not respond or does not wish to accept his/her portrait the Council will hold it for a 	A Robb	In progress.	

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		<p>period of 3 months and then arrange for appropriate disposal.</p> <ul style="list-style-type: none"> • If the subject of a portrait is deceased the original portrait should be offered to his/her personal representatives in line with the distribution of estates priority list as set out in the Administration of Estates Act (NI) 1955 at nil consideration. • If there is more than one eligible person in an entitled group eg. if the deceased has no surviving married or civil partner and there are children and more than one child wishes to obtain the original portrait then the matter will be resolved by the drawing of lots. • Either the original portrait subject or any person claiming a portrait on his/her behalf will be responsible for collection of the portrait from Down County Museum and its care and maintenance thereafter, and will accept the portrait as seen i.e. in its existing condition. • If there was no interested party in obtaining a portrait the Council will hold same for a period of 3 months and then arrange for appropriate disposal. • The above process will be facilitated by Down County Museum. 			
SPR/224/2016	Request from United Nations Association NI for Council to receive a copy of the United Nations Charter	<p>It was agreed to:</p> <ul style="list-style-type: none"> • Agree in principle to receive the Charter, subject to agreement by Committee and Council. • Agree that a presentation event be organised for both Downpatrick and Newry, with local schools/s being invited by the United Nations Association NI, in line with their original letter to Council dated 22 July 2016. 	L Hannaway	<p>Agreed.</p> <p>Contact being made with UNA NI to make arrangements.</p>	
SPR/225/2016	Request from NI Human Rights Commission	It was agreed that the NI Human Rights Commission be invited to make a presentation to Special Council Meeting on 23 January 2017 and offered use of Council	L Hannaway	Agreed.	

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		facilities to enable them to organise sessions for external organisations and the public			
SPR/226/2016	Report on Streaming/Video Conferencing	It was agreed that the IT Strategy takes into consideration the contents of the report and that the proposals be carried through as part of the IT Strategy	E Curtis	In progress.	
SPR/227/2016	Elected Member to undertake Accredited Training	It was agreed that the application from a Councillor to undertake accredited training as detailed in the report, be approved	C Miskelly	Application approved.	
SPR/228/2016	Corporate Services and SPP Business Plans	It was agreed that approval be given to the Corporate Services Business Plan 2016-17. It was agreed that approval be given to the Strategic Planning & Performance Business Plan 2016-17	E Curtis D Carville	Approved. Approved.	
SPR/229/2016	Correspondence received from the Department for Communities re: Rock Pool, Newcastle	It was agreed to note the correspondence from the Department for Communities dated 16 September 2016, regarding the Notice of Listing of Buildings of Special Architectural of Historic Interest – Rock Pool, Newcastle	E Curtis	Noted.	
SPR/230/2016	Correspondence received from Land & Property Services re Disposal of Land at Sugar Island, Newry	It was agreed to note the correspondence from Land & Property Services re the disposal of land at Sugar Island, Newry	E Curtis	Noted.	
SPR/231/2016	Disposal of Land at Carnbane, Newry	It was agreed to note the correspondence from Land & Property Services re the disposal of land at Carnbane Road, Newry	E Curtis	Noted.	
SPR/232/2016	Letter from Mayor of Kirovsk re: City 85 th Anniversary	It was agreed that Council accepts the invitation to attend the 85 th Anniversary of Kirovsk city with a delegation comprising 2 Elected Members and 1 Council	E Curtis	Invitation accepted.	

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		official.			
SPR/233/2016	Scheme of Delegation	It was agreed to note the Schedule of Decision and Authorisations delegated to the Director of Strategic Planning and Performance for the period April 2016 to October 2016	E Curtis	Noted.	
SPR/234/2016	The Age Factor Project	It was agreed that the relevant Council officers attend the project kick-off meeting and subsequent meetings/events as required	J McCabe	The kick off meeting will be attended by 2 officers from 23 – 25 November.	
SPR/235/2016	The Peace IV Submission	It was agreed to note the submission of the Peace IV plan	S Burns	Steering group to meet 21 November after which the result will be known	

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

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
SPR/236/2016	Right of Way Proposal at Ballyedmond, Killowen, Rostrevor	<p>It was agreed to accept the officer's recommendations as follows:</p> <ul style="list-style-type: none"> • Approval of the details of the proposed Killowen Coastal Path around the Big Moat at Ballyedmond as per the presentation at the meeting, ie. the design drawings and technical specification. • A joint application for Planning Permission will be submitted by the Ballyedmond Estate and the Council for the creation of the proposed Coastal Path as per the approved details. 	E McManus	E McManus sent an email with attached minute to Paul O'Kane – Council's Solicitor, asking him to action Council's decision and to keep Council informed of progress. Email sent 14.11.16	
SPR/237/2016	Report of Efficiencies Working Group	It had been agreed to accept the report of the Efficiencies Working Group held on 26 September 2016.		Approved.	
SPR/238/2016	Future use of the former Warrenpoint Boat House, Marine Parade, Warrenpoint	<p>It had been agreed to agree the following:</p> <ul style="list-style-type: none"> • Subject to an agreement between the Lessor and the Council's Valuer on an annual rent, the Council continue to lease the building. • If the rent is agreed, to then sub-lease with permission of 		Approved.	

		the owner, to the Currach Club (the only organisation which responded to Expression of Interest)			
SPR/239/2016	Additional Item – Carnbane League	It had been agreed that Council offer the lease of the land at Carnbane Road to the Carnbane League in the first instance			

Newry Mourne & Down District Council

Report of Narrow Water Stakeholder Group Meeting held on Monday 3 October 2016 at 10.30 am, in the Boardroom District Council Offices Monaghan Row Newry.

In attendance: Councillor D McAteer
Councillor M Carr
Councillor C Casey

Officials in attendance: Mr L Hannaway Chief Executive
Ms M Ward Director Enterprise Regeneration & Tourism
Ms L Dillon Democratic Services Officer

Also in attendance:

Mr Tom Reid	Department of Infrastructure
Mr Ciaran Crosbie	Department of Infrastructure
Mr Ray O Leary	Department of Transport Tourism & Sport
Mr Adrian O Hare	Narrow Water Bridge Community Network
Mr Jim Boylan	Narrow Water Bridge Community Network
Mr Bill Reilly	Narrow Water Bridge Community Network
Ms Pamela Arthurs	East Border Region
Ms Joan Martin	Louth County Council
Ms Kieran Grant	Warrenpoint Harbour Authority
Mr Dennis Ryan	North South Ministerial Council
Mr Sean McAteer	North South Ministerial Council
Mr M McKeown	Newry Chamber of Commerce

Apologies: Councillor J Tinnelly
Councillor G Hanna
Councillor M Ruane
Ms O Fitzpatrick Warrenpoint Chamber of Commerce

Mr Hannaway explained the meeting had been organised by the Department for Infrastructure.

Mr Reid explained a meeting had been held with the various stakeholder groups and representatives from the North South Ministerial Council (northern and southern sides) on 6 April 2016. He said the Minister had commissioned Officials to look at options to progress the Narrow Water Bridge Project.

He then gave an overview of a paper prepared by the North South Ministerial Council including key issues and conclusions.

Mr Reid added he would be attending a pre meeting on 4 October 2016 to discuss matters in advance of the next North South Ministerial Council Meeting scheduled for November 2016.

He said the **objective** of the Project was:

- to provide a link between Louth and Down that will aid the development of the considerable tourism potential of the Cooley Peninsula and lower Mournes.
- to act as a catalyst for economic and social development in the area.

He referred to the 3 **key options** considered:

- Current live Planning Application for Narrow Water Bridge Project – remains live until Autumn 2017.
- Narrow Water Bridge Project combined with Newry Southern Relief Road (NSSR) – 3 routes proposed.
- Complementary Projects – NSSR to provide access for HGV traffic with alternative designs considered for the Narrow Water Bridge Project.

Mr Reid referred to the key conclusions:

- The objective and focus of the Narrow Water Bridge projects remains the development of the considerable tourism potential of the area.
- The context of the original Narrow Water Bridge project has changed, with the Newry Southern Relief Road gaining impetus – an opportunity to review and investigate complementarities
- Should the Newry Southern Relief Road proceed, this offers an alternative route for HGV traffic and allows for consideration of alternative designs.

The following 3 decisions have been taken by the North South Ministerial Council:

- Ministers noted the progress in reviewing options on the Narrow Water Bridge project.
- A group of Senior Officials will continue to meet regularly to maintain a strategic overview of the projects and commitments set out in Fresh Start and to explore funding opportunities for economic and infrastructural investment.
- A further update will be brought to the next North South Ministerial Council Plenary Meeting.

Ms Martin said Louth County Council's position remained focused on the original proposal for the Narrow Water Bridge project.

Mr O Hare said it was estimated that people entering the country through Dublin Airport would hit a figure of 28 million this year. He said the Narrow Water Bridge project would present the best opportunity to capture the market available in terms of tourism for the area. He referred to Ireland's ancient East and said it was inconceivable that no effort was being made to capture the flow of traffic which would come from the tourists entering the country.

Mr O Hare added that the two projects were very different in their objectives, ie, the Narrow Water Bridge project was based on solid research and information while the Southern Relief Road project would not achieve its objective as a congestion relieving road. He said that to combine the projects could reduce the outcome for objectives considerably.

Mr O Leary said the NSMC recognised the need to unlock tourism potential but they had not ruled out combining the 2 projects. He said a report on a preliminary assessment of a combined project was due for completion in August 2017 and would be presented to the Minister to establish if it would be possible to combine the two projects as two major strategic road projects would not be a preferred option. He said he was aware of the challenges in Newry in terms of traffic management but added that to invest they needed to ensure they would be investing in something which meets real needs and picks up on real potential and that a holistic approach was needed to realise the potential of an area including engagement with businesses, communities and local authorities.

Mr Reid said the Minister planned to release the Greenways Strategy in the near future which presented an opportunity to link tourism opportunities. He said no decision had yet been taken on the merits of combining the projects and he agreed with the view that to do so could contribute to a less favourable outcome.

Mr O Leary said that from experience it was found that with regard to introducing Greenways, this encouraged people and young families and that by having completely separate greenway areas, this transformed the nature of the users. He said physical investment alone was not responsible for transforming Carlingford but that it was community investment and cooperation which created a community environment and social infrastructure and this made a huge difference in tourism.

Ms Arthurs said funding towards a greenway from Newry to Carlingford had been secured by the Interreg Programme and this will happen by 2019. She said the current project for the Narrow Water Bridge had received planning approval and a considerable amount of money had been spent on the project to date. She asked for clarification regarding the design of the Narrow Water Bridge project and said if there were now proposals to change the design of the project that this would leave the entire concept back at square one.

Mr Reid said that to do both projects required looking at all options. He said the Minister needed to be in a position to justify any spend will meet the objectives and at this point there was no favoured option. He added it was important to recognise the Department of Infrastructure's commitment to the project and the Minister was keen to see progress on the Narrow Water Bridge in the future.

Councillor McAteer said he was concerned at the fact the project was being described as a concept even though the project had received planning permission.

Mr Reid said this reflected a change in direction by both departments as this project was not only about transport but was about meeting wider objectives as the Department for Infrastructure could not take forward a project alone to unlock tourism potential. He said the Department were looking at starting to engage more extensively with Councils, communities and transport bodies to develop a wider strategy of what the bridge is part of.

Ms Ward said the Council were in the process of developing a Tourism Strategy. She said a draft strategy document would be available by the end of October 2016 and it was hoped that the final document would be published by the end of the year. She said the strategy would include a number of projects which would involve working with businesses and communities to create an experience for visitors and it was hoped to feed the Tourism Strategy into the work the departments will be carrying out regarding the Narrow Water Bridge project.

Councillor Carr welcomed the fact the departments were looking at all options and he believed there was merit in combining both projects. He said the Narrow Water Bridge could be a tourist attraction but he also believed the Southern Relief Road would make a big difference to alleviating congestion and air quality in Newry. He said there was a realisation that the area needed infrastructure development and he asked that both Ministers should give the Southern Relief Road project the impetus it needs to move forward.

Mr Reid said he agreed there was an underdeveloped tourism product in the area but that the Department were not yet in a position to advise the Minister on what is the best option in this case. He said further work needed to be done as quickly as possible as the Minister had given a clear indication he wanted to see progress on this project during his mandate.

Councillor Casey believed both projects could run in tandem as both had a key role to play with tourism profit for the area being the main issue. Although he was of the opinion it would not change the current traffic situation in Newry. He felt it was important both projects remained on the agenda at the North South Ministerial Council Meetings.

Mr Grant said from Warrenpoint Harbour Authority would be supportive of the Newry Southern Relief Road project which would improve connections for people and services.

Mr McKeown said he concurred with the views expressed by Councillor Carr and said he welcomed the fact the Department recognised there was a need for a major road project in the area.

Noted: The next Meeting of the North South Ministerial Council was scheduled to take place in November 2016.

Agreed: **Ms M Ward Director of Enterprise Regeneration & Tourism to furnish a copy of the Newry Mourne & Down Council Tourism Development Strategy to Mr T Reid Director of Transport Policy Strategy & Legislation Department of Infrastructure, in due course whenever this Strategy is finalised.**

A further meeting with Narrow Water Bridge Stakeholders, NMDDC and representatives from the Department of Infrastructure to be convened early in 2017.

Sympathy

Mr Hannaway offered condolences to Councillor Glyn Hanna and his family on the death of his mother, Mrs Betty Hanna.

The meeting concluded at 11.50am.

For noting at the Strategy Policy & Resources Committee Meeting to be held on Thursday 17 November 2016.

Signed: **Mr L Hannaway**
Chief Executive

Agenda Item:	Item 6
Report to:	<i>Newry Mourne & Down/Louth County Council Joint Committee</i>
Subject:	<i>Proposals Re Brexit and its implications for Newry, Mourne Down District Council and Louth County Council</i>
Date:	<i>9th November 2016</i>
Reporting Officer:	<i>E Curtis, Director of Strategic Planning & Performance</i>
Contact Officer:	<i>E Curtis, Director of Strategic Planning & Performance</i>

Decisions Required

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

- Both Councils collectively work on gathering information important to our areas.
- Begin an engagement with businesses, fishing, farming and community societies.
- Agree what we want for this area in any negotiations.
- Submit a paper to all three Governments on the issues for our area.

1.0 Purpose & Background

- 1.1 Report to Newry Mourne and Down/Louth Joint Committee Forum meeting on 9th November on proposals regarding Brexit and its implications for the Newry, Mourne and Down and Louth County Council Region.

2.0 Key Issues

- 2.1 On 23rd June 2016 the UK voted to leave the European Union family of partners.

This dramatic result means there will be a significant change in the relationships between the UK and the European Union and more importantly between Northern Ireland and the Republic of Ireland. The major areas of change will be in a large number of strategic areas e.g. Trade, Foreign Direct Investment, Energy, Migration and Labour Market, European Union Funding, Financial Services, Immigration, Border Controls to name but a few.

The All Island Civic Dialogue held on 2nd November 2016 was the beginning of the Republic of Ireland Governments engagement on what are the key issues which need to be included in any settlement for the Island of Ireland. This engagement will continue. A request has been made for written submissions.

The UK Government is also keen to hear the views of Newry Mourne and Down District Council as will be the Assembly. These papers will help us shape our submission. However the unique MOU between Newry Mourne and Down District Council and Louth County Council will strengthen any response we will submit. However we need to strengthen our response by engaging in a wider dialogue locally. This will help us to build a strong civic and political voice across our Council areas.

(1) Issues we need to consider are:

- (a) What is the message from this Region.
- (b) What are the key issues for our businesses, citizens, communities, farming and fishing section.
- (c) What is meant by a 'soft border'.
- (d) What is our position on the Common Travel Area and Custom Union.
- (e) What do we mean by bespoke arrangements.
- (f) What are the legal issues for our area.

Two draft papers are attached to assist members in making an informed decision on this very complex and serious matter.

3.0 **Resource Implications**

- 3.1 • *Officer time plus contribution to consultation process.*

4.0 **Appendices**

- Appendix A – Terms of Reference for the appointment of consultants to carry out this strategic study.
- Appendix B – Draft Paper from Mr Eoin Magennis, UUEPC on his high level thoughts on Brexit and its Implications for the Border Region.

Key Issues for the Ireland/N Ireland Border Corridor: – The Impact of the UK Leaving the EU

Introduction

Assessing the consequences of the UK leaving the European Union is complex and depends on the nature of the future relationship that the UK will have with the EU. As a result the impact at a sub-regional level can be more challenging to assess; particularly when considering the issues for the Ireland/ Northern Ireland border area. Post Brexit, Northern Ireland will be the only part of the UK that shares a land border with an EU member state. The Ireland/N Ireland Border region has been involved in a range of cross-border cultural, economic and political initiatives and has enjoyed substantial EU Funding since the introduction of the INTERREG and subsequent Peace Programmes in 1990.

Once Article 50 is triggered by the UK government there will be a two year negotiation period with the European Commission to determine the exit from the Partnership. This could be extended by agreement of the member states; therefore uncertainty around future cross border cooperation is likely to continue for some time.

The EU will remain a major trading bloc with the UK and as such there will be on going interdependencies on matters such as freedom of movement, financial services, border controls and security, defence and the importing and exporting of goods and services. Therefore many matters that apply to the UK as a member state may continue to apply in one form or another following a negotiated exit.

The negotiations will, by necessity, include tariffs and trade-offs. Many commentators are reporting that the EU may be inclined towards a 'tough line' in negotiations to deter other EU member states from contemplating exiting the union. This will only become clear once Article 50 has been triggered.

Negotiations with the European Commission will be conducted by the Treasury in London. It is therefore important that the Ireland/N Ireland border region assess the impact of Brexit on the border corridor and ensure that both the N Ireland Executive and the Irish governments are aware of the needs of the border region post Brexit so that this can be reflected in the negotiations between the Treasury and the Commission and between the Irish government and the Commission.

Impacts of Brexit for the UK

While the impact of Brexit remains uncertain, a number of potential impacts have been identified from the modelling to date:

- Increase in political and economic uncertainty around the UK's future relationship with other EU countries
- Lower levels of trade and investment due to the introduction of tariffs and market restrictions in terms of exporting relationships for businesses, levels of FDI
- Reduction in migration
- Reduction in regulation which could reduce the costs associated with it
- Reduction in fiscal contributions as the UK would no longer be required to make budgetary contributions

- Policy choices on whether or not to re-create EU Funds in a Brexit form.

Impact of Brexit on the Ireland/N Ireland Border Corridor

Northern Ireland is in a unique position given its land border with Ireland and therefore has a number of specific impacts that need to be factored into future scenario planning:

The Border region is likely to be more vulnerable to a disruption of trade flows.

- Regions differ to the extent to which they receive FDI (proportionate to their capital stock) which is relevant given the estimated disruptions to inflows of FDI to the UK
- Regions have different industrial structures and that the impact of UK exit from the EU on different sectors is likely to be uneven;
- Regions differ in terms of the relative importance of EU structural funds and other types of EU budget-financed projects to economic activity. The Ireland/N Ireland border area benefits from the specific cross border funds, INTERREG and Peace as well as the other Structural Funds both competitive and non-competitive including Horizon 2020. From 2002-2012 this has amounted to €1 billion.
- Regions differ in terms of their reliance on EU migrant labour given the possibility that a UK exit from the EU would result in the curtailment of free movement of people.

The recent NI Affairs Committee Inquiry highlighted specific areas of interest for Northern Ireland as the interrelated areas of trade, commerce and the economy; the future of the border with the Republic of Ireland; and agriculture.

In February 2016, a briefing paper on the *Economic Implications of a UK Exit from the EU for Northern Ireland*¹ was prepared by Oxford Economics for the Department of Enterprise, Trade & Investment (DETI). The paper summarises the major findings of the modelling exercise with a particular focus on Northern Ireland in comparison to the UK as a whole. The report considers the impact on the Northern Ireland economy overall and concludes that “*the Northern Ireland economy is likely to be relatively more vulnerable to the type of structural changes triggered by a UK exit from the EU in comparison to the rest of the UK*”. On average, by 2030, Oxford Economics estimate that “*the UK GVA will be 1.8% below the baseline level across all nine scenarios. In comparison, on average by 2030, GVA in Northern Ireland will be 2.8% lower than the baseline*”.

This is based on Northern Ireland’s trade links with the Republic of Ireland being stronger than the rest of the UK, the composition of the Northern Ireland manufacturing activity which has a high dependence on the food, beverage and tobacco and transport equipment sub sectors and the relatively high level of inward FDI (compared to the rest of the UK) that Northern Ireland secures.

Scope of the work

It is acknowledged that a robust assessment of the impact on the Ireland/ N Ireland border corridor of the UK leaving the EU will only be possible once the future relationship between the UK and EU has been determined.

¹ Report available at: <http://www.oxfordeconomics.com/brexit/DETI>

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The purpose of this work is therefore to summarise the key issues and implications of the UK leaving the EU for the Ireland/ N Ireland Border Corridor and to outline the potential future scenarios that the region needs to consider and manage. The scope of this work is as follows:

- Summarise the key issues of Brexit for the Ireland N Ireland Border Corridor
- Assess the overall economic impact on the border regions and individual areas
- Assess the potential impact on individual Council rates bases, and the knock on effect on services this could have.
- Consider the main impacts for key stakeholder groups along the border corridor – public, private and third sectors as well as residents
- Outline the most likely scenarios that the region is likely to face post Brexit; along with the headline considerations/impacts for the border corridor. This should include scenarios where there is no replacement of lost EU funds for NI and where replacement funding is provided by the UK government.
- Identify and prioritise key economic risks and opportunities for border Councils post Brexit and make recommendations on the best approach / further to ensure these are addressed and managed effectively.

The following factors should be considered,

- Legal and administrative barriers
- Implications for co-operation between Local Authorities on both sides of the border
- EU/Public investment (Horizon, INTERREG, Peace, etc.-)
- Particular economic issues which pertain to the Ireland/ N Ireland Border area including cross border and foreign trade, foreign direct investment and relocation of existing businesses.
- Rural and Environmental issues including harbours, ports and the fishing industry
- Labour implications including ethnic minorities.
- Social implications
- Implications for Health and Education Authorities.

As there are implications for planning and resources at every level -this initial assessment of key issues and impacts is likely to inform further research on a more detailed assessment of the future scenarios that will shape border corridor priorities.

Estimated duration of assignment:

As this work will draw on existing research some consultation with key stakeholders including business representatives groups, ports etc. will be required. It is estimated that this initial assessment of key issues and an outline of the main scenarios facing the Ireland/N Ireland Border Corridor post Brexit will require no more than 5 days.

Output

A paper identifying the key issues and headline assessment of future scenarios, risks and opportunities facing the Ireland/~~N~~ Ireland Border Corridor post Brexit.

Some initial thoughts on Brexit and the Border Corridor

Eoin Magennis, UUEPC, 30 October 2016

General overview: Initial signs more positive than feared with UK/Ir economies continuing to grow but need to prepare for slowing down in this in 2017 and possibly 2018.

- Timeline for Article 50 now clear and the shape of the exit also becoming clearer with an emphasis on UK control of immigration increasing the likelihood of exiting the single market. Where to after that – transitional arrangements, etc not clear as yet.
- Appears from UK data since June that the Bank of England action has averted the immediate danger of recession but Governor still believes that late 2017 to mid-2018 still a dangerous period ahead (*FT*, 31/10/2016).
- Economic forecasts for UK and for Republic of Ireland for 2017 almost all marked down since June – pessimism bias perhaps but possibly also a realisation of the impact on investment/consumer spending of uncertainty.
- Continuing growth (albeit low growth in the UK and higher in Ireland) is a sign of the relative underlying competitiveness of the economies – Brexit is not a cause of this and EU membership has not solved many UK problems, but whether leaving the EU will be an economic solution (through new trade agreements, etc) is open to question.
- Political reactions in NI, Scotland and Republic of Ireland so far have been marked by a worry about borders and the long-term future of North/South, East/West and UK/regions relations.
- Policy reactions (Irish Budget, OFMDFM letter, HMT letter on EU funding) all intended to reassure – UK Budget in November likely to follow suit.

Uncertainty for what comes next reflected in sharp depreciation in Sterling – winners and losers from this depending on what side of the Border.

- Short term uncertainty reflected in 17.5% fall in value of Sterling against Euro since 23rd June (much of this in two sharp falls). Temporary perhaps. Might be expected to be seen in increased shoppers going North or falling number of tourists:
 - Sharp rise in shoppers crossing the Border to North (13% rise between Q2 and Q3)
 - But CSO figures show rise in Q3 2016 in British tourists coming to Republic of Ireland (up 9.3% on same period in 2015). Cross-border figures not available.
- Medium term impact on household or business investment – thus the actions of the Bank of England (cutting interest rates and QE) and the Irish government's Budget 2017 to stave off any threat of collapsing demand leading to recession. UK government Budget the next one to watch.

Trade: Risks in some exposed sectors (agri-food, building materials, chemicals) and in the border areas where cross-border trade of more importance to firms.

- Clear risk here in the cross-border market and the GB one for Southern exporters:
 - Southern market worth £1.4bn in goods and £2.18bn in services (inc £1.3bn in retail & wholesale) to NI firms in 2014. This means that the Irish market takes £1 in every

£6 in goods sold outside NI (ie: external sales) or £1 in every £3 of NI goods sold outside the UK (ie: exports).

- By contrast the NI market in 2015 was worth €1.73bn to Southern goods exporters in 2015 which equates to €1 in every €65 of all Irish goods are sold to NI. However, if we take the UK market as a whole, it was worth €15.5bn in 2015 to Irish goods exporters, equivalent to €1 in every €7 of goods exported from Ireland.
- While the Southern market is of more importance to the NI economy as a whole than the Northern market is to the Irish one, the important issue is how critical North/South (and East/West) trade is for smaller and indigenous firms, crucial to the economies on either side of the border. And how important these markets are for any policy of increasing the number of exporters by starting firms along an exporting pathway.
- Sectoral risks also apparent especially for agri-food sectors (meat, dairy, seafood) which have not only higher tariffs than other goods but also high exposure (many send 90%+ of their exports to the cross-border or UK market). Smaller but still significant levels of exposure in several other sectors: building materials, fertilisers, rubber manufactures and metals.
- Higher percentages of firms in the border region selling into the cross-border market, the EU (from NI) and GB (from RoI) than in rest of NI or rest of Ireland – eg: in Donegal 38% of firms sell into cross-border market and 25% into GB while all-island averages are 30% and 20%.
- The sectors with highest exposure to risk are well represented with firms in the Border region including:
 - Dairy – processing takes place across the Border region with highly integrated (and often cross-border) supply chains – eg: Town of Monaghan Co-op, Glanbia in Bailieborough, Dale Farm/Fane Valley, Kerry Group, Leckpatrick, etc.
 - Meat processing – AIBP a key player here but also other important smaller producers – McCarrens (Cavan), McAdams, Silver Hill and Cartons (all Monaghan), Silvercrest, Linden Foods, etc.
 - Seafood – especially in Cos Donegal and Down such as Atlantic Dawn, Green Isle, etc.
 - Building materials – present across all the Border region with particular concentrations around Quinn Cement, Lagan Cement, Readymix (Cemex), Kilsaran (Louth and Meath), etc.
 - Metals production – notable concentration of highly-skilled producers in and around Sligo and in Mid-Ulster.

Farming & Fisheries: Funding likely to be a key issue for many smaller NI farmers – may open opportunity for rationalisation of agriculture but experience of fisheries show how politically problematic that is likely to be.

- **Farming:** Exposure to threats to funding and markets:
 - In 2014/15 the average SFP of £25.5k per farm accounted for 103% of NI farm business income in a difficult year for dairy and meat prices. Of the top ten areas for payments only Coleraine and Ballymena are not in border council areas.
 - Exposure to risk much higher for agri-food sectors with much higher shares of exports going to South or wider EU which will face tariffs – these are sectors with

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balance of trade surpluses therefore problems around any ideas for import substitution. Again higher risk profile for border council areas with the intensity of employment in these sectors.

- **Fisheries:** seen as an opportunity area and split along fishing/processor lines with latter dependent on local/cross-border/GB markets and former seeing opportunities for greater levels of fishing in the Irish Sea and off Atlantic coastline.

FDI: Area of much higher uncertainty for NI than the southern Border counties because of importance of access to the single market for many businesses.

- Great uncertainty here and likely to bring both risks and opportunities. Some analysis (Wavteq, 2016) suggests a sharp fall in FDI for NI is likely (given the higher proportions won by the region in recent years and the greater risk to knowledge-based services sectors looking access to the single market). Therefore a high exposure to risk – perhaps less so for the border councils?
- At same time – and critical for Louth, Letterkenny and Sligo in particular – the opportunities that may arise from FDI interest especially in the financial services and fintech areas may be significant.

Tourism: The Southern Border Cos more exposed to risk here from the GB market given its importance to them. Cross-border flows also critical for some local markets.

- Similar reliance in NI border council areas on tourism employment as NI generally – exception is NMDDC which is slightly higher (2013 Census of Employment)
- In South a slightly higher reliance – especially in Donegal, Leitrim and Cavan (c.2% higher).
- Lower reliance on RoI/EU tourists in some of the NI border councils than NI average (17.8% – Belfast is the only outlier (21.4%). But falling numbers of these tourists in 2013-2015 period (possibly due to strengthening of sterling). May now begin to change (early 2016 numbers for RoI visits to NI looked up on same period in 2015).
- Much higher reliance on GB tourists in Southern Border counties (44% of total tourists in 2015) than in Ireland generally (31%) – highest share in Louth (49%).

Retail: Return of the volatility associated with exchange rate fluctuations and while numbers of Southern shoppers definitely increasing the evidence is that we are not yet at 2008 peak levels.

- Slightly higher shares of the local labour markets in retail and wholesale in NI and Southern border areas than the State averages.
- Longstanding importance (evident since the 1980s) of cross-border flows (in both directions) to retail outlets on both sides of the border depending on the impact of taxes and exchange rates on price, most recently around 2008-09. At times of price sensitivity shares in NI border centres can rise to close to 60% of all cars falling away to 35% as a 'normal' level.
- The cross-border retail story is often a source of 'noise' in the local and national press and commentary but larger threat to smaller town-based shopping remains the one from concentration in larger outlets and online shopping.

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Migration: Not as clear a sub-regional picture but while smaller numbers UK citizens in Ireland or EU ones in NI are critical to some sectors – healthcare being an obvious one for both jurisdictions.

- Less than 2% of RoI workforce in 2014 comprised of UK nationals – especially in ICT, financial services, healthcare and retail.
- In NI the share of EU nationals is smaller (closer to 1%) with highest shares in fishing and agriculture, healthcare, hospitality, manufacturing (esp agri-food but not just that) and retail.

Cross-border commuting: The numbers here are always trickier to interpret given historic levels of under-declaration. The recent Censuses North (2011) and South (2011) showed that approximately 16,000 people were resident on one side of the border and travelling across the border to work on the other side.

- Roughly 9,800 in South travel across the border to NI every day to work – more than a third of these in Donegal (living in bordering areas) and going into Derry. Roughly 6,600 in North travelling across the border to the South
- Other research increases this by 50% to around 25,000 ‘frontier workers’, some of the difference undoubtedly explained by cross-border work in construction, agriculture and other sectors where the employment arrangements are more temporary and sub-contract based.

Funding: Exposure to serious risk for several areas/sectors in NI from withdrawal from EU funding – community & voluntary sector, farming, local government, universities...

- Approximately €3.4bn in Peace and Interreg monies up to 2020 invested in NI and Southern Border Counties. EU Funding in Interreg, Peace & Reconciliation, Rural Development, CAWT, Research & Development, Horizon 2020 etc. How will this funding be replaced after 2020.
- Cumulative pot for NI only in 2014-2020 (inc CAP estimated at €3.5bn) from EU monies – quite small in the overall spending (2-3%) but critical for some sectors which have built strategies around EU supports – North West EU Unit, Newry/Dundalk plans, etc.
- Not to ignore research funding – NI target of €145m from current round - €23m secured in 2015/16 year.

Concluding remarks: Economic risks are likely to be variable across geographies and sectors and will need further investigation but disruption in UK/EU cooperation will most likely be felt along its one land border.

- There remains great uncertainty around Brexit – less about whether it will happen and more about the shape it will take and how long any transitional arrangements may take. Political pressure currently is pushing towards a ‘harder, faster’ approach but this may not be the end result of negotiations.
- Uncertainty resulting in immediate dislocations as a result of exchange rate fluctuations.
- Longer-term exposure to risk in some sectors and areas of the economy – agriculture, agri-food, FDI in NI, funding for research/community sector, etc which will need to be mitigated.
- May be opportunities also – FDI in Ireland, refocus on innovation and export planning – but these will only be possible through a targeting of competitiveness issues – both costs and capabilities – that can sometimes be weaker in more peripheral regions.



Department for

Communities

www.communities-ni.gov.uk

**Local Government Policy Division
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Telephone: 02890 823378

Email: lizanne.kennedy@communities-ni.gov.uk

Your ref:

Our ref: DO1-16-1301

Date: 3 October 2016

Dear Consultee,

**THE LOCAL GOVERNMENT (PAYMENT TO COUNCILLORS) REGULATIONS
(NORTHERN IRELAND) 2016**

The Department for Communities is seeking comments on the attached draft Regulations which make provision for the Department to update and amend current legislative provision. The amendments reflect other legislative changes which impact on these regulations, such as transfer of powers to local government which impact on approved duties of a councillor.

A shortened consultation list has been used in this consultation as the amendments are minor and consequential in nature. The consultation is available to view and download at:

<https://www.communities-ni.gov.uk/consultations>

Comments on the draft Local Government (Payment to Councillors) Regulations (Northern Ireland) 2016 should be sent by 30 November 2016 to the address below or by email to: lgpdfinance@communities-ni.gov.uk

Department for Communities
Local Government Policy Division
Level 4
Causeway Exchange
1-7 Bedford Street
Town Parks
Belfast
BT2 7EG

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

Jeff Glass

jeff.glass@communities-ni.gov.uk

Tel: 028 9082 3375

or

Lizanne Kennedy

lizanne.kennedy@communities-ni.gov.uk

Tel: 208 9082 3378

Yours faithfully

Lizanne Kennedy

LIZANNE KENNEDY



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

Draft Local Government (Payment to Councillors) Regulations (Northern Ireland) 2016

Consultation Document

27th September 2016

DRAFT LOCAL GOVERNMENT (PAYMENT TO COUNCILLORS) REGULATIONS 2016

This Consultation Document seeks views on the draft Regulations provided in Annex A.

Comments should be received by 30th November 2016 at the address below:

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

or by email to:

lgpdfinance@communities-ni.gov.uk

The following person will be able to answer queries in relation to the draft Regulations:

Name	E-mail	Telephone
Lizanne Kennedy	Lizanne.Kennedy@communities-ni.gov.uk	028 (90) 823378

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Draft Local Government (Payments to Councillors) Regulations (Northern Ireland) 2016

PURPOSE OF THE CONSULTATION DOCUMENT

1. The Department for Communities is seeking views from consultees on revocation and remaking of the draft regulations, The Local Government (Payments to Councillors) Regulations (Northern Ireland) 2016 (**Annex A**), which the Department proposes to make under the powers conferred by section 31(1), (3) and (4) and 43(2) of the Local Government Finance Act (Northern Ireland) 2011, "2011 Act".

BACKGROUND

2. The draft regulations are required to give effect to:
 - (a) the revision of councillors' allowances; and
 - (b) other legislative changes resulting from local government reform.

Due to the number of amendments required to the existing regulations it was decided that for clarity a new set of regulations would be made.

DETAILS OF THE CONSULTATION PROPOSALS

3. These draft Regulations will replace the existing Local Government (Payment to Councillors) Regulations (Northern Ireland) 2012 SR No. 85), "2012 Regulations".

Under section 31(1) of the 2011 Act, the draft Regulations state the types of allowances that may be paid to councillors: basic; special responsibility; dependants' carers'; and travel and subsistence. They also make provision for related issues such as how and when such payments are to be made, and how and when details of such payments are to be made available to the public.

In connection with these Regulations the Department determines the maximum amount/rates of allowances payable to councillors by councils. Details of the current maximum amounts/rates can be found in Local Government Circular 14/2016 at:

Circular LG 14/16 – Consolidated Councillor Allowances Circular updated July 2016

The draft Regulations are in three parts:

Part 1 deals with the title and the commencement of the regulations, and provides an interpretation of some of the terms used within. A number of definitions have been updated as occasioned by the Local Government Act (Northern Ireland) 2014, "the 2014 Act" and there is a new definition for approved duty.

Part 2 deals with the overarching scheme and provides details on each allowance payable to councillors: basic; special responsibility; dependants' carers'; and travel and subsistence. The references in the 2012 Regulations regarding allowance reductions related to

councillors being members of other institutions are now redundant and have been removed.

Part 3 deals with the administrative arrangements for the allowances and restate the provisions of the 2012 Regulations with some refinement. The regulations in this part relate to how and when payments are to be made and how and when details of such payments are to be made available to the public. Information provided in Schedules 1 and 2 of the 2012 Regulations has been removed and a revised version will be provided in guidance.

HUMAN RIGHTS

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

EQUALITY

5. Under the terms of section 75 of the Northern Ireland Act 1998, the Department carried out screening for equality impact and is satisfied that the proposed legislation will not lead to discriminatory or negative differential impact on any of the section 75 groups. A copy of the screening form can be viewed on the Department's website: <https://www.communities-ni.gov.uk/dfc-equality>

REGULATORY IMPACT ASSESSMENT

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

RURAL PROOFING

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

FREEDOM OF INFORMATION ACT 2000 – CONFIDENTIALITY OF CONSULTATIONS

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

ALTERNATIVE FORMAT

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

CONSULTATION

10. Comments should be received by the Department by 30th November 2016 at the address below or by e-mail to:
lgpdfinance@communities-ni.gov.uk
11. This consultation document is being circulated to persons and bodies listed in **Annex C** and is also available to view at:
<https://www.communities-ni.gov.uk/consultations>

If you have any queries in relation to the guidance, you should contact:

Lizanne Kennedy

E-mail: Lizanne.Kennedy@communities-ni.gov.uk

Phone: 028 (90) 823378

Local Government Policy Division
Causeway Exchange
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Annex A

STATUTORY RULES OF NORTHERN IRELAND

2016 No. ***

LOCAL GOVERNMENT

Local Government (Payments to Councillors) Regulations (Northern Ireland) 2016

Made - - - -

Coming into operation -

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The Department for Communities makes the following Regulations in exercise of the powers conferred by section 31(1), (3) and (4); and section 43(2) of the Local Government Finance Act (Northern Ireland) 2011(1).

In accordance with section 44(1) of that Act the Department has consulted councils, such associations representative of councils, such associations representative of officers of councils and such other persons or bodies as appear to be appropriate.

PART 1 GENERAL

Citation and commencement

1.—(1) These Regulations may be cited as the Local Government (Payments to Councillors) Regulations (Northern Ireland) 2016 and shall come into operation on XXX 2016.

(2) Any allowances payable by virtue of the revised definition of approved duty in these Regulations shall take effect from 1st April 2015.

Interpretation

2. In these Regulations—

“the Act” means the Local Government Finance Act (Northern Ireland) 2011;

“the 2014 Act” means the Local Government Act (Northern Ireland) 2014(2)

“approved duty” means any of the following duties—

- (a) attendance at a meeting of a council, or any of its committees or sub-committees, or at a meeting of a joint committee or any of its sub-committees; or
- (b) the doing of anything approved by a council or a joint committee, for the purpose of, or in connection with, the discharge of the functions of the council, or any of its committees or sub-committees, joint committees or any of its sub-committees;

“committee” or “joint committee” means a committee or joint committee appointed under section 11(1) of the 2014 Act;

“committee member” means a person who is a member of a committee appointed under Section 11 or 12 of the 2014 Act; but is not a member of the council that appointed that committee;

“year” means the period of 12 months ending on 31st March in any year after the coming into operation of these Regulations.

PART 2 SCHEMES FOR COUNCILLORS' ALLOWANCES

Scheme of allowances

3.—(1) A council shall make a scheme in accordance with these Regulations for the payment of allowances to councillors and committee members in respect of each year.

(2) A scheme must specify in respect of any year to which it relates the amount of, or means to ascertain the amount of,—

- (a) basic allowance; and

(1) 2011 c.10 (N.I.), now vested in the Department for Communities S.R. 2016 No.76

(2) 2014 c.8 (N.I.)

(b) special responsibility allowance and, where different amounts apply to different responsibilities, the amount or means to ascertain the amount applicable to each.

(3) The scheme shall also make provision for the following allowances if the council intends to make such payments in respect of that year—

(a) dependants' carers' allowance; and

(b) travel and subsistence allowances.

(4) A scheme may provide for payments of allowances to be made at such times as may be specified in it and different times may be specified for different allowances.

(5) A scheme may be amended or revoked at any time.

(6) When a scheme is revoked in accordance with this regulation, a council shall, before the revocation takes effect, make a further scheme for the period beginning with the date on which the revocation takes effect and ending at the end of the year in question.

Basic allowance

4.—(1) A council may make a payment to each councillor by way of an allowance ("basic allowance") for carrying out the duties of a councillor.

(2) The amount of basic allowance shall be determined by the council and shall be the same for each councillor.

(3) Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement to payment of such part of the basic allowance shall be the relevant proportionate amount of the yearly rate.

Special responsibility allowance

5.—(1) A council may, in addition to any allowance under regulation 4, make a payment to a councillor by way of an allowance ("special responsibility allowance"), if the council is satisfied that the councillor has special responsibilities in relation to the discharge of the functions of the council.

(2) The amount of special responsibility allowance paid to each councillor shall be determined by the council; but shall not exceed one fifth of the department's limit on special responsibility allowances for that council.

(3) Where any period, for which the councillor is entitled to a special responsibility allowance, is less than a year, the amount payable for the period shall be the relevant proportionate part of the yearly rate.

(4) Subject to paragraph (5), a special responsibility allowance may not be paid to more than fifty per cent of the councillors of the council (calculated using the total number of seats on the council and by rounding up the number of councillors to the next whole number when, in calculating the percentage, the number is not a whole number).

(5) A council may, where it considers it necessary to do so, apply to the Department for permission to pay a special responsibility allowance to more than fifty per cent of its councillors.

(6) A council may not pay more than one special responsibility allowance to a councillor.

Dependants' carers' allowance

6.—(1) Subject to paragraphs (2) to (4), a council may, in addition to any allowance under regulations 4 and 5, make a payment to a councillor by way of an allowance ("dependants' carers' allowance"), in respect of such expenses of arranging for the care of their children or dependants as are necessarily incurred in respect of the performance of any approved duty.

(2) The amount of dependants' carers' allowance shall be determined by the council.

(3) The amount of dependants' carers' allowance payable by the council shall be the lesser of—

(a) the actual expenses of arranging care of their children or dependants as are necessarily incurred in respect of the performance of any approved duty; or

(b) such amount as is determined by the council.

- (4) The council shall not make any payment under this regulation —
- (a) in respect of any child over the age of fifteen years, or any dependant, unless the councillor satisfies the council that the child or dependant required supervision which incurred expenses that were necessary in respect of the care of that child or dependant in the carrying out of an approved duty;
 - (b) to more than one councillor in relation to the care of the same child or dependant; or
 - (c) of more than one dependants' carers' allowance to any councillor for each performance of approved duty.

Travel and subsistence allowances

7.—(1) Subject to paragraph (2), a councillor or committee member shall be entitled to receive payment by way of travel and subsistence allowance as determined by the council where expenditure on travel or on subsistence is necessarily incurred in the carrying out of an approved duty.

(2) The rate of allowance determined under paragraph (1) by a council shall be the same for all councillors or committee members entitled to the relevant allowance.

(3) Any claim for payment of travel and subsistence allowances in accordance with these Regulations (excluding claims for travel by means of a private motor vehicle) shall be accompanied by appropriate receipts proving actual expenses, subject to any requirement or limitation that a council may determine.

(4) For the purpose of paragraph (3), a councillor or committee member's private motor vehicle includes a vehicle belonging to a family member or otherwise provided for use by the councillor or committee member.

PART 3

ADMINISTRATIVE ARRANGEMENTS

Claims for allowances

8.—(1) A councillor entitled to an allowance under regulation 6 shall make a claim for dependants' carers' allowance, in such form as the council may direct, and shall make a declaration that—

- (a) there has not been and will not be any claim submitted to any other body in respect of the dependants' carers' allowance to which the claim relates;
- (b) the amounts claimed are strictly in accordance with these Regulations;
- (c) the care to which the claim relates has been provided;
- (d) the costs to which the claim relates have necessarily been incurred; and
- (e) the costs to which the claim relates have been paid by the councillor.

(2) A councillor or committee member entitled to an allowance under regulation 7 shall make a claim for travel and subsistence, in such form as the council may direct, and shall make a declaration that there has not been and will not be any claim for allowances from any other body in respect of the travel and subsistence to which the claim relates.

Time for submission of claims

9. A claim for any allowance under regulation 6 or regulation 7 shall be submitted within 3 months from the date on which the approved duty was performed.

Records of allowances

10.—(1) A council shall keep a record of the payments made by it in accordance with these Regulations or any scheme made pursuant to them.

(2) Such record must—

- (a) specify the name of the recipient and the amount and nature of each payment; and

(b) be available, at all times, for inspection (free of charge) by any interested person.

(3) A person who is entitled to inspect a record under paragraph (2) may make a copy of any part of it on payment of such reasonable fee as may be required by the council.

(4) In this regulation, "interested person" means—

- (a) a local elector for the district of the council to which the scheme relates;
- (b) a person liable for rates in respect of any hereditament situated in that district; or
- (c) a representative of a person mentioned in sub-paragraph (a) or (b).

Publicity

11.—(1) A council shall, as soon as practicable after the making or amendment of any scheme of payments made pursuant to these Regulations—

- (a) arrange for a copy of the scheme to be published on its website; and
- (b) make such other arrangements for the publication of the scheme within the district of the council as it considers appropriate.

(2) As soon as practicable after the end of a year to which a scheme relates, a council shall make arrangements for the publication on the council website of the total sum paid in that year to each councillor in respect of each of the following—

- (a) basic allowance;
- (b) special responsibility allowance;
- (c) dependants' carers' allowance.

(3) As soon as practicable after the end of a year to which a scheme relates, a council shall make arrangements for the publication on the council website of the total sum paid in that year to each councillor or committee member in respect of travel and subsistence.

Revocations and savings

12.—(1) Subject to paragraph (2) the Local Government (Payments to Councillors) Regulations (Northern Ireland) 2012(3) are revoked.

(2) The Regulations mentioned in paragraph (1) shall continue to have effect in relation to claims made for allowances or other payments in respect of duties performed before these Regulations come into operation.

Sealed with the Official Seal of the Department for Communities on XX

XX
A senior officer of the Department for Communities

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the payment of allowances to councillors under section 31(1), (3), (4) and section 43(2) of the Local Government Finance Act (Northern Ireland) 2011 (2011 c.10 (N.I.)).

The Regulations are divided into three Parts.

Part 1 deals with citation and commencement of the Regulations, and interpretation of some of the terms used in the Regulations.

Part 2 deals with a council's scheme of allowances and details the allowances payable to councillors.

Regulation 3 requires a council to make a scheme for the payment of allowances to councillors and committee members in respect of each year.

Regulation 4 requires a scheme to provide for the payment of a basic allowance for service as a councillor, within the basic allowance limit set by the Department.

Regulation 5 requires a scheme to provide for the payment of an allowance (in addition to the basic allowance) if the council is satisfied that a councillor has special responsibilities in relation to the discharge of the council's functions. The Department sets maximum limits for the total amount a council may spend on special responsibility allowances and a subsequent limit that any councillor may only receive up to one fifth of that amount. The maximum limits are based on the population size of each council.

Regulation 6 requires a scheme to provide for an allowance to councillors towards expenses for the care of their children or dependants as are necessarily incurred in the carrying out of an approved duty.

Regulation 7 requires a scheme to provide for payment to councillors and committee members for expenditure on travel or subsistence as necessarily incurred in the carrying out of an approved duty.

Part 3 deals with administrative arrangements.

Regulation 8 requires a councillor entitled to a dependants' carers' allowance, or a councillor or committee member entitled to a travel or subsistence allowance, to make a claim for such an allowance as the council may direct.

Regulation 9 requires a claim for dependants' carers' allowance, or travel or subsistence allowances, to be submitted within 3 months from the date on which the approved duty to which the claim relates was performed.

Regulation 10 requires a council to keep a record of the payments made by it in accordance with the Regulations or any scheme made pursuant to the Regulations. The record must provide the name of the recipient and the amount and nature of each payment and be available, at all reasonable times, for inspection free of charge.

Regulation 11 requires a council to arrange for the scheme of payments, as soon as practicable after its making or amendment, to be published on its website and to make such other arrangements for the scheme's publication within the council's district as it considers appropriate. As soon as practicable at the end of the year to which a scheme relates, a council is required to publish on its website the total paid in that year to each councillor in respect of basic allowance, special responsibility allowance and dependants' carers' allowance, and the total paid in that year to each councillor or committee member in respect of travel and subsistence.

Regulation 12 revokes the previous Local Government (Payments to Councillors) Regulations (Northern Ireland) 2012; with the saving that the revoked provisions shall continue to have effect in relation to claims made for allowances or other payments in respect of duties performed before these Regulations come into operation.

Annex B

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

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

the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;

the Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature; and

acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

4. For further information about confidentiality of responses please contact the Information Commissioner's Office or view website at: <https://ico.org.uk/>

Annex C

List of Consultees

All Northern Ireland District Councils

Association of Local Government Finance Officers

Local Government Auditor

Local Government Staff Commission

National Association of Councillors

NI Local Government Association

Public Service Commission

Society of Local Authority Chief Executives

Section 75 Consultees



Northern
Ireland
Office



The Electoral Office for
Northern Ireland

42

Future delivery of electoral services in Northern Ireland

Consultation Paper

11 October 2016

Foreword by Graham Shields, Chief Electoral Officer for Northern Ireland

The Electoral Office for Northern Ireland (EONI) was established in 1972 at the height of the 'Troubles'. In the years since then the organisation has played a pivotal role in delivering democratic services and maintaining public confidence in the democratic process in Northern Ireland.

EONI has been at the forefront of many developments in the electoral process. For example, individual electoral registration and the requirement for photographic identification for voting were introduced here in 2002. The process of continuous registration commenced in 2006 and has continued to evolve up to the present. Further changes will soon take effect, with the introduction of a new electoral administration system and online registration, which will simplify and revolutionise the registration process. These changes, which represent a significant financial investment, will significantly impact on how EONI operates by reducing the administrative burden associated with the present paper based registration system.

These new systems, coupled with the challenges of the current financial environment, mean that it is an appropriate time to implement the necessary changes to ensure that EONI remains fit for purpose in the future. It is also an opportune time to put any new arrangements in place before the next cycle of elections commences in 2019.

This consultation contains a number of issues for consideration and all of them envisage a greater role for our district councils in the future delivery of electoral services in Northern Ireland. I strongly encourage everyone with an interest in this important issue to submit their views on how we should go forward.

Graham Shields, Chief Electoral Officer for Northern Ireland

Foreword by Kris Hopkins MP, Parliamentary Under-Secretary of State for Northern Ireland



Maintaining public confidence in how elections are managed is critical to ensuring public confidence in democracy more generally in any society. This is particularly the case in Northern Ireland where widespread confidence in the political process is vital.

The Chief Electoral Officer, supported by his team at the Electoral Office for Northern Ireland (EONI), has operational responsibility for the effective management of electoral registration and running elections and referendums in Northern Ireland. Since May 2014, EONI has delivered European Parliamentary elections, District Council elections, Westminster elections, Northern Ireland Assembly elections and the EU referendum. I am very grateful to the Chief Electoral Officer and his team at EONI for their hard work and dedication in delivering these important polls.

With the recent electoral cycle now complete and the introduction of digital registration likely to make registration more straightforward for the vast majority of people, it is a good time to examine how electoral services in Northern Ireland can be delivered even more efficiently and effectively. As a former leader of Bradford Council, I have seen first hand how councils can play an important role in the delivery of elections, maintaining a vital local link to the wider democratic process. I am pleased therefore that this consultation seeks views on an enhanced role for district councils in delivering electoral services in Northern Ireland.

This consultation will run until 09 January 2017 and during that time I will engage with a wide range of stakeholders across Northern Ireland to hear first hand what challenges and opportunities they see for improving the way in which electoral services are delivered to the people of Northern Ireland. I look forward to receiving responses from all those with an interest in this important issue.

Kris Hopkins MP, Parliamentary Under-Secretary of State for Northern Ireland

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[Annex C](#) - Proposed roles and responsibilities for councils and EONI at elections

1. Introduction

1.1.1 Maintaining public confidence that elections are being managed securely and effectively in Northern Ireland is crucial to ensuring continued support for the wider political process. We are also living in a digital world where there is a growing expectation that all services – in both the private and public sectors - can be accessed online. There has been a great deal of progress in delivering public services throughout the UK through a digital platform, including in Northern Ireland where a range of local services are now available online.

1.1.2 The introduction of **digital electoral registration** in Great Britain in 2014 has been a major success, with around 90% of registrations now made online. It is a quick, easy and secure way of registering and anyone with access to the internet, whether on their desktop, phone or other device, will benefit from this. We expect digital registration to be a similar success when it is introduced in Northern Ireland¹.

1.1.3 In the rest of the UK, **local councils play a major role** in both managing elections and electoral registration. Councils provide advice and support to local residents and are able to absorb peaks by assigning staff to election duties during busy times and to other responsibilities at other times. This flexibility is not currently achievable in Northern Ireland under the current election management structures. This consultation examines the case for councils in Northern Ireland taking on more responsibility for managing elections and providing local electoral services, while ensuring overall responsibility remains with the Chief Electoral Officer.

1.1.4 The Chief Electoral Officer and the Electoral Office for Northern Ireland (EONI) have ensured that Northern Ireland has benefitted from secure, fair and impartial elections for many decades. Implementing the proposed reforms set out in this paper would ensure that EONI can continue to deliver important electoral services and operate on a **sustainable financial footing** for years to come.

¹ Additional work is needed to ensure compatibility with the system of electoral registration in Northern Ireland. This work is now in its final stages and the intention is to introduce secondary legislation in Parliament in October. If passed, this will allow for digital registration to 'go live' in Northern Ireland shortly after.

1.1.5 Our overarching aim is to ensure that the people of Northern Ireland can enjoy access to electoral services in a modern, efficient way while maintaining public support and confidence in the safety and security of the electoral process. We would welcome views on the options for modernisation set out in this paper.

2. Issues for consideration

2.1 Introduction

2.1.1 This consultation seeks views on a range of issues relating to both maintaining the electoral register and delivering elections themselves. The aim in all cases is to improve the accessibility of services for users and to look at ways to increase the availability of local services. In particular, the consultation explores the following issues:

- A modern electoral registration process (2.2)
- Enhancing the provision of local services (2.3)
- Maintaining the electoral register (2.4)
- Increasing the role of district councils in running elections and referendums (2.5)

2.1.2 A more detailed overview of how electoral services are currently delivered in Northern Ireland is attached at Annex B. However, the delivery of these services can be divided into two distinct, but related, categories:

- **maintaining the electoral register**, which requires management on a routine basis, but often peaks at certain times, such as in the run up to elections; and
- **delivering elections and referendums**, which is usually managed on a cyclical basis, although unscheduled polls may occur within those cycles.

2.2 A modern electoral registration process

2.2.1 The Chief Electoral Officer is responsible for maintaining the electoral register in Northern Ireland and will retain that responsibility under all proposals set out in this paper. The Chief Electoral Officer is under a statutory duty to ensure that the register is as accurate and comprehensive as is reasonably practicable². EONI effectively manages all aspects of the electoral registration process in Northern Ireland, which includes:

² Section 10ZB(1) Representation of the People Act 1983. A full account of how these objectives are currently met is included in Annex B.

- Processing all electoral registration applications
- Requesting and verifying supporting documentation
- Promoting electoral registration among under-represented groups
- Verifying details contained in the register to ensure consistency with information held by other agencies

Digital Registration

2.2.2 The introduction of digital registration is a major step forward and will significantly improve the experience of the vast majority of those seeking to register in Northern Ireland. It is a quick, easy and secure way of registering and anyone with access to the internet, whether on their desktop, phone or other device, will benefit from this. With approximately 90% of all new registration applications now being made online in GB, there is clear evidence that the introduction of online registration will significantly reduce the time spent by people in Northern Ireland on registering to vote and make it more straightforward.

2.2.3 Digital registration will be introduced alongside paper-based registration, it will not replace it. The provision of advice and support to the public, whether they register online or by paper, will still be available from a range of sources, including by phone through the EONI helpline and online through the EONI, GOV.UK, NIDirect and Electoral Commission websites.

2.3 Enhancing local services

2.3.1 While digital registration will mean the vast majority of voters will register online in future, some people may still seek to register using the paper-based system and people may also wish to access services such as obtaining an electoral ID card locally. EONI would continue to provide a registration and ID card service by post and provide advice through the EONI helpline. However, district councils could also have a role in providing face to face advice for local residents who still need it by:

- providing registration forms and advice on how to complete them
- assisting in applications for those that require electoral ID cards
- verifying documentation locally

2.3.2 Having all district councils providing local services would lead to an increase in local access to electoral services in many areas (four councils currently do not have an electoral office in their area). There would also be added convenience for residents being able to access advice and electoral services at council offices, alongside other important local services. If there was support for councils taking on these additional functions, full training would be provided by EONI to council staff.³

Q.1 Do you see benefit in having all district councils providing advice and support to local residents on electoral matters, particularly those who do not wish to use online registration?

Q.2 Are there other electoral services that you would like to see district councils providing locally?

³ If there was support for this option, further discussions would take place with district councils about how this local service could be implemented in the most efficient and effective way.

2.4 Maintaining the electoral register

2.4.1 With most people registering online, there will be significantly less demand for registration applications to be made and processed manually. The provision of advice and support to the public will be available both online – through the EONI, GOV.UK, NIDirect and Electoral Commission websites – and also by phone through the EONI helpline. This consultation also envisages district councils providing face to face advice and support across all council areas, not just those which currently have an area electoral office.

2.4.2 The focus of EONI's routine work will therefore change with a greater emphasis on working with key partners to increase the accuracy and comprehensiveness of the electoral register. Work on maintaining the accuracy of the register will be focussed on data matching and verification, which will involve working with partner organisations, such as the Department of Work and Pensions and Business Service Organisation, to actively ensure that information contained in the register is up to date. EONI will also continue to work closely with local schools, colleges, Northern Ireland Housing Executive and other organisations to encourage registration across Northern Ireland, particularly from under-represented groups.

2.4.3 This work on maintaining the register could be completed from a single site and, if the proposal at paragraph 2.3 was accepted, district councils would then also provide a local face to face service for electors in each district council area. An alternative approach would be to retain up to three⁴ regional electoral offices, in addition to the Belfast HQ. Under this option, the delivery of EONI's services would be split between these four offices, with regional offices undertaking outreach and verification activity across their specific geographical area of responsibility. This would allow for a greater EONI presence at regional level across Northern Ireland, but potentially at some extra cost, although these could be mitigated if EONI regional offices were co-located within district council offices.

2.4.4 Under this approach, four council areas would have an electoral office within their council area providing advice and support to electors on a face to face basis, in addition to

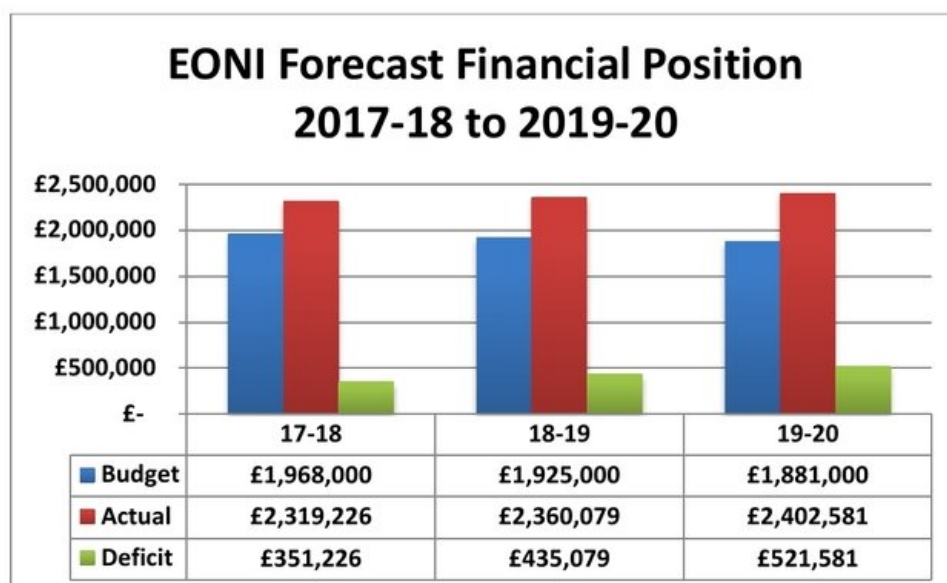
⁴ The Chief Electoral Officer believes that three regional offices is the maximum number that would enable EONI to meet future budget and staffing requirements. Further discussions with district councils will take place on locations, but the aim would be to ensure appropriate geographic and demographic coverage.

undertaking outreach and verification work on the electoral register. Remaining councils could offer the enhanced local service proposed in section 2.3 above. The four site approach would also have the benefit of providing regional centres of excellence for councils on electoral matters. This could be particularly important over the next few years to ensure that councils are equipped to undertake their new electoral responsibilities well in advance of the next electoral cycle

2.4.5 Implementing either of the proposed models outlined above would allow EONI to operate within its allocated budget from the NIO (see Table A for more detail) and to operate on a sustainable financial footing in future.

Q.3 With EONI's routine work more focussed on maintaining the accuracy and comprehensiveness of the electoral register, and district councils providing advice to the public at local level, would you see a role for regional electoral offices?

Table A - EONI FINANCIAL POSITION TO 2019/20



Note: Actual expenditure reflects the cost of running EONI in its current form adjusted for inflation.

EONI, like all publicly funded bodies, has delivered savings since the Spending Review in 2010 but has been able to operate within budget due to the receipt of additional funding to deliver elections over 2014-16. The EONI budget in 2015-16 was £2,054K.

From 2017-18, in the absence of additional funding for elections, EONI will face a shortfall estimated at £351k, rising to almost £522k by the end of the spending review period. This demonstrates why the current model is unsustainable and we are not therefore consulting on retaining the status quo. Implementing either of the two options set out in section 2.4 would involve reductions in staffing and accommodation that would allow EONI to operate within its allocated budget.

2.5 An increased role for district councils at all elections

2.5.1 District councils already play an important role in the delivery of council elections in Northern Ireland. Council Chief Executives are appointed as Deputy Returning Officers, under the direction of the Chief Electoral Officer, and are largely responsible for management of the election count and processing nominations.

2.5.2 In the rest of the UK, local councils have responsibility for managing the delivery of all elections and referendums. Councils are well-placed to manage the variable workload by assigning staff to election duties during busy times and to other important responsibilities at other times.

2.5.3 District councils could take on greater responsibility for the management of all elections and referendums in Northern Ireland, not just district council elections. This could involve extending their current role at district council elections to cover Parliamentary and Northern Ireland Assembly elections and referendums. A full list of proposed responsibilities is attached at Annex C, but this may include:

- Receiving and processing candidate and agent nominations
- Packing and storing ballot boxes
- Securing appropriate venues for the count
- Recruitment and training of count staff
- Managing the verification and count processes
- Managing some post-election returns and procedures

2.5.4 Councils would be funded for taking on these additional responsibilities. Funding for Parliamentary elections and referendums comes directly from the UK Consolidated Fund, with funding for Northern Ireland Assembly elections coming directly from the NI Consolidated Fund. This funding is currently allocated to EONI and EONI provides fully itemised costs for the activities they have undertaken in respect of each election and referendum. Under this proposal, councils would similarly have all costs for activities they have undertaken at Parliamentary and NI Assembly elections and referendums reimbursed from the UK and NI Consolidated Funds.

2.5.5 It is important to emphasise that the Chief Electoral Officer retains overall responsibility for district council elections and currently delegates responsibility for certain functions to district councils. The Chief Electoral Officer also has a power of direction over the Clerk to the District Council, in practice the Chief Executive, in respect of electoral functions they undertake.⁵ The effect is that Chief Executives are subject to direction of the Chief Electoral Officer and not their individual councils when it comes to the performance of their election duties. This is an important safeguard and ensures that they can perform their elections duties free from any risk of political interference.

2.5.6 Under existing legislation, the Chief Electoral Officer's power of direction to Chief Executives extends to Parliamentary and Northern Ireland Assembly elections. However, the NIO would seek to update this legislation⁶ to fully reflect new governance arrangements set out in this consultation by giving the Chief Electoral Officer powers of delegation and direction to all council employees in respect of functions they undertake in running all elections and referendums in Northern Ireland. The Chief Electoral Officer would, therefore, retain overall responsibility for the management of all elections in Northern Ireland, including those functions being carried out by district councils. This should address concerns about the risk of political interference and ensure that elections are delivered consistently across all electoral areas.

2.5.7 The Chief Electoral Officer would provide full training to councils to ensure they have the capability to take on additional functions and continue to offer regular subsequent training sessions.

Q.4 Should district councils have a role in delivering all elections and referendums in Northern Ireland, including Parliamentary and NI Assembly elections and referendums?

Q.5 Should councils take on the functions set out in paragraph 2.5.3 (and Annex C) at all elections and referendums?

⁵ See section 14A of the Electoral Law Act (NI) 1962.

⁶ Such amendments would require primary legislation. The NIO would therefore seek a suitable legislative vehicle in the third session of Parliament.

Q.6 *Are the safeguards set out in paragraph 2.5.5 & 2.5.6 sufficient to protect council employees undertaking electoral functions from the risk of political interference?*

2.6 Electoral fraud

2.6.1 In August 2016, Sir Eric Pickles published an independent report into tackling electoral fraud⁷. The UK Government is now carefully considering the report. Northern Ireland already has successfully implemented individual electoral registration and identification at polling stations which has reduced the opportunities for electoral fraud. In addition to seeking views on the issues raised in this consultation paper about electoral services in Northern Ireland, the Government continues to welcome comments or representations on the content of Sir Eric's Report, including whether particular proposals could apply to the whole of the United Kingdom.

2.7 Next steps

2.7.1 When the consultation has closed, all responses will be considered with a view to an announcement taking place in early 2017. Everyone with an interest is encouraged to have their say by filling in the response form at Annex A.

⁷ See <https://www.gov.uk/government/publications/securing-the-ballot-review-into-electoral-fraud>

3. Responses

3.1 Responding to this consultation

3.1.1 This consultation will run for 13 weeks with responses requested by 5:00 pm on Monday 9 January 2017. Comments on the proposals should be e-mailed to elections.unit@nio.gov.uk. Responses can also be sent by post to:

Future Delivery of Electoral Services Consultation
Northern Ireland Office
Stormont House
Stormont Estate
BELFAST
BT4 3SH

3.1.2 Please call 02890 523503 for queries in relation to this consultation or email elections.unit@nio.gov.uk.

3.1.3 This consultation document is available on the GOV.UK website under www.gov.uk/nio. Printed copies of this consultation document may be obtained free of charge from the above address. You may make additional copies of this document without seeking permission. **This document can also be made available on request in different formats**, for individuals with particular needs.

3.1.4 If you are responding on behalf of a group or organisation please make this clear. The NIO is committed to publishing a list of those organisations that comment on these proposals and to making available, to anyone who asks for it, a copy of the comments and our response to them. If you do not wish your comments to be published in this way, you must make this clear in any response you submit.

3.1.5 If you have any concerns or complaints about the consultation process you should contact the NIO's consultation co-ordinator on 02890 765497, or e-mail richard.steven@nio.gov.uk or by post:

Consultation Co-ordinator
Corporate Governance Unit
Stormont House
Stormont Estate
BELFAST
BT4 3SH

3.2 Confidentiality and Disclaimer

3.2.1 The information you send us may be passed to colleagues within the Northern Ireland Office, the Government or related agencies. **Individual responses may also be published on the internet at www.gov.uk/nio unless a respondent has requested otherwise.** Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes. These are primarily: the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004.

3.2.2 If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice, with which public authorities must comply, and which deals, amongst other things, with obligations regarding confidence. In view of this, it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances.

3.2.3 Please ensure that your response is marked clearly if you wish your response to be kept anonymous. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department. Confidential responses, included in any statistical summary of numbers of comments received and views expressed, will be anonymised. The Department will process your personal data strictly in accordance with the Data Protection Act. In most circumstances this will mean that your personal data will not be disclosed to third parties.

3.3 Section 75

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3.3.1 A section 75 equality screening has been carried out in relation to the proposals set out in this consultation paper and found no adverse impact on any of the s.75 groups. We will conduct a further screening exercise when the consultation has concluded and in advance of final decisions being made on future policy. Please contact the NIO consultation co-ordinator if you wish to obtain a copy of the screening report.

Annex A

FUTURE DELIVERY OF ELECTORAL SERVICES IN NORTHERN IRELAND
RESPONSE TEMPLATE

RESPONDENT INFORMATION

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately.

1. Name / Organisation

Organisation Name (If applicable):

Title: Mr ☐ Ms ☐ Mrs ☐ Miss ☐ Dr ☐ Please tick as appropriate

Surname:

Forename

2. Postal Address

Postcode	Phone	Email

RESPONSES TO CONSULTATION QUESTIONS

Please provide below any comments you may have on the consultation options, as outlined above in chapter 2.3 of the consultation document. Please use additional pages as necessary.

Q.1 *Do you see benefit in having all district councils providing advice and support to local residents on electoral matters, particularly those who do not wish to use online registration?*

Yes ☐ No ☐

[Click here to enter text.](#)

Q.2 *Are there other electoral services that you would like to see district councils providing locally?*

Yes ☐ No ☐

[Click here to enter text.](#)

Please provide below any comments you may have on the consultation options, as outlined above in chapter 2.4 of the consultation document. Please use additional pages as necessary.

Q.3 *With EONI's routine work more focussed on maintaining the accuracy and comprehensiveness of the electoral register, and district councils providing advice to the public at local level, would you see a role for regional electoral offices?*

Yes ☐ No ☐

[Click here to enter text.](#)

Please provide below any comments you may have on the consultation options, as outlined above in chapter 2.5 of the consultation document. Please use additional pages as necessary.

Q.4 *Should district councils have a role in delivering all elections and referendums in Northern Ireland, including Parliamentary and NI Assembly elections and referendums?*

Yes ☐ No ☐

[Click here to enter text.](#)

Q.5 *Should councils take on the functions set out in paragraph 2.5.3 (and Annex C) at all elections and referendums?*

Yes ☐ No ☐

[Click here to enter text.](#)

Q.6 *Are the safeguards set out in paragraph 2.5.5 & 2.5.6 sufficient to protect council employees undertaking electoral functions from the risk of political interference?*

Yes ☐ No ☐

[Click here to enter text.](#)

Annex B

The current delivery of electoral services in Northern Ireland

1. This Annex provides an overview of the way in which electoral services are currently provided in Northern Ireland.

2. Policy relating to elections in Northern Ireland is 'excepted' under the devolution settlement. The NIO maintains the legal framework governing elections in Northern Ireland and the Secretary of State appoints a Chief Electoral Officer who has operational responsibility for managing electoral registration and delivering all elections and referendums in Northern Ireland. The Chief Electoral Officer is supported by the Electoral Office for Northern Ireland (EONI) and both are operationally independent of Government. The Secretary of State is ultimately responsible to Parliament for ensuring that EONI operates effectively and efficiently.

3. EONI has a central HQ in Belfast and seven area offices spread throughout Northern Ireland – Ballymena, Banbridge, Belfast, Derry-Londonderry, Newtownabbey, Newtownards and Omagh⁸. The current staff complement is 45, with 16 staff situated in the Belfast HQ and around 4-5 staff in each of the area offices. The Chief Electoral Officer and EONI's responsibilities are set out below.

A. Delivering elections and referendums

4. The Chief Electoral Officer is responsible for delivering all elections and referendums in Northern Ireland. EONI manages Parliamentary, European and Northern Ireland Assembly elections and also referendums, such as the recent EU Referendum. District councils currently manage some aspects of local elections, particularly the election count, under the overall supervision and direction of the Chief Electoral Officer.

⁸ The Ballymena and Newtownards offices will close on 31 October 2016 at the end of their current leases

Pre-election responsibilities

5. The Chief Electoral Officer must fulfil a range of statutory obligations in the weeks before an election. This includes publishing formal election notices and related timetables, preparing candidate information packs, receiving and reviewing candidate and agent nominations and printing ballot papers, poll cards and number lists. These tasks are currently undertaken by EONI for all elections, with the exception of district council elections, where councils have responsibility for delivering some of these functions (see Annex C).

Polling

6. The Chief Electoral Officer is required by law to develop a polling station scheme to allocate the polling stations that will be used at forthcoming elections. In advance of elections, EONI ensures that the 1380 or so proposed polling stations in Northern Ireland are available and appropriate equipment is in place. EONI also recruits and trains approximately 3500 polling station staff and ensures that monitoring and contingency arrangements are in place for polling day. EONI also arranges for ballot boxes to be transported to and from polling stations.

Election counts

7. The management of election counts is currently undertaken by EONI for all elections and referendums, except district council election counts, which are managed by councils themselves under the overall direction of the Chief Electoral Officer. A successful count involves the delivery of a range of important tasks such as providing secure venues and equipment, recruiting and training capable verification and count staff and conducting a successful and timely verification and count process. Election counts are often high profile events requiring regular liaison with political representatives and media.

8. EONI is also responsible for managing the absent vote process. This currently involves processing applications for postal votes in the run up to elections, liaising with

postal providers to ensure timely delivery of votes and verifying and counting postal votes centrally. EONI must also fulfil a range of post-election statutory obligations, such as receiving and reviewing candidate expense returns, storing documentation and preparing statistical returns, in addition to operational obligations such as arranging payment to staff and suppliers.

Electoral Identity Cards

9. In Northern Ireland, there is a requirement for voters to provide specified photographic identification at polling stations, such as a passport, driving licence etc. EONI also provides, free of charge, an Electoral Identity Card which can be used as an acceptable form of ID at polling stations. In 2015-16, EONI issued 24,232 Electoral Identity Cards.

B. Maintaining the Northern Ireland Electoral Register

10. The Chief Electoral Officer is responsible for maintaining the electoral register in Northern Ireland and must fulfil the registration objectives for Northern Ireland, set out in legislation⁹, to secure so far as reasonably practicable—

- (a) that every person who is entitled to be registered in a register is registered in it,
- (b) that no person who is not entitled to be registered in a register is registered in it, and
- (c) that none of the required information relating to any person registered in a register is false.

11. In order to meet these legislative requirements, the Chief Electoral Officer and EONI undertake a range of measures to constantly improve both the accuracy and comprehensiveness of the NI register.

⁹ Section 102B(1) Representation of the People Act 1983

Maintaining an accurate register

12. Maintaining an accurate electoral register is critical to ensuring confidence in the democratic system in any society. This is particularly the case in Northern Ireland where there has been increased concern over potential electoral fraud. The introduction in 2002 of individual electoral registration in Northern Ireland provided an important safeguard to ensure greater accuracy of the NI register and its success is reflected in the recent roll out of individual electoral registration across the rest of the UK.

13. EONI also undertakes a range of measures to ensure the accuracy of the register in Northern Ireland, including working closely with statutory organisations such as the Business Services Organisation (BSO) and the Department of Work and Pensions (DWP) to determine whether an individual's registration status needs to be updated.

14. For example, EONI receives quarterly data from the BSO containing the names and addresses of those who had registered a change of name and/or address with their health provider and then contacts those individuals to invite them to also update their electoral registration details. In 2015-16, 67,148 records were removed as deceased or no longer eligible for registration at a given address and 6,414 records were modified.

Maintaining a comprehensive register

15. The obligation to ensure that the register is as comprehensive as possible is also critical in ensuring confidence in the democratic process. Responsibility for processing applications to register currently rests mainly with regional offices, who also offer advice and support to applicants. A dedicated EONI telephone helpline, which operates out of the Belfast HQ, also provides advice and support to applicants and a range of online advice and support is available both on the EONI and Electoral Commission websites.

16. EONI also undertakes a range of measures to promote registration, particularly among groups that are often under-represented on the register, such as young people or those in short-term rented accommodation. For example, EONI works with the Northern

Ireland Housing Executive to ensure that registration forms were included in their 'New Tenant' packs and conducts similar outreach to pupils of NI schools and students of NI Universities and Further Education Colleges.

17. In total, 82,812 additions were made to the electoral register over the 2015-2016 financial year and the register published in December 2015 held 1,270,764 electors, suggesting it is 88% comprehensive. Maintaining a high level of comprehensiveness and accuracy of the NI electoral register will remain a priority for the Chief Electoral Officer in the years ahead.

Annual Canvass

18. There is no longer a requirement for an annual canvass in Northern Ireland, however the Chief Electoral Officer has a responsibility to advise the Secretary of State if a canvass is required and one must take place within ten years of the previous canvass, which was held in 2013. EONI is responsible for delivering the NI canvass.

Annex C

CURRENT DISTRICT COUNCIL ELECTION DUTIES AND RESPONSIBILITIES AND PROPOSED ROLES AND RESPONSIBILITIES

TOPIC	ACTION REQUIRED	CURRENT RESPONSIBILITIES	PROPOSED RESPONSIBILITIES ¹⁰		
		LOCAL COUNCIL ELECTION	WESTMINSTER ELECTION	NI ASSEMBLY ELECTION	REFERENDUM
Candidate and agent nominations	Prepare all Candidates' Guides (including nomination pack)	EONI	EONI	EONI	
	Receive and process nominations	LC	LC	LC	
Packing and storing ballot boxes	Procure for printing of ballot papers and corresponding number lists, hand-held posters etc.	LC	EONI	EONI	EONI
	Prepare and approve ballot paper proofs etc. and arrange printing	LC	LC	LC	EONI
	Receive and copy polling/referendum agents list for ballot boxes	LC	LC	LC	LC
	Liaise with transportation contractors re delivery and collection of ballot boxes	EONI/LC	EONI/LC	EONI/LC	EONI/LC
	Pack ballot boxes	LC	LC	LC	LC
	Store all ballot boxes the night before poll and distribute to designated officer on polling day	LC	LC	LC	LC
Securing appropriate venue for count	Contact premises and book polling places	EONI	EONI	EONI	EONI
	Ensure contingency arrangements in place for polling places	EONI	EONI	EONI	EONI
	Make arrangements for booking, setting up and managing count venues	LC	LC	LC	LC
	Ensure contingency and security arrangements are in place for count venues	LC	LC	LC	LC
Recruitment and training	Prepare Deputy Returning Officers' Guide	EONI	EONI	EONI	EONI
	Prepare poll staff handbook	EONI	EONI	EONI	EONI
	Prepare and deliver training to polling staff	EONI	EONI	EONI	EONI

¹⁰ Responsibility for all aspects of these elections currently rests with EONI

TOPIC	ACTION REQUIRED	CURRENT RESPONSIBILITIES	PROPOSED RESPONSIBILITIES ¹⁰		
		LOCAL COUNCIL ELECTION	WESTMINSTER ELECTION	NI ASSEMBLY ELECTION	REFERENDUM
	Establish polling staff complement	EONI	EONI	EONI	EONI
	Carry out recruitment, selection, appointment and training of polling staff	EONI	EONI	EONI	EONI
	Establish count staff complement	EONI/LC	EONI/LC	EONI/LC	EONI/LC
	Carry out recruitment, selection, appointment and training of verification and count staff	LC	LC	LC	LC
Managing the verification and count processes	Manage ID clinics (including staffing)	EONI	EONI	EONI	EONI
	Hold registration day	EONI	EONI	EONI	EONI
	Manage absent voting process	EONI	EONI	EONI	EONI
	Arrange postal vote issue and opening	EONI	EONI	EONI	EONI
	Advise EONI of attendees at postal vote issue and opening	LC	LC	LC	EONI
	Liaison with postal service provider re: postal votes	EONI	EONI	EONI	EONI
	Manage the verification process	LC	LC	LC	LC
	Receive counting agent lists	LC	LC	LC	LC
	Manage the count process and declare results	LC	LC	LC	LC
	Liaise with PSNI re: count security	LC	LC	LC	LC
	Liaise with the media	LC	LC	LC	LC
Post-election returns and procedures	Prepare statistical returns	EONI/LC	EONI/LC	EONI/LC	EONI/LC
	Review all election procedures	EONI/LC	EONI/LC	EONI/LC	EONI/LC
	Carry out post-election procedures	LC	EONI/LC	EONI/LC	EONI/LC
	Receive and check returns and declarations of election expenses	LC	EONI	EONI	EONI
	Publish expenditure information on organisational website	LC	EONI	EONI	EONI

FUTURE DELIVERY OF ELECTORAL SERVICES IN NORTHERN IRELAND
RESPONSE TEMPLATE

RESPONDENT INFORMATION

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately.

1. Name / Organisation

Organisation Name (If applicable):

Newry, Mourne and Down District Council

Title: Mr ☒ Ms ☐ Mrs ☐ Miss ☐ Dr ☐ Please tick as appropriate

Surname:

Hannaway

Forename

Liam

2. Postal Address

Newry, Mourne & Down District Council		
O'Hagan House		
Monaghan Row		
Newry		
Postcode BT35 8DJ	Phone 03000132233	Email liam.hannaway@nmandd.org

Please provide below any comments you may have on the consultation options, as outlined above in chapter 2.3 of the consultation document. Please use additional pages as necessary.

Q.1 Do you see benefit in having all district councils providing advice and support to local residents on electoral matters, particularly those who do not wish to use online registration?

Yes ☒ No ☐

Newry, Mourne and Down District Council (NMDDC) views this as an opportunity to enhance local interest in the democratic process and to improve on accessibility to electoral services for all groups, particularly the hard to reach categories online registration is particularly welcomed and equally the ability to put in place locally based services for those who do not wish to use online registration is a measure that will allow for increase participation in the electoral process. This will enhance our civic leadership role and responsibilities as a public sector organisation. Our Council's commitment to this is outline within chapter 6 of the Council's approved Equality Scheme which sets arrangements for ensuring and assessing public access to the information and services we provide.

Q.2 Are there other electoral services that you would like to see district councils providing locally?

Yes ☒ No ☐

NMDDC would like to have responsibility for the full remit of delivery of electoral services as this will enable us to develop learning within the organisation in terms of delivering this service effectively. However this enhanced role for Councils must be adequately financed on an on-going basis, and adequate training and resourcing will be integral to successful delivery of, and access to, the democratic process for all our citizens.

Please provide below any comments you may have on the consultation options, as outlined above in chapter 2.4 of the consultation document. Please use additional pages as necessary.

Q.3 With EONI's routine work more focussed on maintaining the accuracy and comprehensiveness of the electoral register, and district councils providing advice to the public at local level, would you see a role for regional electoral offices?

Yes ☐ No ☒

As NMDDC does not presently have a regional Electoral Office located within our District we are neutral in our view on this question. However if the EONI are minded to locate some regional Electoral Offices, we would request the establishment of one of the offices within our District which has a population of 171,500.

Please provide below any comments you may have on the consultation options, as outlined above in chapter 2.5 of the consultation document. Please use additional pages as necessary.

Q.4 *Should district councils have a role in delivering all elections and referendums in Northern Ireland, including Parliamentary and NI Assembly elections and referendums?*

Yes ☒ No ☐

NMDDC is in favour of delivering all elections and referendums in NI. To fulfil this role effectively, support in terms of physical and financial resources, including training of staff, must be put in place at an early stage to accommodate the adequate delivery of services which are fit for purpose, robust and have public confidence.

Q.5 *Should councils take on the functions set out in paragraph 2.5.3 (and Annex C) at all elections and referendums?*

Yes ☒ No ☐

Subject to the caveats listed in Q4 NMDDC would welcome these functions as they represent a further step along the pathway to normalisation within our society, bringing arrangements in line with those existing in England, Scotland, Wales and the Republic of Ireland. In our area where rurality is a key issue, and bearing in mind the potential for a new statutory duty in relation to this, rurality must be considered when transferring these functions to Councils. This will ensure Councils can meet any new statutory requirements in this area.

Q.6 *Are the safeguards set out in paragraph 2.5.5 & 2.5.6 sufficient to protect council employees undertaking electoral functions from the risk of political interference?*

Yes ☒ No ☐

NMDDC is content that Council employees will be in a position to undertake electoral functions in an environment free from political interference and this will be underpinned by the Code of Conduct for Local Government employees which requires political neutrality. The mandatory Northern Ireland Code of Conduct for Councillors will further assist with such assurance.

Your ref:

Our ref:



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Mr Liam Hannaway
Chief Executive
Newry, Mourne and Down DC
Monaghan Row
NEWRY
BT35 8DJ

16 November 2016

Dear Mr Hannaway

FUTURE DELIVERY OF ELECTORAL SERVICES NIPSA RESPONSE TO PUBLIC CONSULTATION

Further to the above public consultation, I attach a copy of the NIPSA Response calling for the retention of rural electoral services.

I would ask if a copy of this document could be forwarded to all elected councillors and would encourage your Council to submit its own response to this important consultation.

Yours sincerely

DOOLEY HARTE
Higher Executive Officer

Enc

Alison Millar *General Secretary*

Headquarters

54 Wellington Park, Belfast. BT9 6DP Tel: 028 9066 1831 Fax: 028 9066 5847

Contact

Email: info@nipsa.org.uk Web: www.nipsa.org.uk

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NIPSA Response to NIO Public Consultation

Future Delivery of Electoral Services in Northern Ireland

16 November 2016

NIPSA Response to NIO Public Consultation

Future Delivery of Electoral Services in Northern Ireland

1. I am writing on behalf of the Northern Ireland Public Service Alliance (NIPSA) in response to the Northern Ireland Office (NIO) public consultation paper on future delivery of electoral services for Northern Ireland.
2. NIPSA represents over 41,000 civil and public servants across all areas of the public sector in Northern Ireland including NICS, Health, Education and local government. NIPSA is also the recognised trade union for members in Electoral Office for Northern Ireland.
3. NIPSA is not opposed to considering change regarding delivery of electoral services but we feel this consultation is poorly prepared and poorly timed. To implement such significant change while new online registration and administrative systems have not had a chance to bed in and be properly assessed is a mistake.
4. Also given the real possibility of a snap election, and the fact we will have a new Chief Electoral Officer in post shortly and the loss of experienced staff under the voluntary exit scheme, these uncertainties should not be compounded with major decisions on office estate and service delivery. This consultation should be withdrawn.
5. NIPSA is also concerned that this public consultation is biased and supports the Minister's preferred option for electoral services, clearly referenced in the foreword of the consultation paper. The language of the report and the style of the questions listed clearly support a transfer of all elections to local councils, the closure of regional electoral offices and centralisation of staff and remaining functions to Belfast.
6. NIPSA rejects any notion that this consultation is in any way fair or reasonable. Insufficient information, especially regarding finances, has been provided in the paper. We believe the consultation should provide more options and that these should be properly researched, thus allowing the electorate the opportunity to properly consider and comment on what electoral services they want and need and how these services should be paid for.
7. NIPSA believes that this consultation neither meets the Wolfe-Gunning principles nor those set out in HM Government's Code of Practice on Consultations. NIPSA demands that this consultation be withdrawn and further research into all options be provided to the NI public to ensure a full and apposite process.

8. In the absence of such a decision, NIPSA will set out a detailed response as part of the consultation but will not respond directly to the questions, given concerns raised above.

Political Engagement

9. Neither the NIO nor the CEO has carried out the necessary political engagement to inform this consultation. Meetings with all local councils and councillors have not taken place. And no active engagement with NI Assembly or the Executive Office as the office of the First & Deputy First Minister, has taken place. Political parties within Northern Ireland have likewise not been engaged individually or collectively in this process.
10. NIPSA has engaged local political representatives and all parties support the retention of regional electoral offices. In June 2016, the following motion was passed by all members of NI Assembly –

“That this Assembly notes with concern the proposals from the Electoral Office for Northern Ireland to close regional electoral offices in Ballymena, Banbridge, Londonderry, Newtownabbey, Newtownards and Omagh; believes that this will damage democracy in Northern Ireland, lead to fewer people on the electoral register and to a diminished role for the Electoral Office for Northern Ireland in local schools and communities; and calls on the Secretary of State, the Northern Ireland Office and the Electoral Office for Northern Ireland to retain and fund adequately all regional offices currently under threat of closure.”

Similar motions of support have been passed by local councils.

11. NIPSA believes that there has been a failure on the part of both NIO and Chief Electoral Officer in not engaging local political representatives to gauge their opinions on what electoral services their constituents both need and deserve.

Staff

12. NIPSA has engaged its members employed in EONI who reject any proposals to close regional offices. This will not only impact on their jobs, but they also resoundingly believe these plans will adversely impact on services to the public leading to a reduced electoral register and lower voter participation in elections.
13. The retention of staff skills and experience should be a priority for NIO and the transfer of services to local councils poses a serious risk to future fair and impartial elections.

Financial Information

14. Para 1.1.4 states that reform is needed to ensure EONI can “operate on a sustainable financial footing”. Table 1 on Page 12 provides information on the EONI budget forecasts showing an operating budget of £1,881k and a deficit of £521k by 2020.

15. However, this information fails to explain the reasons for the deficit. In 2010, EONI had an operating budget of £2,750k and this has been systematically reduced by NIO. Operating costs have increased in this time- rent, salaries, utilities, etc. – but the operating budget has been cut by over 30%.
16. It is the NIO that has caused the deficit by cutting the EONI budget and the exclusion of this information is both deliberate and shameful.
17. We also note that no breakdown of operating costs is provided. There is no information on salaries, utilities or rent. No information on what savings will be made by closing offices and transferring elections to councils.
18. There is also no information on what the transfer of functions to councils will cost. Para 2.3.1 sets out roles for councils as registration, electoral ID cards and document verification while Q3 asks about councils providing advice. These are core functions, not funded by either the UK or NI consolidation fund and so would come out of EONI core annual operating budget. This is neither costed nor explained.
19. Given elections and other core EONI functions are proposed to transfer from EONI to local councils, NIPSA would raise the Transfer of Undertakings (Protection of Employment) Regulations. NIPSA believes that TUPE Regulations would apply and as staff would have to transfer with services, additional costs would apply and these are not referenced in the paper.
20. Even if TUPE regulations did not apply, it is likely that Cabinet Office guidelines for transferring functions between public sector bodies would. This would mean that staff would have to be transferred with the work. Again, the additional costs of meeting these guidelines are not referenced in the paper.
21. Costs to transfer staff from EONI to councils would be significant as terms and conditions would have to be harmonised. While they issues of grading pay and protection of terms and conditions would need significant work, it is on the issue of pensions that the greatest costs would be borne.
22. Staff in EONI are members of NICS Pension Scheme and council staff are members of NILGOSC. As NILGOSC is a fully funded scheme, government would have to provide full costs to the scheme up front. This figure, even for a small number of staff would run into many millions, especially given the long service of most EONI staff.
23. NIPSA believes this consultation has failed in not providing all necessary financial information. We believe a fully costed business case setting out actual costs for local councils and what additional costs will impact on EONI as a result of the transfer of elections and other functions, should have been included in this paper for consideration and comment.

24. Par 3.3 of the HM Government code of Practice on Consultations states:-

“Estimates of the costs and benefits of the policy options under consideration should normally form an integral part of consultation exercises, setting out the Government’s current understanding of these costs and benefits.”

25. The financial information at Table 1 is wholly inadequate and fails to meet these standards, renders this process in breach of government guidance.

District Councils

26. NIPSA is not opposed to the transfer of elections to local councils. However we do have some significant concerns that this consultation paper fails to address.
27. EONI was established to provide the NI electorate with fair and impartial electoral services by staff with no affiliations or links to local political representatives. While NI society has moved on, divisions still exist within communities. It is also the case that council staff have to work directly with their local political representatives.
28. We feel that confidence in the political process could be lost if elections were transferred to local councils. If a councillor, MLA or MP was elected on a slim majority and they were a member of the majority party in the council conducting the count, it would put the integrity of the electoral process at risk of allegations of interference even where no interference occurred.
29. NIPSA is also concerned regarding the Power of Direction that would be afforded to Chief Electoral Officer over council Chief Executives. While reference is made to this at Para 2.5.6, there is no specific detail of what powers would be given to CEO or how this would impact on the relationship between Chief Executives and local councillors, especially if CEO directions removed Chief Executives from their council responsibilities.
30. NIPSA would be concerned about retention of necessary skills and experience for delivery of elections. Currently EONI has fully trained, experienced and qualified electoral staff. Many of these staff have been in post for many years, showing high levels of staff retention within EONI.
31. Councils would not be able to provide the same levels of consistency regarding delivery of advice or service. Council staff will have other responsibilities between elections. Not having staff dedicated to electoral services all year would place future elections at risk. Given councils rely heavily on EONI staff for council elections and we currently have a period of over two years between elections, how would the Minister ensure that lessons learnt and experiences gained from the last election could be retained for the next, if councils held responsibility?

Office Closures

32. NIPSA rejects the argument put forward by CEO and NIO regarding the decision to close Ballymena and Newtownards regional electoral offices and to close the rest by July/August 2017. We understand that this decision has not been made by CEO for operational reasons but rather one enforced by NIO.
33. These decisions clearly show a pre-determination regarding the public consultation. As we understand it, Mid & East Antrim Council offered a number of accommodation alternatives to CEO that would have retained electoral services in Ballymena, all at little or no cost to EONI. To refuse such an offer is tantamount to a misuse of public funds.
34. Closure of regional electoral offices and centralisation to Belfast will impact on the electoral register and the percentage of persons voting. Outreach services to schools that explain the need to vote and encourage participation in the electoral processes will be lost to areas outside of Belfast. No reference is made in the consultation paper to show how the loss of this will be mitigated.
35. The consultation makes no comment on current NI Assembly and Executive policies. No rural proofing has been carried out on any decision to transfer functions to Belfast and we consider rural communities will be adversely affected by the withdrawal of services. Also centralisation of jobs and services to Belfast would not meet the NI Executive objectives to transfer public sector jobs out of Belfast.

Voter Participation

36. A NI Assembly briefing report dated 04 February 2014 reviews the 2011 NI Assembly elections. 55.7% of the 1,210k electorate voted in the elections, down from 70% in 1998. Of those eligible to vote, around 66% of those aged over 65 voted. However it was around 52% for those aged 18-22.
37. Young people are under-represented and the closure of regional offices and the withdrawal of the schools programme and capacity for local clinics will leave young people less likely to engage in the electoral process.
38. At a recent hearing of NI Affairs Committee, the CEO confirmed that Northern Ireland has 81% of its population on the electoral register. That is some 250k people not eligible to vote. In the most recent election in May this year only 54% of the 1,281k eligible voted. Even in the referendum in June, only 62% of the electorate voted.
39. Online registration without a local presence to promote and encourage voter registration and voter participation will mean less people on the register and less people taking part in elections. Local people, especially those in rural areas need support and any plan to close offices and centralise functions to Belfast will only add to the current downward trend.

Election Boundaries

40. Currently local councils are responsible for local council elections. Under plans set out in the consultation, it is proposed that councils will take on responsibility for all elections. However no reference is made to how this will be managed given different boundaries for NI Assembly and Westminster elections.
41. No reference is made to recent proposed changes by the Boundary commission and how this may or may not impact on this consultation.
42. For example, if changes recently announced by Boundary Commission are enacted, Mid Ulster council will span 4 parliamentary election constituencies. How will they engage other councils to organise counts, allocate staff and action duties required if the electoral area overlaps boundaries and possibly other council's responsibility.

Section 75

43. Para 3.3 states that an equality screening has been carried out but a copy of this screening has not been provided. NIPSA considers this a failure of the consultation.
44. A policy that forces members of the public to access online services, while simultaneously removing face to face services will adversely impact on rural service users. In particular, older people who do not have access to online services, racial groups, especially foreign nationals who require face to face engagement to answer questions and assist with form-filling.
45. A recent OECD survey stated that "*around 13% of 16-19 year olds in Northern Ireland had low literacy skills*" and other age groups fared little better.
46. NIPSA believes that both older people in relation to online, younger people who are already disenfranchised from elections and foreign nationals will be adversely affected by proposals set out in this paper and considers a full equality impact assessment is essential in considering appropriate solutions to mitigating the impact of these plans to close regional offices.

Voluntary Exit Scheme

47. While not specific to this consultation, NIPSA must record its disappointment that neither the Secretary of State nor the NIO provided the CEO with the necessary flexibility to protect services rather than introduce a voluntary exit scheme to staff during this consultation.
48. One of the two criteria for the selection panel under this process is business continuity. But we would ask how can services be protected and staff make informed decisions before you make a decision on future service delivery.

49. Uncertainty is prevalent and staff morale at an all-time low given the way these processes have been managed and the disdain shown to staff and service users.

Options

Co-Location of EONI Staff with Councils

50. This is NIPSA preferred option. The current provision of dedicated electoral office staff is shown to work and provides excellent service to political parties without fear or favour and is considered by the electorate as independent. NI Assembly parties have already passed a motion on 20 June 2016 calling for the retention of regional services.
51. Some local councils have already passed motions calling for retention of regional electoral offices and the consultation paper does not indicate what will happen if some councils refuse to take on any transferred responsibilities.
52. NIPSA believes that a full accommodation review should be carried out to ensure value for money for delivery of service. NIPSA wrote to Chief Electoral Officer in January 2016 requesting proper engagement with councils to consider co-location of electoral services on council property. Not only would this, in our opinion, be more cost-effective, it would also allow council property and staff to be 'used' for elections but retaining the independence and skills of EONI staff to deliver elections locally.
53. While funding is a concern, significant savings to EONI budget have been made in last six years. NI democracy is still finding its feet and it is important that the electoral process is properly funded by central government. NIPSA would state that a review of current funding projections, the provision of a small amount of additional funding coupled with savings to be found under voluntary exit process and with reduced accommodation costs would allow for retention of regional electoral services based on the current locations.

Reduce the number of regional offices

54. This is the preferred option of the Chief Electoral Officer but again no detailed information is available for proper scrutiny of this as an option. We would not reject this as an option but believe more work is needed to consider the full impact of closing some of the regional offices.
55. NIPSA acknowledges that this option would still retain the independence of the EONI in delivering elections and may save money in how services are delivered, especially with regards accommodation and the current voluntary exit scheme.
56. However electoral functions have been reduced over many years and the confidence of staff and electorate would be reduced as this option could be seen as a further step towards centralisation to Belfast.

57. We have seen a reduction in voter registration and voter participation and any decision to close offices would adversely impact on this. It is the role of Chief Electoral Officer to maintain and promote electoral participation and this would be at odds with that.
58. We are aware that the Chief Electoral Officer has championed a three regional office structure with offices in Ballymena, Derry/Londonderry and Dungannon. However such a plan may not service the south and south-east and therefore consider more than three offices needed.

Transfer functions to Councils and close regional offices

59. We have already raised concerns previously on this option. While this might provide the best financial option for Northern Ireland Office, it provides the worse option for staff, the electorate and local democracy.
60. Transferring functions to councils will require the transfer of EONI staff under TUPE significantly increasing costs and rendering the proposal unviable.
61. Councils are resistant to current plans and there is not enough detail in the paper to allay those fears.
62. And a local EONI presence, especially with current voter participation work, will be lost, impacting on those registered for elections and those taking part.
63. Given electoral office staff are specialist in this area, transferring functions to councils will lose that expertise and make it more difficult in future to recruit, train and retain staff with election expertise.

Conclusions

64. NIPSA rejects this consultation as it is constructed to favour a pre-determined outcome. This is reflected in the Minister's comments in the foreword, the clear bias in the questions, the lack of properly researched financial information but in particular the naked promotion of one outcome, namely that of the Minister.
65. NIPSA is not opposed to transferring elections to councils but all options, such as co-location with councils must be investigated and a fully costed business case presented for each, including the status quo.
66. NIPSA is not opposed to online registration but this must be complemented with local face-to-face services that can advise and guide as well as promote voter participation, especially with young people.
67. NIPSA calls for a properly funded regional electoral office that can support an electoral service for all the people of Northern Ireland, not just those in Belfast.

68. NIPSA calls on the Minister to review the current consultation as not meeting the requirements of a fair and reasonable process, to withdraw this consultation paper and provide the NI electorate with a document that gives them all the information, having properly engaged staff, trade unions, political representatives and local councils on any plans.

Thank you



Dooley Harte
HEO
NIPSA
54 Wellington Park
Belfast
BT9 6DP

Report to:	Strategy, Policy and Resources Committee
Date of Meeting:	17 November 2016
Subject:	Corporate consultation arrangements – Equality Scheme commitments
Reporting Officer (Including Job Title):	Colin Moffett, Equality Officer
Contact Officer (Including Job Title):	Colin Moffett, Equality Officer Janine Hillen, Assistant Director, Community Engagement Siobhán Fearon, PCSP Manager

Decisions required:

Members are asked to note the contents of the report and to give consideration to agreement to the following:

- Council maintain the consultation commitments as laid out in Section 3, and specifically Section 3.2.6, of Council's Equality Scheme, as an interim measure, pending the outcome of the planned review of the effectiveness of the Section 75 duties scheduled by the Commission during the coming three years.

1.0 Purpose and Background:

1.1	Clause 65 of the Stormont House / Fresh Start – on engagement and policy consultation advises, <i>'The maximum consultation requirement on policy will be reduced from twelve weeks to eight.'</i>
1.2	<p>In relation to the associated implementation of clause 65, Council has received correspondence from the Equality Commission for Northern Ireland (appendix 1) regarding timescales for consultation when fulfilling statutory equality and good relations duties.</p> <p>Following consultation on a proposed amendment that, <i>'the removal of the current reference to consultation periods lasting a minimum of twelve weeks'</i>, be replaced with a reference to, <i>'adequate time being allowed for consultation to enable consideration and response'</i>, the Equality Commission has confirmed its advice will remain as it is currently, as an interim measure, pending a planned review of the effectiveness of the Section 75 duties scheduled by the Commission during the coming three years.</p>
1.3	<p>The advice in correspondence received from the Equality Commission for Northern Ireland (ECNI) needs to sit alongside the implementation of the Stormont House / Fresh Start Agreement.</p> <p>However, Council cannot arbitrarily amend specific substance of commitments made within its approved Equality Scheme, as an amendment of this nature would require approval by the ECNI accompanied by a clear justification for taking this approach.</p>

2.0 Key issues:

2.1	With respect to the delivery of all Council functions, Section 75 of the Northern Ireland Act 1998 (the Act) requires Newry, Mourne and Down District Council to comply with two statutory duties:
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	<p>Section 75 (1)</p> <p>In carrying out our functions relating to Northern Ireland we are required to have due regard to the need to promote equality of opportunity between:</p> <ul style="list-style-type: none"> • persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation • men and women generally • persons with a disability and persons without • persons with dependents and persons without. <p>Section 75 (2)</p> <p>In addition, without prejudice to the obligations above, in carrying out our functions in relation to Northern Ireland we are required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.</p> <p>"Functions" include the "powers and duties" of a public authority.</p>
2.2	<p>The Council's Equality Scheme sets out commitments made by Council as to how it will fulfil its Section 75 statutory duties. Council's arrangements for consulting are set out in Section 3 of the Council's approved Equality Scheme.</p>
2.3	<p>In relation to consultation arrangements, Section 3.2.6 of Newry, Mourne and Down District Council's approved Equality Scheme makes the following commitment:</p> <p><i>"The consultation period lasts for a minimum of twelve weeks to allow adequate time for groups to consult amongst themselves as part of the process of forming a view. However, in exceptional circumstances when this timescale is not feasible (for example implementing EU Directives or UK wide legislation, meeting Health and Safety requirements, addressing urgent public health matters or complying with Court judgements), we may shorten timescales to eight weeks or less before the policy is implemented. We may continue consultation thereafter and will review the policy as part of our monitoring commitments.</i></p> <p><i>Where, under these exceptional circumstances, we must implement a policy immediately, as it is beyond our authority's control, we may consult after implementation of the policy, in order to ensure that any impacts of the policy are considered."</i></p> <p>Therefore, while Council's Equality Scheme commits to holding consultation exercises relevant to the statutory duties for a minimum of 12 weeks, it also sets out exceptional circumstances where the 12 weeks may not apply.</p>
2.4	<p>Council is therefore in a position to determine the appropriate application of its Equality Scheme commitments on consultation, including its timescales, and taking this into account, it is not recommended that Council should seek to amend its Equality Scheme at this time.</p>
3.0	Recommendations:
3.1	<p>Members are asked to note the contents of the report and to give consideration to agreement to the following:</p> <ul style="list-style-type: none"> • Council maintain the consultation commitments as laid out in Section 3, and specifically Section 3.2.6, of Council's Equality Scheme, as an interim measure, pending the outcome of the planned review of the effectiveness of the Section 75 duties scheduled by the

	Commission during the coming three years.
4.0	Resource implications
4.1	No additional financial or resources implications are anticipated.
5.0	Equality and good relations implications:
5.1	<p>The Council's Equality Scheme sets out commitments made by Council as to how it will fulfil its Section 75 statutory duties. Council's arrangements for consulting are set out in Section 3 of the Council's approved Equality Scheme.</p> <p>No equality and good relations implications are anticipated with regard to the proposed recommendation.</p>
6.0	Appendices
	1. Correspondence from Equality Commission for NI dated 29 June 2016 re: Equality Scheme consultation arrangements.

Equality Commission

FOR NORTHERN IRELAND

29 June 2016

Our ref: 38417

Liam Hannaway
Chief Executive
Newry Mourne & Down
Policing & Community Safety Partnership
Downshire Civic Centre
Ardglass Road
Downpatrick
BT30 6GQ

Dear Liam Hannaway

Re: Equality Scheme consultation arrangements

I write to inform you of the outcome of our consideration of our advice on timescales for consultation when fulfilling the statutory equality and good relations duties, and the corresponding commitments in Equality Schemes. You are aware that we consulted on one proposed amendment to our advice: the removal of the current reference to consultation periods lasting for a minimum of twelve weeks. We proposed this to be replaced with a reference to: adequate time being allowed for consultation to enable consideration and response.

The consultation ran from 7 March 2016 until 9 May 2016 and we will shortly publish a report on the comments received and the outcome of the consultation. In brief, the findings showed that:

- the consultation exercise did not present a clear consensus for adopting the proposed amendment, and on balance more consultees were opposed to the change than in favour of it;
- it is clear that the advice, and corresponding Equality Scheme arrangements, are seen not only to relate to fulfilling the statutory equality and good relations duties, but also to have greater influence on consultation practice, or the encouragement of practice, than applying only when public authorities are consulting on an equality impact assessment;
- variations in practice on consultation and concerns about poor practice were identified and issues about the importance of clarity and certainty in advice on consultation were raised;

- concerns were expressed about the potential lack of clarity and certainty in the wording of the Commission's proposals, specifically around what adequate, relevant and proportionate mean and the responsibility on individual public authorities to decide this on a case by case basis;
- it is also clear that there are a range of issues which are of importance in ensuring not only effective consultation practice generally from public authorities but also their fulfillment of the statutory equality and good relations duties; the timescale should be considered together with those other issues.

Following consideration of the comments received, the Commission decided not to amend its advice as set out in the consultation document. The Commission confirmed that our advice will remain as it is currently, as an interim measure, pending a planned review of the effectiveness of the Section 75 duties scheduled by the Commission during the coming three years.

We appreciate that this advice will need to sit alongside the implementation of the Stormont House Agreement/ A Fresh Start – Clause 65 on engagement and policy consultation, where policy consultations will last no more than 8 weeks.

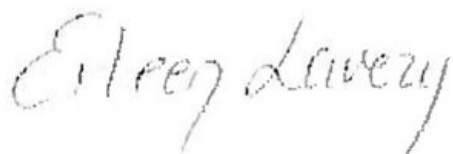
We recognise that in the majority of Equality Schemes, the paragraph which commits to holding consultation exercises on matters relevant to the duties for a minimum of 12 weeks also sets out exceptional circumstances where the 12 weeks may not apply.

It remains the case that there are relatively few examples where policy proposals are consulted upon together with an Equality Impact Assessment of those proposals. The presentation of an assessment of the likely impacts and consultation on it continue to be the key processes to enable public authorities to fulfil the statutory equality and good relations duties.

In cases where there are policy proposals being presented for consultation with the Equality Impact Assessment of those proposals, as recommended in our advice, a public authority can determine the appropriate application of its Equality Scheme commitments on consultation, including its timescale, in order to fulfil its statutory equality and good relations duties.

Further information and advice are available from our Advice and Compliance Division staff as required.

Yours faithfully

A handwritten signature in cursive script that reads "Eileen Lavery". The ink is dark and the signature is fluid.

Eileen Lavery

Head of Advice & Compliance

Report to:	Strategy, Policy and Resources Committee
Date of Meeting:	17 November 2016
Subject:	Updated Guidelines and associated procedure in relation to (re)naming of facilities
Reporting Officer (Including Job Title):	Colin Moffett, Equality Officer
Contact Officer (Including Job Title):	Colin Moffett, Equality Officer

Decisions required:

Members are asked to note the contents of the report and to give consideration to agreement to the following:

- Updated Guidelines and associated procedure in relation to (re)naming of facilities (Appendix 1)

1.0 Purpose and Background:

1.1 In line with the second recommendation of Equality Commission for Northern Ireland's (ECNI) investigation into the naming of Raymond McCreesh Park, Newry, Mourne and Down District Council was required to review and agree a policy on naming of Council facilities.

Accordingly, a Policy on Naming Facilities, and Guidelines and associated procedures in relation to (re)naming facilities, were considered at the Council's Strategy, Policy and Resources Committee on 15 March 2016, and adopted at Council's Monthly Meeting on 4 April 2016.

Both the policy, and guidelines and associated procedures, were developed through the Councillors' Equality and Good Relations Reference Group which was established to consider and discuss politically sensitive and contentious issues. The Reference Group's membership encompasses all political groupings on Council and is facilitated by John Kremer.

1.2 An equality screening was conducted with regard to the policy and it was recommended the policy not be required to be subject to an equality impact assessment (with no further mitigating measures required). The outcome of the screening was communicated in the Council's Section 75 Quarterly Policy Screening Report for the period January – March 2016.

1.3 On 25 April 2016 Council advised the ECNI it had reviewed and agreed a new policy on naming Council facilities. The correspondence to the ECNI also enclosed copies of the Council's Policy on Naming Facilities, and Guidelines and associated procedures in relation to (re)naming facilities.

2.0 Key issues:

2.1 Following submission of the policy and guidelines and associated procedures, and meetings with ECNI, amendments to the Guidelines Equality Commission have suggested minor amendments Guidelines and associated procedures in relation to (re)naming facilities for consideration.

The guidelines have been updated as follows:

- Section 2.3 – Within the second bullet point the words 'Unlawfully discriminate' have

	<p>been deleted and amended to read, "Have the potential to cause offence to some within the meaning and scopes of the provision of the Council's Equality Scheme and Good Relations policies and the Together Building a United Community strategy."</p> <ul style="list-style-type: none"> • Section 2.4 – Within the first bullet point the words 'of the historical significance' have been deleted and amended to read, "Existing names will not be changed without consideration of the existing name, the cost and impact of changing existing signs, rebuilding community recognition and updating records (i.e. letterhead, databases, and promotional materials)." • Section 3.1 – To ensure appropriate signposting, bullet points two and three now directly reference section 2.1 regarding basic eligibility criteria. These have been amended to read as follows: <ul style="list-style-type: none"> ○ An initial assessment is carried out to determine request meets the basic eligibility criteria outlined in section 2.1. ○ Requests which meet basic eligibility criteria detailed in section 2.1 will proceed to Stage 2 of the assessment process.
3.0	Recommendations:
3.1	<p>Members are asked to note the contents of the report and to give consideration to agreement to the following:</p> <ul style="list-style-type: none"> • Updated Guidelines and associated procedure in relation to (re)naming of facilities (Appendix 1)
4.0	Resource implications
4.1	No additional financial or resources implications are anticipated with regard to the amendments.
5.0	Equality and good relations implications:
5.1	<p>Equality screening is a statutory requirement, and as per section 4.14 of the Council's Equality Scheme, "If a consultee, including the Equality Commission, raises a concern about a screening decision based on supporting evidence, we will review the screening decision."</p> <p>No equality and good relations implications are anticipated with regard to making the amendments to the guidelines.</p>
6.0	Appendices
	1. Updated Guidelines and associated procedure in relation to (re)naming of facilities.

Newry, Mourne and Down District Council

Guidelines and associated procedure in relation to (re)naming of facilities

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Guidelines and procedure

The following procedures and guidelines have been established to ensure a consistent approach is applied to the (re)naming of facilities.

1. Initial requests for (re)naming of Council facilities

All requests for the naming or renaming of a Council facility must be made in writing to the Director of Strategy Planning and Performance.

The relevant application form must be completed and accompany all requests.

2. Criteria

2.1 Requests must relate to Council owned property only, with respect to one of the following:

- Naming of facilities, buildings and rooms.
- Naming of new facilities.
- Requests to re-name facilities, buildings and rooms.
- Requests regarding memorials, planting of trees and plaques.

2.2 Where the request relates to a specific unique location:

- The name should provide a sense of place, reflecting the geographic location, community, neighbourhood or street where the Council facility is located.
- The name should reflect the historical significance of the area or reflect unique characteristics of the site.

2.3 Names should not be considered which:

- Cause confusion duplication or names sound similar to existing named facilities / locations.
- Have the potential to cause offence to some within the meaning and scopes of the provision of the Council's Equality Scheme and Good Relations policies and the Together Building a United Community strategy.
- Are party-political in intention or use.

2.4 Additional considerations:

- Existing names will not be changed without consideration of the existing name, the cost and impact of changing existing signs, rebuilding community recognition and updating records (i.e. letterhead, databases, and promotional materials).
- Each application will be considered on a case-by-case basis.
- All signs shall comply with the Council's Corporate branding guidelines in relation to signage. Specialised naming signage should not be permitted.

Newry, Mourne and Down District Council

Guidelines and associated procedure in relation to (re)naming of facilities

3. Assessment procedure

The assessment of applications will be undertaken by an internal working group comprising the Director of Strategic Planning and Performance or their representative and two other officers of Council.

3.1 Stage 1 – Basic Eligibility Check

- Initial request is submitted to the Director of Strategic Planning and Performance.
- An initial assessment is carried out to determine request meets the basic eligibility criteria outlined in section 2.1.
- Requests which meet basic eligibility criteria detailed in section 2.1 will proceed to Stage 2 of the assessment process.
- Requests which do not meet the basic eligibility criteria will not proceed to Stage 2 assessment.
- Applicants whose requests do not meet the basic eligibility will be informed in writing of Council's decision outlining the reason.

3.2 Stage 2 – Full appraisal and assessment

- Assessment conducted by internal working group.

3.3 Stage 3 – Decision-making

- Recommendation of internal working group tabled for consideration at Council's Strategy, Planning and Resources Committee.
- Decision of Council communicated to applicant (review process offered to unsuccessful applicants).

3.4 Review Process

Following the decision to reject an application, applicants will be informed in writing stating the reasons for the decision.

The Review procedure will be implemented in the event that an applicant wishes to appeal against Newry, Mourne and Down Council's decision to reject an application to name a facility.

The procedure will be administered by a Review Panel which will be independent of the Council's internal working group.

The purpose of the Review Procedure is to ensure that the decisions taken, and procedures followed, by the Council for individual applications are applied fairly and consistently. The Review will provide an independent process through which an applicant will have an opportunity to demonstrate to the Review Panel that either:

- the outcome was unreasonable; or
- that the proper procedures were not followed.

Appeals on any other ground will not be considered.



14th September 16

Liam Hannaway
Chief Executive
Newry, Mourne & Down District Council
Monaghan Row
Newry
BT35 8DJ

liam.hannaway@nmandd.org

Via email & Registered Post

Dear Mr Hannaway,

Lidl Northern Ireland GmbH (Lidl) submitted a Proposal of Application Notice (PAN) in relation to our draft proposal to erect a foodstore and a community / leisure building on the site of the former St Mary's Primary School, Shan Slieve Drive, Newcastle, on 14th July 16.

Community consultation events were held on 30th August and 6th September 16. Lidl are also consulting with the Council's Planning Department and statutory consultees and are holding meetings with local residents.

We are willing to meet the Newry, Mourne and Down Councillors and listen to their views on the draft proposal. The purpose of the meeting would be to inform the council on our proposed plans for the site. We are aware of the high profile nature of the planning application and would be glad to address any concerns, comments or queries that the elected members might raise. Should the council desire such a meeting, your office could arrange same.

To assist the Councillors, we have provided a link below to the illustrative site layout plan, images and plans of our recently constructed Banbridge store. The plans are for illustrative purposes only. A store on the proposal site is likely to be similar to our Banbridge store, which we have received a lot of positive feedback about.

Lidl Northern Ireland GmbH

Reg. Office: Dundrod Road, Nutts Corner, BT29 4SR, Crumlin, Co Antrim - Northern Ireland - VAT Reg. No.: G8749547679 - Company Reg. No.: NF003510

Tel.: + 353 (0) 1 421 2000 - www.lidl-ni.co.uk

Invoice Address: Head Office, Main Road, Tallaght, Dublin 24 - Rep. Ireland

Bank Details: First Trust Bank, Belfast. BIC: FTBKGB2B, IBAN: GB86 FTBK 9380 9205 5061 42 (GBP)

AIB p.l.c., Dublin. BIC: AIBKIE2D, IBAN: IE36 AIBK 9323 5318 0000 80 (EUR)

Commerzbank AG, Heilbronn. BIC: DRESDEFF620, IBAN: DE36 6208 0012 0703 5214 00 (EUR)



However, the Councillors should note that the plans submitted with any planning application lodged on foot of the PAN will be prepared taking into account all feedback received from the consultation process, including any meeting(s) with local Councillors.

Should the Councillors require further information about the proposal in advance of any meeting held, they are welcome to contact either Paul Downey (paul.downey@lidl.ie or 07880500114) of Lidl Northern Ireland or our planning consultant Dermot Monaghan of MBA Planning (dermot@mbaplanning.com or 028 9042 1011).

We look forward to hearing from you.

Regards,



Paul Downey
Portfolio & Facilities Executive



Conor Boyle
Regional Director

Link:

<https://www.dropbox.com/sh/zf36mik2ip87wno/AADhpgzMdOagIQrd1Ta2wihGa?dl=0>

cc: Dermot Monaghan, MBA Planning

Report to:	SPR Committee
Date of Meeting:	17 November 2016
Subject:	Disposal of Land at Carnbane Road, Newry
Reporting Officer (Including Job Title):	Alison Robb
Contact Officer (Including Job Title):	Carmel McKenna

Decisions required:	
<ul style="list-style-type: none"> <i>Express an interest in the disposal of land at Carnbane Road, Newry as this land is important for the future management and development of Carnbane Playing Fields and the land is under Council control at present. The acquisition will also resolve any discrepancies in the Council boundary.</i> <i>The Council should seek a transfer at nominal value in the first instance</i> <i>If the Council is successful in acquiring this land the Council agree to re imburse NIE for any costs incurred in the relocation or alteration of their equipment on this site in the event of development and also agree to enter into a Wayleave Agreement with NIE for the equipment.</i> <i>Easements may also be required for Transport NI,BT and NI Water.</i> 	
1.0	Purpose and Background: <i>The Council previously expressed an interest in acquiring two sections of former road between the Carnbane soccer pitches and the two newly developed Council car parks. In order to protect the two car parks and the two areas of former road from illegal use locked gates have been erected at the entrances to these areas as part of the car park scheme.</i> <i>The land has been abandoned by Transport NI and disposal procedures have now been initiated.</i>
1.1	
2.0	Key issues:
2.1	<i>These areas are important for the future management and development of Carnbane Playing Fields.</i>
3.0	Recommendations:
3.1	As per decisions required above
4.0	Resource implications
4.1	<i>Cost of acquisition of the land if not transferred at nominal value.</i>
5.0	Equality and good relations implications:
5.1	
6.0	Appendices
	Appendix I: Correspondence from Land & Property Services dated 21 September 2016.(Transport NI have agreed to an extension until after the Council meeting on 5 December 2016)



Land & Property Services
Central Advisory Unit
Lanyon Plaza
7 Lanyon Place
Town Parks
BELFAST, BT1 3LP

Telephone: 028 9033 6172
(call charged at local rate)
If outside NI, dial +44 28 9033 6172
Text Relay: 18001 0300 200 7801

Date: 22nd September 2016
Our Ref: 141/16

Mr Liam Hannaway
Newry, Mourne & Down Council
Monaghan Row
Newry
BT35 8DL

G/4/37.

Dear Mr Hannaway,

DISPOSAL OF LAND AT CARNBANE ROAD, NEWRY

I enclose copies of a D1 form and map giving details of land and property which have been declared surplus by the owning Department.

Disposal procedures have been initiated. If the land is of interest to your Department or Agency please contact me in writing at Central Advisory Unit within **15 working days** from the date of this letter.

If I receive no reply before then I will assume you have no interest in acquiring the property. If you know of any other body which may be interested in the property please pass this letter on to them as soon as possible.

Yours sincerely,

Collette Quinn

Mrs C Quinn
Central Advisory Unit



DISPOSAL OF SURPLUS LAND REQUEST FOR PRELIMINARY ADVICE (D1)

N.B.: This form is for use by public sector organisations only.



Land &
Property
Services.

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FOR LPS USE ONLY

LPS Reference:

Email completed PDF form to: clientservices.lps@dfpni.gov.uk. Refer to Sections 6 and 7 below.

Or please complete all sections and send **two signed hard copies** to:

Land & Property Services
Central Advisory Unit (CAU)
Queen's Court
56-66 Upper Queen Street
Town Parks
Belfast, BT1 6FD

SECTION 1 – DECLARATION

Note: Public Bodies should not declare property surplus until any problems or disputes about access, ownership, title or boundaries, etc, have been resolved.

Name of organisation

1.1 has declared the land described below as surplus to its requirements and intends to dispose of it.

1.2 In accordance with the CAU Disposal of Surplus Public Sector Property Guidelines (the Guidelines*), the LPS Valuation Directorate is requested to provide the following to the above organisation:

- preliminary marketing advice,
- a report, including if possible an estimate of value,
- and to commence the public sector trawling process as set out in the Guidelines.

* For a copy of the Guidelines please visit www.lpsni.gov.uk

SECTION 2 – DESCRIPTION OF THE SURPLUS PROPERTY

2.1 Address or location (street, townland etc)

Site area (in hectares)

2.2 Description (please tick):

- ☒ Land only ☐ Land and House ☐ Land and Commercial Building ☐ Commercial Building
- ☐ Other (please describe)

2.3 Please provide contact details to arrange an inspection:

Name

Telephone number

Email address

2.4 Has there been any indication of private sector demand for the surplus land for a particular use? ☐ Yes ☒ No
If **Yes**, please give details

2.5 Has any other government department or public body expressed an interest in acquiring this property? ☒ Yes ☐ No
If **Yes**, please give details

2.6 Is the land zoned in the local area plan for a particular use? ☐ Yes ☐ No
If **Yes**, please state permitted use

2.7 Is the land completely vacant, disused and free of any illegal or unauthorised uses? ☐ Yes ☒ No
If **Yes**, please go to straight to Section 3 (taking note of 2.10 below)
If **No**, is it scheduled to be fully vacated? ☐ Yes ☒ No
If **Yes**, Please give the date (if known) or Date Unknown ☐

2.8 If still in use is the land legally occupied in whole or in part? ☐ Yes ☒ No
Name of legal occupier(s)/tenant(s)
Type of tenure? ☐ Lease ☐ Licence (Term & Rent)
Were any present tenants in occupation at the date of acquisition? ☐ Yes ☐ No
N.B. If more than one occupier or tenant, please provide details on a separate page.

2.9 Is the land or any part(s) of it illegally occupied or used for any unauthorised purposes? ☒ Yes ☐ No
If **Yes**, please give details

2.10 Please attach a map identifying the property

Map Instructions:

- Maps should be A4 size, with an appropriate, identified scale;
- The surplus land should be clearly identified; and
- Its access and relationship to any surrounding land in the vendor's ownership should be indicated.

SECTION 3 – NATURE OF VENDOR'S INTEREST

3.1 Nature of Vendor's Interest

☒ Freehold

☐ Leasehold (give term and rent)

☐ Other (give details)

3.2 Is the land registered? ☐ Yes ☐ No

If **Yes**, please provide folio number:

If **No**, please provide a copy of evidence of title.

Who holds title documents?

Note: LPS can assist with land registration queries, including if the land is registered and, if so, in providing a folio and entry number. The relevant LPS contact details are:

Land & Property Services
Lincoln Building
27-45 Great Victoria Street
MALONE LOWER
Belfast, BT2 7SL

Telephone: 028 9025 1515
Email: customerinformation.landregistration@dfpni.gov.uk

SECTION 4 – DETAILS OF WAYLEAVES AND EASEMENTS

Wayleave is used to describe rights acquired to construct, use, inspect and maintain pipes, cables etc through another person's land. When acquired formally by deed these are usually referred to as easements.

Easement is a formal right to use or restrictive use of another person's land in some way. The most frequently encountered easements are rights of way, rights of light, rights to abstract water and rights to support buildings.

Restrictive covenants are explicit obligations in a deed usually included to regulate matters such as the use of the property or the type of development to be carried out. Restrictive covenants can be positive or negative, eg to use or not to use for a particular purpose or to construct or not construct.

4.1 Does the disposal body have a wayleave or easement over other lands to give access to the surplus land? ☐ Yes ☒ No

If **Yes**, please give details and show on the map

4.2 Does any department or public body need to reserve a right of way or other easement over the surplus land? ☒ Yes ☐ No

If **Yes**, please give details and show on the map

4.3 Has a wayleave or easement over the surplus land been granted to any person or body? ☐ Yes ☒ No

If **Yes**, please give details and show on the map

4.4 Does any person claim possessory title/rights/ easements over the surplus land? ☐ Yes ☒ No

If **Yes**, please give details and show on the map

4.5 Does the disposing body wish to make any exceptions or reservations in relation to the surplus land? ☒ Yes ☐ No

If **Yes**, please give details and show on the map

4.6 Are the lands subject to a public right of way? ☐ Yes ☒ No

4.7 Are there any restrictive covenants or other encumbrances which materially affect the vendor's interest? ☐ Yes ☒ No

SECTION 5 – ACQUISITION DETAILS

5.1 Date of acquisition from the private sector 15/01/2007

How was the land acquired? ☐ Agreement ☐ Blight Notice ☒ Vesting

Purpose of acquisition A1 Beech Hill to Cloghogue Scheme

5.2 Has the land been developed (ie. materially changed in use or character) since it was acquired? ☒ Yes ☐ No

If Yes, please give details Beech Hill to Cloghogue Scheme completed - portion of superseded road

abandoned 2015 SR No 392

5.3 Is the land within the current development limits of the Area Plan? ☐ Yes ☐ No

5.4 Name of former owner or successor

See appendix 1

Address of former owner or successor

SECTION 6 – AUTHORISATION BY THE INSTRUCTING PUBLIC BODY

Name of Authorised Officer
(usually at least DP Grade or equivalent)

Simon Richardson

Your reference number

SLD/04/16/JW

Address or location (street, townland etc)

Marlborough House, Central Way

Telephone Number

02838320011

Ext.

31271

Craigavon


E-mail address

Co Armagh

BT64 1AD

Jean.Webb@drdni.gov.uk

Signature



Date

22/4/2016

Any other comments

See appendix 1

SECTION 7 – CHECKLIST

Please be sure you have:

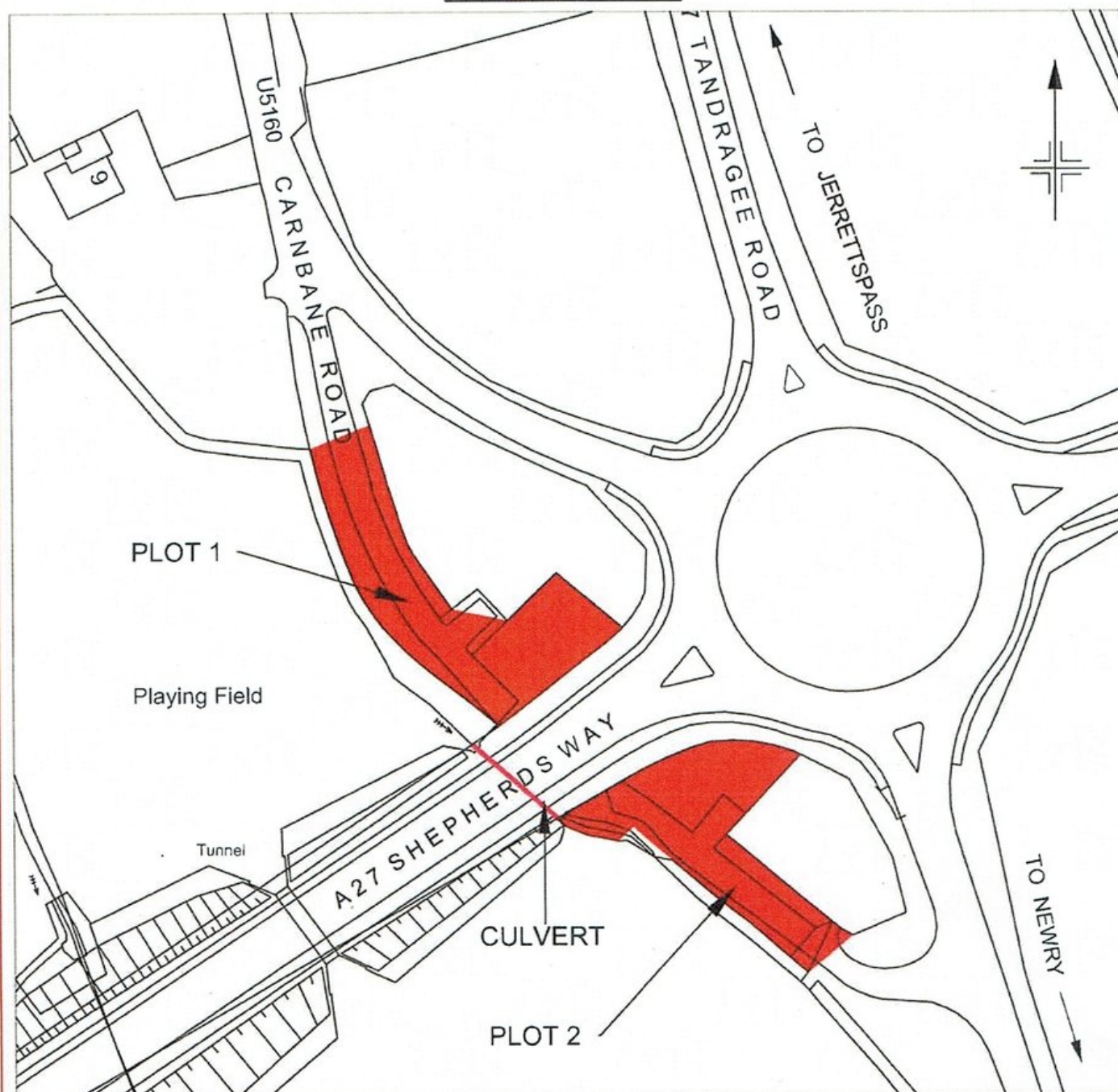
- ☒ Included a map indicating the land
- ☐ Marked any easements/wayleaves on map
- ☒ Supplied all required supplementary information (eg copy evidence of title/folio)



- ☐ Submitted **either** two hard copies signed by an authorised officer **or** an electronic copy with a scanned map from the authorised officer's email account

Ordnance Survey of Northern Ireland

ACE MAP

104



FOLIO	LAND
AR107568 PLOT 1	 1306 sq m
AR107568 PLOT 2	 1062 sq m

SURPLUS LAND AT CARNBANE ROAD NEWRY

File Ref: SLD/04/16/JW

Date: APR 2016

Map Ref: 252-14 SE, 252-14 NE

Scale: 1:1250

ROADS Service

ROADS SERVICE CONSULTANCY

Marlborough House
Central Way
Craigavon
BT64 1AD

Telephone: 02838 341144
Fax: 02838 341867



Crown Copyright Reserved

Report to:	Strategy Policy and Resources Committee
Date of Meeting:	17 November 2016
Subject:	Disposal of Land at Sugar Island, Newry
Reporting Officer (Including Job Title):	Alison Robb
Contact Officer (Including Job Title):	Briege Magill

Decisions required:	
<ul style="list-style-type: none"> ▪ <i>Does the Council wish to express an interest in the disposal of land at Sugar Island, Newry</i> ▪ <i>If so, the Council should seek a transfer at nominal value in the first instance</i> 	
1.0	<p>Purpose and Background:</p> <p><i>A portion of land at Sugar Island, Newry, has been declared surplus by the owning department – Transport NI.</i></p> <p><i>This land is currently leased by the Council on a month to month licence basis. The Council currently plants out and maintains this small park/garden area – the only such site in this part of Newry City.</i></p> <p><i>There are currently advertising bill boards at this location - which are currently rented by Transport NI.</i></p>
2.0	Key issues:
2.1	<i>This garden area adds visually to this part of the City.</i>
3.0	Recommendations:
3.1	<i>Council's Maintenance Section have recommended that Council express an interest in this land.</i>
4.0	Resource implications
4.1	<i>Cost of acquisition of the land if not transferred at nominal value. Possible future rent from advertising hoardings if Council acquire land.</i>
5.0	Equality and good relations implications:
5.1	
6.0	Appendices
	<p><i>Appendix 1: Correspondence from Land & Property Services dated 21 September 2016. (Transport NI have agreed to grant the Council an extension until after their meeting on the 5 December 2016)</i></p> <p><i>Appendix 2 Copy of Licence agreement</i></p>

6/4/37



Land & Property Service 106

Land & Property Services
Central Advisory Unit
Lanyon Plaza
7 Lanyon Place
Town Parks
BELFAST, BT1 3LP

Telephone: 028 9033 6172
(call charged at local rate)
If outside NI, dial +44 28 9033 6172
Text Relay: 18001 0300 200 7801

Date: 21st September 2016

Our Ref: 138/16

Mr Liam Hannaway
Newry, Mourne & Down Council
Monaghan Row
Newry
BT35 8DL

Dear Mr Hannaway,

DISPOSAL OF LAND AT SUGAR ISLAND, NEWRY

I enclose copies of a D1 form and map giving details of land and property which have been declared surplus by the owning Department.

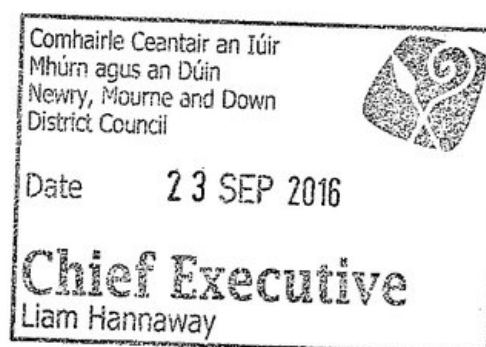
Disposal procedures have been initiated. If the land is of interest to your Department or Agency please contact me in writing at Central Advisory Unit within **15 working days** from the date of this letter.

If I receive no reply before then I will assume you have no interest in acquiring the property. If you know of any other body which may be interested in the property please pass this letter on to them as soon as possible.

Yours sincerely,

Collette Quinn

Mrs C Quinn
Central Advisory Unit



Department of
Finance
www.finance-ni.gov.uk

www.nidirect.gov.uk
www.nibusinessinfo.co.uk

DISPOSAL OF SURPLUS LAND REQUEST FOR PRELIMINARY ADVICE (D1)

N.B.: This form is for use by public sector organisations only.



Land &
Property
Services.

FOR LPS USE ONLY

LPS Reference:

Email completed PDF form to: clientservices.lps@dfpni.gov.uk. Refer to Sections 6 and 7 below.

Or please complete all sections and send **two signed hard copies** to:

Land & Property Services
Central Advisory Unit (CAU)
Queen's Court
56-66 Upper Queen Street
Town Parks
Belfast, BT1 6FD

SECTION 1 – DECLARATION

Note: Public Bodies should not declare property surplus until any problems or disputes about access, ownership, title or boundaries, etc, have been resolved.

Name of organisation

1.1 TransportNI - Southern Division (Marlborough House)

has declared the land

described below as surplus to its requirements and intends to dispose of it.

1.2 In accordance with the CAU Disposal of Surplus Public Sector Property Guidelines (the Guidelines*), the LPS Valuation Directorate is requested to provide the following to the above organisation:

- preliminary marketing advice,
- a report, including if possible an estimate of value,
- and to commence the public sector trawling process as set out in the Guidelines.

* For a copy of the Guidelines please visit www.lpsni.gov.uk

SECTION 2 – DESCRIPTION OF THE SURPLUS PROPERTY

2.1 Address or location (street, townland etc)

Site area (in hectares)

Sugar Island

0.0096

Newry

2.2 Description (please tick):

☒ Land only ☐ Land and House ☐ Land and Commercial Building ☐ Commercial Building

☐ Other (please describe)

2.3 Please provide contact details to arrange an inspection:

Name

Telephone number

N/A

Email address

2.4 Has there been any indication of private sector demand for the surplus land for a particular use? ☐ Yes ☒ No
If Yes, please give details

2.5 Has any other government department or public body expressed an interest in acquiring this property? ☐ Yes ☐ No
If Yes, please give details

2.6 Is the land zoned in the local area plan for a particular use? ☐ Yes ☐ No
If Yes, please state permitted use

2.7 Is the land completely vacant, disused and free of any illegal or unauthorised uses? ☐ Yes ☒ No
If Yes, please go straight to Section 3 (taking note of 2.10 below)
If No, is it scheduled to be fully vacated? ☐ Yes ☐ No
If Yes, Please give the date (if known) or Date Unknown ☐

2.8 If still in use Is the land legally occupied in whole or in part? ☒ Yes ☐ No
Name of legal occupier(s)/tenant(s)
Type of tenure? ☐ Lease ☒ Licence (Term & Rent)
Were any present tenants in occupation at the date of acquisition? ☐ Yes ☐ No
N.B. If more than one occupier or tenant, please provide details on a separate page.

2.9 Is the land or any part(s) of it illegally occupied or used for any unauthorised purposes? ☐ Yes ☒ No
If Yes, please give details

2.10 Please attach a map identifying the property

Map Instructions:

- Maps should be A4 size, with an appropriate, identified scale;
- The surplus land should be clearly identified; and
- Its access and relationship to any surrounding land in the vendor's ownership should be indicated.

SECTION 3 – NATURE OF VENDOR'S INTEREST

3.1 Nature of Vendor's Interest

☒ Freehold

☐ Leasehold (give term and rent)

☐ Other (give details)

3.2 Is the land registered? ☐ Yes ☐ No

If Yes, please provide folio number:

If No, please provide a copy of evidence of title.

Who holds title documents?

Note: LPS can assist with land registration queries, including if the land is registered and, if so, in providing a folio and entry number. The relevant LPS contact details are:

Land & Property Services
Lincoln Building
27-45 Great Victoria Street
MALONE LOWER
Belfast, BT2 7SL

Telephone: 028 9025 1515
Email: customerinformation.landregistration@dfpni.gov.uk

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4.1 Does the disposal body have a wayleave or easement over other lands to give access to the surplus land? ☐ Yes ☒ No

If Yes, please give details and show on the map

4.2 Does any department or public body need to reserve a right of way or other easement over the surplus land? ☒ Yes ☐ No

If Yes, please give details and show on the map

4.3 Has a wayleave or easement over the surplus land been granted to any person or body? ☐ Yes ☒ No

If Yes, please give details and show on the map

4.4 Does any person claim possessory title/rights/ easements over the surplus land? ☐ Yes ☒ No

If Yes, please give details and show on the map

4.5 Does the disposing body wish to make any exceptions or reservations in relation to the surplus land? ☐ Yes ☒ No

If Yes, please give details and show on the map

4.6 Are the lands subject to a public right of way? ☐ Yes ☒ No

4.7 Are there any restrictive covenants or other encumbrances which materially affect the vendor's interest? ☐ Yes ☒ No

SECTION 5 – ACQUISITION DETAILS

5.1 Date of acquisition from the private sector

How was the land acquired? ☐ Agreement ☐ Blight Notice ☒ Vesting

Purpose of acquisition

5.2 Has the land been developed (ie. materially changed in use or character) since it was acquired? ☐ Yes ☐ No

If Yes, please give details

5.3 Is the land within the current development limits of the Area Plan? ☐ Yes ☐ No

5.4 Name of former owner or successor

Address of former owner or successor

<input type="text"/>
<input type="text"/>
<input type="text"/>

SECTION 6 – AUTHORISATION BY THE INSTRUCTING PUBLIC BODY

Name of Authorised Officer
(usually at least DP Grade or equivalent)

Your reference number


Address or location (street, townland etc)

Telephone Number

Ext.

E-mail address

Signature



Date

Any other comments

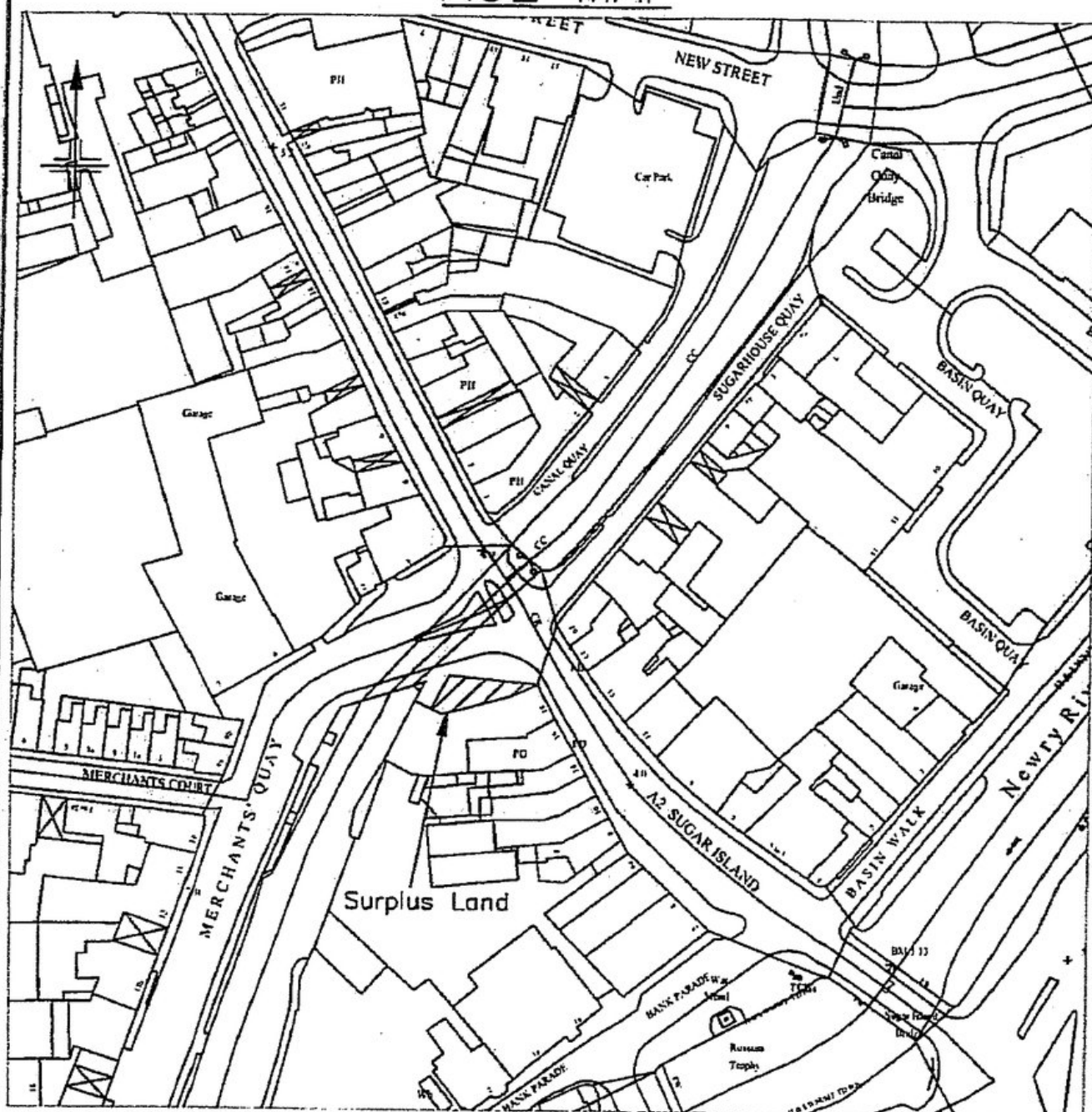
SECTION 7 – CHECKLIST

Please be sure you have:

- ☒ Included a map indicating the land
- ☐ Marked any easements/wayleaves on map
- ☒ Supplied all required supplementary information (eg copy evidence of title/folio)

- ☐ Submitted either two hard copies signed by an authorised officer or an electronic copy with a scanned map from the authorised officer's email account

Ordnance Survey of Northern Ireland ACE MAP



OWNER	Folio No	Area
DRD	DN4997 No1	96 sqm

SURPLUS LAND AT SUGAR ISLAND, NEWRY

Ref No: SLD/12/15/EM

Date: September 2015

Map Ref: 266-07 NW3

Scale: 1:1250

transportni Southern Division

Traffic & Network Development
Marlborough House
Central Way
Craigavon
BT84 1AD

Tel: 028 3834 3144
Email: Traffic2.South@drdni.gov.uk
Web: www.drdni.gov.uk



Department of
Regional
Development



NEWRY AND MOURNE DISTRICT COUNCIL

COMHAIRLE AN IÚIR AGUS MHÚRN

112

Oifigí na Comhairle
Teach Uí Aogáin
Rae Mhuineacháin
An tIúr
BT35 8DJ



Clerk & Chief Executive
K. O'NEILL

District Council Offices
O'Hagan House
Monaghan Row
Newry
BT35 8DJ
Telephone: (01693) 65411
Fax: (01693) 65313

Our Ref:

CP/26/1

Your Ref:

ACC/74/92

Date:

18th June 1997

Miss J Austin
Lands Officer
DOE, Roads Service
Marlborough House
Central Way
Craigavon


Dear Miss Austin

**Licence - DOE for N.I. with N.M.D.C. -
Garden Area at Sugar Island, Newry**

I now enclose Licence for the above duly signed and sealed by Council as requested.

Thanking you for your assistance in this matter.

Yours sincerely


Clerk of Council
/BM

Enc

Dated the day 199

LICENCE

DEPARTMENT OF THE ENVIRONMENT

FOR NORTHERN IRELAND

WITH

NEWRY AND MOURNE DISTRICT COUNCIL

O'HAGAN HOUSE

MONAGHAN ROW

NEWRY

BT35 8DL

GARDEN AREA AT

SUGAR ISLAND

NEWRY

THIS LICENCE made the day of One Thousand Nine Hundred Ninety Seven between the DEPARTMENT OF THE ENVIRONMENT FOR NORTHERN IRELAND, CLARENCE COURT, 10-18 ADELAIDE STREET, BELFAST, BT2 8GB (hereinafter called "the Licensor") of the one part and Newry and Mourne District Council (hereinafter called "the Licensee") of the other part witnesseth as follows:-

1. The Licensor hereby grants unto the Licensee a Licence to take all that land at Sugar Island, Newry more particularly described on the map attached hereto and thereon edged red. To hold the said Licence hereby granted unto the Licensee for the period 1st day of July 1996 to 30th day of June 1999 and month to month thereafter.
2. The Licensee shall pay the Licensor a License fee of £1 per annum if demanded,

The Licensee hereby covenants with the Licensor:-

- i. To pay the Licence fee if demanded;
- ii. To pay all rates taxes assessments and outgoings payable with respect to the land;
- iii. Not to part with possession of the land;
- iv. To indemnify the Licensor from and against all actions proceedings cost and claims and demands by third parties in respect of any damage or liability caused by or arising from the use of the land by the Licensee or its servants.
- v. Not to cause or permit to be done any act or thing on or about the land which may or become a nuisance or inconvenience or cause damage or annoyance to the Licensor or other persons, or which may infringe any statutory rule or regulation for the time being in force and keep the Licensor fully indemnified against all claims liabilities and demands arising in respect therefrom and to use the said land for amenity purposes only with access to the advertising hoardings being accepted by the Licensee for the term of this Licence.
- vi. This Licence shall be personal to the Licensee and shall not be capable of being assigned or otherwise disposed of other than by way of surrender to the Licensor.

- vii. If the Licensee shall fail to observe and perform any of the agreements and undertakings on its part herein contained then the Licensor may by notice in writing served on the Licensee forthwith determine the Licence and the Licensee shall thereupon forthwith vacate the land.
- viii. The Licensee shall yield up possession of the land at the request of the Licensor.
- ix. That it is the intent of the Licence that the said Licence shall be for the temporary and mutual convenience of the parties thereto.


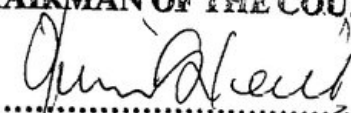
I/We certify that there is no Agreement for Lease (or Tack) to which this Lease (or Tack) gives effect.

IN WITNESS thereof this Licence has been signed on behalf of the Licensor and signed and sealed by the Licensee the day and year first herein written.

SIGNED on behalf of the :
Licensor in the presence of :

Authorised Officer

SIGNED AND SEALED BY :
and Licensee in the :
Presence of :


.....
CHAIRMAN OF THE COUNCIL

.....
CLERK OF THE COUNCIL

TD

CO DOWN

CANAL STREET

CANAL QUAY

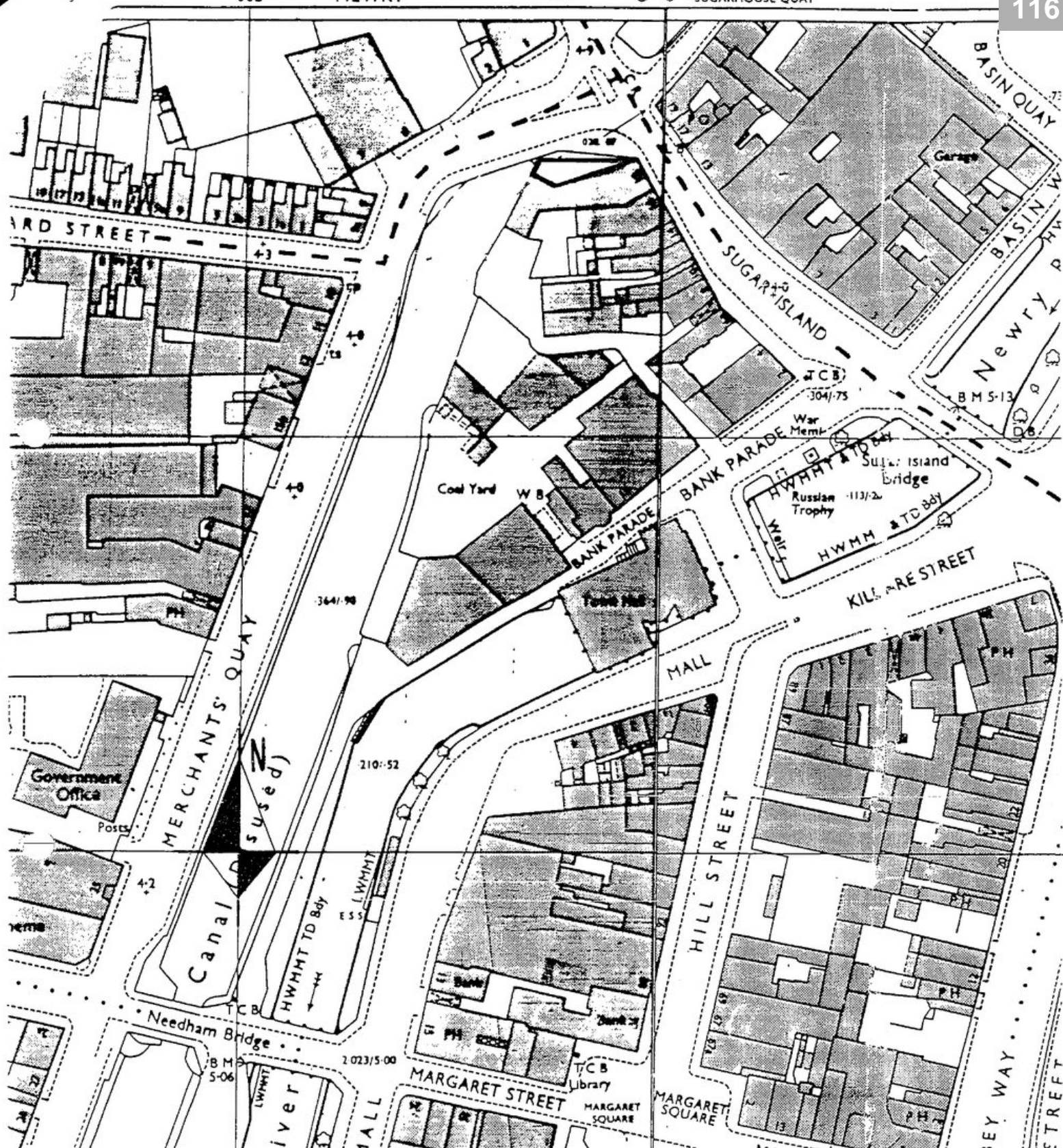
SUGARHOUSE QUAY

WINDSOR HILL WARD

085

NEWRY

116



DEPARTMENT OF THE ENVIRONMENT FOR NORTHERN IRELAND

Roads Service

Craigavon Division

Scale 1 : 2500
IG Ref
File Ref ACC 74/92
Date 12-12-95

SUGAR ISLAND, NEWRY

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Economic Development in NI - Key Challenges and Future Opportunities post Brexit

This conference examines:

- The challenges and opportunities for Northern Ireland arising from Brexit at a time of particular economic uncertainty;
- Options for the Executive in the policy response to Brexit and in pursuit of economic development, including the [Programme for Government](#) and a refreshed Economic Strategy; and
- Issues around the devolution of Corporation Tax, and its potential to make the Northern Ireland economy more competitive and attractive to inward investors.

To note:

- Keynote contributions from: **Professor Neil Gibson**, Director, Ulster University Economic Policy Centre; **Dr Martin Spollen**, Chief Investment Officer, Strategic Investment Board and **Dr Esmond Birnie**, Senior Economist, Economic Policy Centre, Ulster University and former Chief Economist (Northern Ireland and Scotland), PwC.

Overall, areas for discussion include:

- Tackling the key challenges for businesses - including manufacturers and SMEs - in a new economic environment;
- The future of Corporation Tax - and examining alternative economic mechanisms to support economic growth;
- Infrastructural development - challenges for long-term, strategic investment in the context of Brexit;
- The future of the economic relationships with other jurisdictions such as the Republic of Ireland;
- The role for local authorities in economic development; and
- Supporting higher-quality learning and skills provision, including apprenticeships, and collaboration between universities, colleges and business.

The draft agenda is copied below my signature, and a regularly updated version is available to download [here](#). The seminar is organised on the basis of strict impartiality by the Policy Forum for Northern Ireland. Follow us [@PolicyNI](#) for live updates.

Speakers

We are delighted to be able to include in this seminar keynote addresses from: **Dr Esmond Birnie**, Senior Economist, Economic Policy Centre, Ulster University and former Chief Economist (Northern Ireland and Scotland), PwC and **Dr Martin Spollen**, Chief Investment Officer, Strategic Investment Board.

Further confirmed speakers include: **Gerard Campbell**, Chief Executive, Colleges Northern Ireland; **Professor Neil Gibson**, Director, Ulster University Economic Policy Centre; **Stephen Kelly**, Chief Executive Officer, Manufacturing NI; **John Healy**, Managing Director, Allstate Northern Ireland; **Thomas Hunter McGowan**, Chief Executive Officer, InterTradeIreland; **Wilfred Mitchell**, Policy Chair, FSB Northern Ireland and **Professor David Phinnemore**,

Professor of European Politics, Dean of Education, Faculty of Arts, Humanities and Social Sciences, Queen's University Belfast.

Chairs: **Sinéad Bradely MLA**, Member, Committee for the Economy, Northern Ireland Assembly and **Mervyn Storey MLA**, Member, Committee for the Economy, Northern Ireland Assembly have kindly agreed to chair this seminar.

Additional senior participants are being approached.

Networking

Policy Forum for Northern Ireland seminars present an opportunity to engage with key policymakers and other interested parties, and are **CPD** certified ([more details](#)). Places have been reserved by a parliamentary pass-holder from the **Northern Ireland Assembly** and **SDLP** and officials from the **Department of Agriculture, Environment & Rural Affairs; Department for Communities; Department for the Economy; Department of Finance; Department for Infrastructure** and **VSAHG**. Also due to attend are representatives from **Armagh City, Banbridge and Craigavon Borough Council; Belfast Harbour Commissioners; Consumer Council; Customized Training Services; Deloitte; Dublin Airport; Gaelectric Developments; Irish Academy of Engineering; Lagan Cement Products; Malcolm Hollis; Northern Ireland Local Government Association; Queen's University Belfast and Ulster University**.

A press pass has been reserved by a representative from **The Detail**.

Typically, attendees at our seminars are a senior and informed group numbering around 120 including Members of the Northern Ireland Assembly and senior officials from the Northern Ireland Executive, regulators and other agencies, representatives of business and finance, including representatives from manufacturing, agri-food, hospitality, tourism and retail sectors, as well as from further and higher education, together with reporters from the national and trade press based in Northern Ireland and elsewhere.

Output and About Us

A key output of the seminar will be a transcript of the proceedings, sent out around 10 working days after the event to all attendees and a wider group of Ministers and officials in the Department for the Economy; as well as MLAs with a special interest in the subject. It will also be made available more widely. This document will include transcripts of all speeches and questions and answers sessions from the day, along with access to PowerPoint presentations, speakers' biographies, an attendee list, an agenda, sponsor information, as well as any subsequent press coverage of the day and any articles or comment pieces submitted by delegates. It is made available subject to strict restrictions on public use, and is intended to provide timely information for interested parties who are unable to attend on the day.

All delegates will receive complimentary PDF copies and are invited to contribute to the content.

The Policy Forum for Northern Ireland is strictly impartial and cross-party. The Forum has no policy agenda of its own.

Booking arrangements

To book places, please use our [online booking form](#).

Once submitted, this will be taken as a confirmed booking and will be subject to our terms and conditions below.

Please pay in advance by credit card on 01344 864796. If advance credit card payment is not possible, please let me know and we may be able to make other arrangements.

Options and charges are as follows:

- Places at *Economic development in Northern Ireland: key challenges and future opportunities post-Brexit* (including refreshments and PDF copy of the transcripts) are **£210** plus VAT;
- Concessionary rate places for small charities, unfunded individuals and those in similar circumstances are **£80** plus VAT. Please be sure to apply for this at the time of booking.

For those who cannot attend:

- Copies of the [briefing document](#), including full transcripts of all speeches and the questions and comments sessions and further articles from interested parties, will be available approximately **10 days** after the event for **£95** plus VAT;
- Concessionary rate: **£50** plus VAT.

If you find the charge for places a barrier to attending, please let me know as concessionary and complimentary places are made available in certain circumstances (but do be advised that this typically applies to individual service users or carers or the like who are not supported by or part of an organisation, full-time students, people between jobs or who are fully retired with no paid work, and representatives of small charities - not businesses, individuals funded by an organisation, or larger charities/not-for-profit companies). Please note terms and conditions below (including **cancellation charges**).

I do hope that you will be able to join us for what promises to be a most useful morning, and look forward to hearing from you soon.

Yours sincerely

Sean

Sean Cudmore
Deputy Editor, Policy Forum for Northern Ireland

T: 01344 864796
F: 01344 420121

Follow us on Twitter [@PolicyNI](#)

www.policyforumforNI.co.uk

UK Headquarters: 4 Bracknell Beeches, Old Bracknell Lane West, Bracknell, Berkshire RG12 7BW

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FINANCIAL TERMS AND CONDITIONS: The delegate fee includes copies of the presentations via PDF and refreshments. Cancellation policy is as follows: (1) cancellations 14 or more days before the event: £70+VAT cancellation fee per delegate; (2) cancellations less than 14 days before the event: no refunds. Cancellations must be notified in writing to the Policy Forum for Northern Ireland. No charge will be made for replacement delegates. Transfer of any confirmed booking between events is not possible. The organisers reserve the right to alter the programme and change the speakers without prior notice. The Policy Forum for Northern Ireland is unable to grant extended credit and therefore must request that full payment be made within 30 days from the date of invoice. Should payment not be received within 30 days from the date of invoice, the Policy Forum for Northern Ireland will apply an administration charge of £40+VAT, likewise for payments made to our account in error.

Policy Forum for Northern Ireland Keynote Seminar: Economic development in Northern Ireland: key challenges and future opportunities post-Brexit

Timing: Morning, Monday, 16th January 2017

Venue: Belfast

Draft agenda subject to change

8.30 - 9.00 Registration and coffee

9.00 - 9.05 **Chair's opening remarks**

Sinéad Bradley MLA, Member, Committee for the Economy, Northern Ireland Assembly

9.05 - 9.30 **Challenges and opportunities for the Northern Ireland economy post-Brexit**

Professor Neil Gibson, Director, Ulster University Economic Policy Centre

Questions and comments from the floor

9.30 - **Tackling the key challenges for businesses in a new economic environment**

10.30

Priorities for manufacturing in Northern Ireland post-Brexit: trading, exports and manufacturing strategy

Stephen Kelly, Chief Executive Officer, Manufacturing NI

Cross-border trade: future border arrangements and trade relationships

Thomas Hunter McGowan, Chief Executive Officer, InterTradeIreland

Key challenges for small and medium enterprises: the influence of Brexit on tax, trade and the workforce

Wilfred Mitchell, Policy Chair, FSB Northern Ireland

The role of councils in developing local economies: re-examining strategies for growth and regeneration

Senior representative, local authority

Questions and comments from the floor

10.30 - **Chair's closing remarks**

10.35 **Sinéad Bradley MLA**, Member, Committee for the Economy, Northern Ireland Assembly

10.35 - Coffee

11.05

11.05 - **Chair's opening remarks**

11.10 **Mervyn Storey MLA**, Member, Committee for the Economy, Northern Ireland Assembly

11.10 - **How can a reduction in Corporation Tax or alternative mechanisms promote economic growth?**

11.30 **Dr Esmond Birnie**, Senior Economist, Economic Policy Centre, Ulster University and former Chief Economist (Northern Ireland and Scotland), PwC

Questions and comments from the floor

11.30 - **Infrastructural development - challenges for long-term, strategic investment**

11.50 **Dr Martin Spollen**, Chief Investment Officer, Strategic Investment Board

Questions and comments from the floor

Universities, colleges and research and development - investment and development in training, skills and innovation to support industry and the economy

11.50 -

12.30

The role of further education colleges in economic development: building partnerships and priorities for skills and training

Gerard Campbell, Chief Executive, Colleges Northern Ireland

Key challenges for universities post-Brexit: investment, workforce and priorities for training

Professor David Phinnemore, Professor of European Politics, Dean of Education, Faculty of Arts, Humanities and Social Sciences, Queen's University Belfast

Partnerships in businesses and education: skills, apprenticeships and training an adaptable workforce

John Healy, Managing Director, Allstate Northern Ireland

Questions and comments from the floor

12.30 - **The future of economic policy in Northern Ireland post-Brexit**

- 12.55 Senior speaker to be announced
 Questions and comments from the floor
- 12.55 - **Chair's and Policy Forum for Northern Ireland closing remarks**
13.00 **Mervyn Storey MLA**, Member, Committee for the Economy, Northern Ireland Assembly
 Sean Cudmore, Deputy Editor, Policy Forum for Northern Ireland

Report to:	Strategy Policy and Resources Committee
Date of Meeting:	17 November 2016
Subject:	Newry Large Media Screen
Reporting Officer	Eddy Curtis, Director of Strategic Planning and Performance
Contact Officer	Eddy Curtis, Director of Strategic Planning and Performance

Decisions required:	
1 Members consider the removal of the Large Media Screen 2 Members agree to making Large Screen mobile 3 Members agree to utilise Large Screen at Council Major Events (Council Officers to agree list of Major Events and cost of same) 4 Members allow Destination Newry to use Council Parks , Public Spaces etc to use Council event spaces , parks etc to show films etc .	
1.0	Purpose and Background:
1.1	<p>Newry Large Media has been controversial since its installation , there was also a J/ R taken by the Church against planning approval . The J/ R was successful and planning approval was deemed to have been illegal because of an error made by DOE Planning .</p> <p>The Council re submitted an application to Planning to regularise planning and this will be considered by the Planning Committee</p> <p>The Planning Application is only a temporary approval to March 2016 , the Council will have to take a decision either to remove the Large Screen or re apply for Planning Approval .</p>
2.0	Key Issues:
2.1	<p>Destination Newry agree to funding conversion of Large Screen from static unit to a mobile unit . (Estimated cost £60 k)</p> <p>Council to retain agreement with Destination Newry to maintain advertising free of charge if unit goes mobile .</p> <p>Destination Newry will not agree to conversion of Large Screen being mobile if Council do not agree to:-</p>

	<p>1 hire Large Screen for utilisation at a pre determined number of Major Events</p> <p>2 use Council facilities i.e Parkland , Event Spaces , Car Parks etc for Community/Drive In Cinema Project (these will be held in the majority of towns and villages throughout the region .)</p>
3.0	Resource implications
3.1	<p>Cost of hiring Large Screen for utilisation at Council / Community Events / Festivals approx £10k per annum for 3 years</p> <p>Cost to remove large Screen £5k (one off cost)</p> <p>(All above subject to Destination Newry agreeing to fund conversion of Large Screen from static to mobile , estimated cost £60k)</p>
4.0	Appendices
	None

Report to:	Strategic Planning & Resources Committee
Subject:	<i>Update on Energy & Sustainability Officer Works</i>
Date:	14 th November 2016
Reporting Officer:	Eddy Curtis, Director Strategic Planning and Performance
Contact Officer:	Ciarán Óg Mussen, Energy & Sustainability Officer

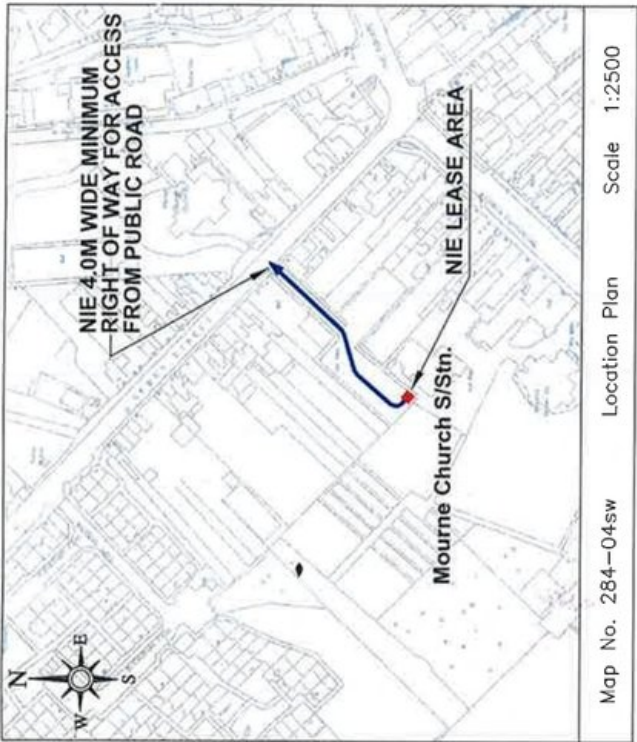
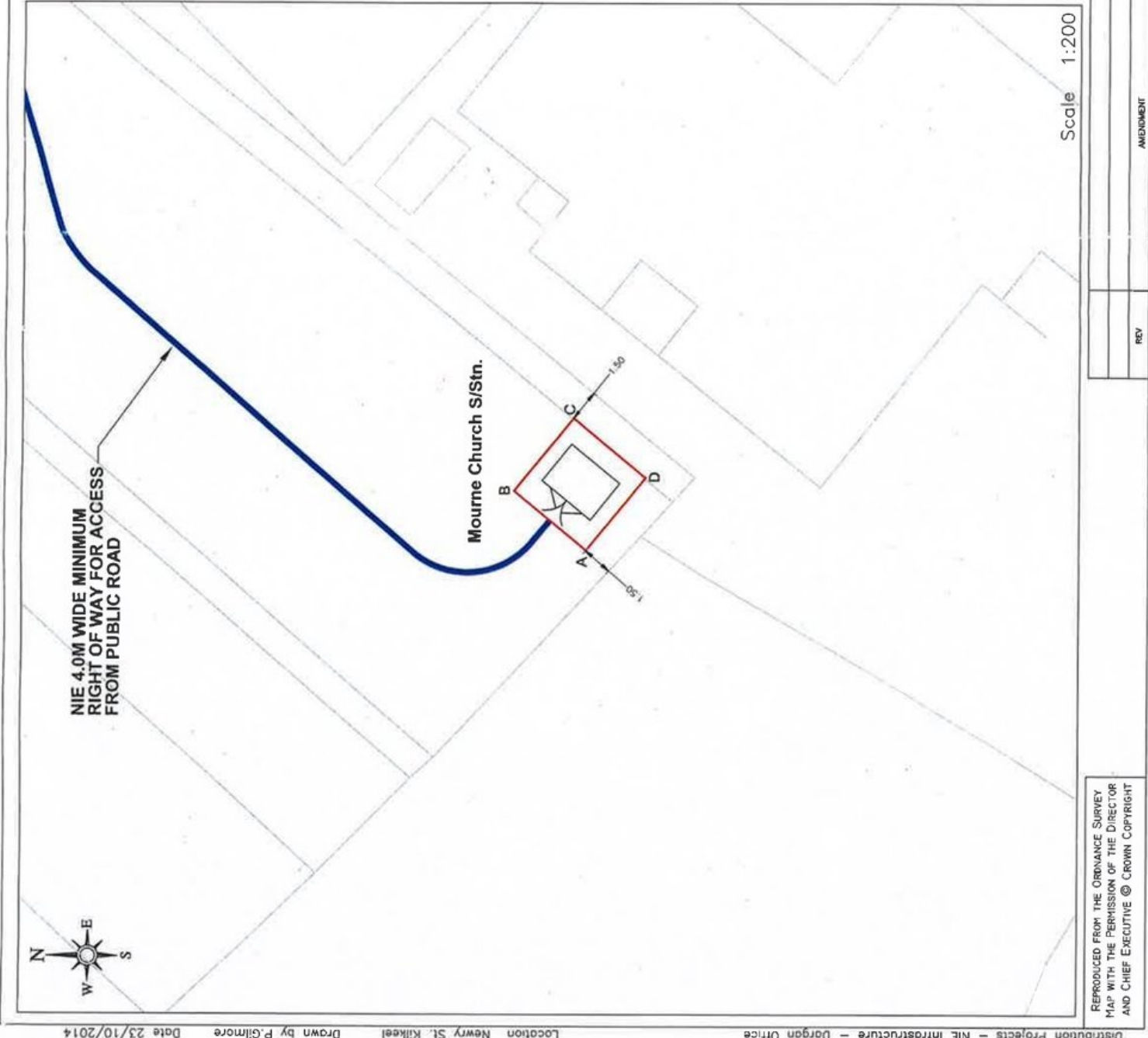
<u>Decisions Required</u>	
Committee to consider report	
1.0	<u>Purpose & Background</u>
1.1	<p>The following report gives a brief summary of progress on the Solar PV installations to Council Community Centres and other successful works recently carried out by Energy & Sustainability Officer. An update will be given on:</p> <ul style="list-style-type: none"> • PV installations at Community Centre buildings • Installation of de-stratification fans at Kilkeel Leisure Centre • Oil Duty Rebate application for Down Leisure CHP plant
2.0	<u>Key Issues</u>
	<p>Community Centre PV Installations</p> <p>It was agreed by Committee to proceed with installation of Solar PV panels at Community Centres in the district. Sites which were considered most suitable in terms of orientation, roof structure etc were prioritised for these works.</p> <ul style="list-style-type: none"> • Whitegates Community Centre – 6.5 kWp PV panels installed at a cost of £6,840 • Hilltown Community Centre – 3 kWp PV panels installed at a cost of £3,860 • Inverbrena Community Hall – 5 kWp PV panels installed at a cost of £5,840 • Crossmaglen Community Centre – Contractor appointed and works commencing 14th November 2016 to install 8 kWp PV Panels at a cost of £8,200 • Killough Community Hall - This site was considered for installation but was ruled out on request by Community Group due to on-going vandalism at the building <p>Installation of de-stratification fans at Kilkeel Leisure Centre</p> <p>De-stratification fans were installed 17th September 2016 in the swimming pool area of Kilkeel Leisure Centre at a cost of £8,500. The fans work by re-circulating the warm air that rises up to the high pitch roof above the swimming pool back down to ground level below where heating is required. This reduces overall demand for heating in the pool area.</p> <p>Early indications on energy savings are good with total energy savings projected at £7,900 per year giving a payback of just over 1 year.</p> <p>Oil Duty Rebate for Down Leisure Centre</p> <p>As the Combined Heat & Power Plant at Down Leisure Centre generates electricity on site it qualifies</p>

	for a fuel duty rebate on Gas Oil fuel purchased. The rebate application was submitted to HMRC and after an audit on site the Council successfully received a rebate of £8,718 on 25/10/16.
3.0	<u>Resource Implications</u>
	N/A
4.0	<u>Appendices</u>
	N/A

Report To:	Strategic Policy and Resources Committee
Date of Meeting:	17 November 2016
Subject:	Replacement of Sub-station at Mourne Presbyterian Church, Kilkeel
Reporting Officer:	Alison Robb Assistant Director Corporate Services (Administration)
Contact Officer:	Alison Robb Assistant Director Corporate Services (Administration)

Decision Required:	Approval for a 99 year lease. Lease to be entered into between the Council and Northern Ireland Electricity Networks ("NIEN") in relation to the replacement of the Sub-station at Mourne Presbyterian Church, Kilkeel in the consideration of £1000 with NIEN to be responsible for the Council's reasonable Legal costs.
1.0	Purpose and Background:
1.1	<p>As part of a system improvement scheme, NIEN are proposing to replace the existing Sub-station currently located at Mourne Presbyterian Church, Kilkeel.</p> <p>Following a site meeting in 2014, facilitated by the legacy Council, it was agreed that the replacement sub-station be located in the adjacent DRD car park due to the lack of available space within the Church grounds and the proposed Church development plans.</p> <p>It was agreed with DRD that NIEN would lease the sub-station site for a term of 99 years, for a consideration of £1000 with NIEN meeting all reasonable legal expenses.</p> <p>Some progress was subsequently made in relation to the Lease between DRD and NIEN, but it was never completed. As part of RPA, the DRD car park subsequently transferred to the Council.</p> <p>In order to regularise this matter NIEN is now seeking to enter into a Lease with the Council for the replacement Sub-station as per Drawing No. EIL 1602 attached at Appendix 1.</p> <p>The kiosk will measure 2.5 metres x 3.25 metres, however the area leased would be 4.5 metres x 4.5 metres to enable a small maintenance area around the kiosk along with an area to open the kiosk doors.</p> <p>Subject to agreement with the Council, NIEN is to apply for Planning Permission for the Sub-station.</p>

2.0	Key Issues:
2.1	Facilitation of a Replacement Sub-station Regularisation of an historic matter agreed between NIEN, DRD and the legacy Council.
3.0	Recommendation:
3.1	Approval in the terms as set out in the decision required section above.
4.0	Resource implications:
4.1	Financial: - Consideration of £1000 to be paid to the Council by NIEN - NIEN to meet the Council's reasonable Legal expenses.
5.0	Equality and Good Relations implications:
5.1	None identified.
6.0	Appendices:
6.1	Appendix 1: Drawing No. EIL 1602



SUB-STATION LEASE AREA A-B-C-D-A
SITE MEASUREMENTS:
A - B = 1.50m.
A - D = 1.50m.
Lease Area = 20.25m²

SUB-STATION NOTES

1. FOR DETAILS OF RAFT FOUNDATION SEE DRG. No. CH-2013-201.
2. FOR PLAN & ELEVATION OF ROSSK S/S SEE DRG. No. C.S.I. 8000/124/1.
3. SITE AREA TO BE COVERED WITH 50mm LAYER OF CONCRETE AFTER CABLEING IS COMPLETE (A-B-C-D-A)
4. NIE TO HAVE A RIGHT OF WAY AS PER THE 1:2500 LOCATION PLAN

LEGEND

- NIE LEASE AREA
- NIE 4.0m WIDE MINIMUM RIGHT OF WAY FOR ACCESS FROM PUBLIC ROAD



NIE JOB No.479

NIE LEASE SITE PLAN
MOURNE CHURCH S/STN.
NEWRY STREET
KILKEEL
BT34 4BH

Drawn by: S. Whitteide
Checked by: J. Connell
Approved by: S. Whitteide

Map No. 284-04sw
Date 23/10/2014
Sheet 1 of 1
Drawing No. EIL

REPRODUCED FROM THE ORDNANCE SURVEY
MAP WITH THE PERMISSION OF THE DIRECTOR
AND CHIEF EXECUTIVE © CROWN COPYRIGHT

Report to:	Strategy, Policy & Resources Committee
Date of Meeting:	17 November 2016
Subject:	Peace IV Capital call
Reporting Officer (Including Job Title):	Sonya Burns, Programmes Manager
Contact Officer (Including Job Title):	Sonya Burns, Programmes Manager

Decisions required:	
<ul style="list-style-type: none"> To submit an application to Shared Spaces and Services funding call for the John Doyle Peace Centre. 	
1.0	Purpose and Background:
	<p>The call for Shared Spaces and Services within the Peace IV programme has now opened. It had previously been decided to submit Derrylackagh playing fields in the first call and Ballynahinch and Camlough in the second call. However it is anticipated that there is only going to be one call given the restricted timeframe. In addition the Derrylackagh playing fields cannot proceed due to no planning being provided and the Ballynahinch project will be funded through an alternative source (Department of Education). It is therefore advisable to submit an application to the current call for the John Doyle Peace Centre in Camlough.</p> <p>The timeframe for submissions will be as follows: Opening date 3 November 2016 Closing date 25 January 2017 Steering committee no later than 22 March 2017 Workshop date (for stage 2) 26 May 2017.</p>
2.0	Key issues:
2.1	<ul style="list-style-type: none"> Controlling the expectations of the community as there will only be eight iconic projects funded through this programme.
3.0	Recommendations:
3.1	<ul style="list-style-type: none"> Submit an application to Shared Spaces and Services Peace IV fund for the John Doyle Peace Centre.
4.0	Resource implications:
4.1	Project 85% funded by the EU and 15% by the two Governments. There will be additional resources required to complete stages one and two of the application process.
5.0	Equality and good relations implications:

5.1	This was undertaken as part of the application process.
6.0	Appendices
	None

Report to:	<i>Strategy Policy and Resources Committee</i>
Subject:	<i>Proposals Re Brexit and its implications</i>
Date:	<i>17 November 2016</i>
Reporting Officer:	<i>Eddy Curtis, Director of Strategic Planning & Performance</i>
Contact Officer:	<i>Eddy Curtis, Director of Strategic Planning & Performance</i>

Decisions Required

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

- Both Councils collectively work on gathering information important to our areas.
- Begin an engagement with businesses, fishing, farming and community societies.
- Agree what we want for this area in any negotiations.
- Submit a paper to all three Governments on the issues for our area.

1.0 Purpose & Background

- 1.1 Report to Newry Mourne and Down/Louth Joint Committee Forum meeting on 9th November on proposals regarding Brexit and its implications for the Newry, Mourne and Down and Louth County Council Region.

2.0 Key Issues

- 2.1 On 23rd June 2016 the UK voted to leave the European Union family of partners.

This dramatic result means there will be a significant change in the relationships between the UK and the European Union and more importantly between Northern Ireland and the Republic of Ireland. The major areas of change will be in a large number of strategic areas e.g. Trade, Foreign Direct Investment, Energy, Migration and Labour Market, European Union Funding, Financial Services, Immigration, Border Controls to name but a few.

The Chief Executive was invited by the Taoiseach to attend the All Island Civic Dialogue held on 2nd November 2016 to represent the view of the businesses and community in Newry, Mourne and Down District Council. He attended the event.

This was the beginning of the Republic of Ireland Governments engagement on what are the key issues which need to be included in any settlement for the Island of Ireland. This engagement will continue. A request has been made for written submissions.

The UK Government is also keen to hear the views of Newry Mourne and Down District Council as will be the Assembly. These papers will help us shape our submission. However the unique MOU between Newry Mourne and Down District Council and Louth County Council will strengthen any response we will submit. However we need to strengthen our response by engaging in a wider dialogue locally. This will help us to build a strong civic and political voice across our Council areas.

(1) Issues we need to consider are:

- (a) What is the message from this Region.
- (b) What are the key issues for our businesses, citizens, communities, farming and fishing section.
- (c) What is meant by a 'soft border'.
- (d) What is our position on the Common Travel Area and Custom Union.
- (e) What do we mean by bespoke arrangements.
- (f) What are the legal issues for our area.

Two draft papers are attached to assist members in making an informed decision on this very complex and serious matter.

3.0 **Resource Implications**

- 3.1 • *Officer time plus contribution to consultation process.*

4.0 **Appendices**

- Appendix A – Terms of Reference for the appointment of consultants to carry out this strategic study.
- Appendix B – Draft Paper from Mr Eoin Magennis, UUEPC on his high level thoughts on Brexit and its Implications for the Border Region.

Key Issues for the Ireland/N Ireland Border Corridor: – The Impact of the UK Leaving the EU

Introduction

Assessing the consequences of the UK leaving the European Union is complex and depends on the nature of the future relationship that the UK will have with the EU. As a result the impact at a sub-regional level can be more challenging to assess; particularly when considering the issues for the Ireland/ Northern Ireland border area. Post Brexit, Northern Ireland will be the only part of the UK that shares a land border with an EU member state. The Ireland/N Ireland Border region has been involved in a range of cross-border cultural, economic and political initiatives and has enjoyed substantial EU Funding since the introduction of the INTERREG and subsequent Peace Programmes in 1990.

Once Article 50 is triggered by the UK government there will be a two year negotiation period with the European Commission to determine the exit from the Partnership. This could be extended by agreement of the member states; therefore uncertainty around future cross border cooperation is likely to continue for some time.

The EU will remain a major trading bloc with the UK and as such there will be on going interdependencies on matters such as freedom of movement, financial services, border controls and security, defence and the importing and exporting of goods and services. Therefore many matters that apply to the UK as a member state may continue to apply in one form or another following a negotiated exit.

The negotiations will, by necessity, include tariffs and trade-offs. Many commentators are reporting that the EU may be inclined towards a 'tough line' in negotiations to deter other EU member states from contemplating exiting the union. This will only become clear once Article 50 has been triggered.

Negotiations with the European Commission will be conducted by the Treasury in London. It is therefore important that the Ireland/N Ireland border region assess the impact of Brexit on the border corridor and ensure that both the N Ireland Executive and the Irish governments are aware of the needs of the border region post Brexit so that this can be reflected in the negotiations between the Treasury and the Commission and between the Irish government and the Commission.

Impacts of Brexit for the UK

While the impact of Brexit remains uncertain, a number of potential impacts have been identified from the modelling to date:

- Increase in political and economic uncertainty around the UK's future relationship with other EU countries
- Lower levels of trade and investment due to the introduction of tariffs and market restrictions in terms of exporting relationships for businesses, levels of FDI
- Reduction in migration
- Reduction in regulation which could reduce the costs associated with it
- Reduction in fiscal contributions as the UK would no longer be required to make budgetary contributions

- Policy choices on whether or not to re-create EU Funds in a Brexit form.

Impact of Brexit on the Ireland/N Ireland Border Corridor

Northern Ireland is in a unique position given its land border with Ireland and therefore has a number of specific impacts that need to be factored into future scenario planning:

The Border region is likely to be more vulnerable to a disruption of trade flows.

- Regions differ to the extent to which they receive FDI (proportionate to their capital stock) which is relevant given the estimated disruptions to inflows of FDI to the UK
- Regions have different industrial structures and that the impact of UK exit from the EU on different sectors is likely to be uneven;
- Regions differ in terms of the relative importance of EU structural funds and other types of EU budget-financed projects to economic activity. The Ireland/N Ireland border area benefits from the specific cross border funds, INTERREG and Peace as well as the other Structural Funds both competitive and non-competitive including Horizon 2020. From 2002-2012 this has amounted to €1 billion.
- Regions differ in terms of their reliance on EU migrant labour given the possibility that a UK exit from the EU would result in the curtailment of free movement of people.

The recent NI Affairs Committee Inquiry highlighted specific areas of interest for Northern Ireland as the interrelated areas of trade, commerce and the economy; the future of the border with the Republic of Ireland; and agriculture.

In February 2016, a briefing paper on the *Economic Implications of a UK Exit from the EU for Northern Ireland*¹ was prepared by Oxford Economics for the Department of Enterprise, Trade & Investment (DETI). The paper summarises the major findings of the modelling exercise with a particular focus on Northern Ireland in comparison to the UK as a whole. The report considers the impact on the Northern Ireland economy overall and concludes that “*the Northern Ireland economy is likely to be relatively more vulnerable to the type of structural changes triggered by a UK exit from the EU in comparison to the rest of the UK*”. On average, by 2030, Oxford Economics estimate that “*the UK GVA will be 1.8% below the baseline level across all nine scenarios. In comparison, on average by 2030, GVA in Northern Ireland will be 2.8% lower than the baseline*”.

This is based on Northern Ireland’s trade links with the Republic of Ireland being stronger than the rest of the UK, the composition of the Northern Ireland manufacturing activity which has a high dependence on the food, beverage and tobacco and transport equipment sub sectors and the relatively high level of inward FDI (compared to the rest of the UK) that Northern Ireland secures.

Scope of the work

It is acknowledged that a robust assessment of the impact on the Ireland/ N Ireland border corridor of the UK leaving the EU will only be possible once the future relationship between the UK and EU has been determined.

¹ Report available at: <http://www.oxfordeconomics.com/brexit/DETI>

The purpose of this work is therefore to summarise the key issues and implications of the UK leaving the EU for the Ireland/ N Ireland Border Corridor and to outline the potential future scenarios that the region needs to consider and manage. The scope of this work is as follows:

- Summarise the key issues of Brexit for the Ireland N Ireland Border Corridor
- Assess the overall economic impact on the border regions and individual areas
- Assess the potential impact on individual Council rates bases, and the knock on effect on services this could have.
- Consider the main impacts for key stakeholder groups along the border corridor – public, private and third sectors as well as residents
- Outline the most likely scenarios that the region is likely to face post Brexit; along with the headline considerations/impacts for the border corridor. This should include scenarios where there is no replacement of lost EU funds for NI and where replacement funding is provided by the UK government.
- Identify and prioritise key economic risks and opportunities for border Councils post Brexit and make recommendations on the best approach / further to ensure these are addressed and managed effectively.

The following factors should be considered,

- Legal and administrative barriers
- Implications for co-operation between Local Authorities on both sides of the border
- EU/Public investment (Horizon, INTERREG, Peace, etc.-)
- Particular economic issues which pertain to the Ireland/ N Ireland Border area including cross border and foreign trade, foreign direct investment and relocation of existing businesses.
- Rural and Environmental issues including harbours, ports and the fishing industry
- Labour implications including ethnic minorities.
- Social implications
- Implications for Health and Education Authorities.

As there are implications for planning and resources at every level -this initial assessment of key issues and impacts is likely to inform further research on a more detailed assessment of the future scenarios that will shape border corridor priorities.

Estimated duration of assignment:

As this work will draw on existing research some consultation with key stakeholders including business representatives groups, ports etc. will be required. It is estimated that this initial assessment of key issues and an outline of the main scenarios facing the Ireland/N Ireland Border Corridor post Brexit will require no more than 5 days.

Output

A paper identifying the key issues and headline assessment of future scenarios, risks and opportunities facing the Ireland/N Ireland Border Corridor post Brexit.

Some initial thoughts on Brexit and the Border Corridor

Eoin Magennis, UUEPC, 30 October 2016

General overview: Initial signs more positive than feared with UK/Ir economies continuing to grow but need to prepare for slowing down in this in 2017 and possibly 2018.

- Timeline for Article 50 now clear and the shape of the exit also becoming clearer with an emphasis on UK control of immigration increasing the likelihood of exiting the single market. Where to after that – transitional arrangements, etc not clear as yet.
- Appears from UK data since June that the Bank of England action has averted the immediate danger of recession but Governor still believes that late 2017 to mid-2018 still a dangerous period ahead (*FT*, 31/10/2016).
- Economic forecasts for UK and for Republic of Ireland for 2017 almost all marked down since June – pessimism bias perhaps but possibly also a realisation of the impact on investment/consumer spending of uncertainty.
- Continuing growth (albeit low growth in the UK and higher in Ireland) is a sign of the relative underlying competitiveness of the economies – Brexit is not a cause of this and EU membership has not solved many UK problems, but whether leaving the EU will be an economic solution (through new trade agreements, etc) is open to question.
- Political reactions in NI, Scotland and Republic of Ireland so far have been marked by a worry about borders and the long-term future of North/South, East/West and UK/regions relations.
- Policy reactions (Irish Budget, OFMDFM letter, HMT letter on EU funding) all intended to reassure – UK Budget in November likely to follow suit.

Uncertainty for what comes next reflected in sharp depreciation in Sterling – winners and losers from this depending on what side of the Border.

- Short term uncertainty reflected in 17.5% fall in value of Sterling against Euro since 23rd June (much of this in two sharp falls). Temporary perhaps. Might be expected to be seen in increased shoppers going North or falling number of tourists:
 - Sharp rise in shoppers crossing the Border to North (13% rise between Q2 and Q3)
 - But CSO figures show rise in Q3 2016 in British tourists coming to Republic of Ireland (up 9.3% on same period in 2015). Cross-border figures not available.
- Medium term impact on household or business investment – thus the actions of the Bank of England (cutting interest rates and QE) and the Irish government's Budget 2017 to stave off any threat of collapsing demand leading to recession. UK government Budget the next one to watch.

Trade: Risks in some exposed sectors (agri-food, building materials, chemicals) and in the border areas where cross-border trade of more importance to firms.

- Clear risk here in the cross-border market and the GB one for Southern exporters:
 - Southern market worth £1.4bn in goods and £2.18bn in services (inc £1.3bn in retail & wholesale) to NI firms in 2014. This means that the Irish market takes £1 in every

£6 in goods sold outside NI (ie: external sales) or £1 in every £3 of NI goods sold outside the UK (ie: exports).

- By contrast the NI market in 2015 was worth €1.73bn to Southern goods exporters in 2015 which equates to €1 in every €65 of all Irish goods are sold to NI. However, if we take the UK market as a whole, it was worth €15.5bn in 2015 to Irish goods exporters, equivalent to €1 in every €7 of goods exported from Ireland.
- While the Southern market is of more importance to the NI economy as a whole than the Northern market is to the Irish one, the important issue is how critical North/South (and East/West) trade is for smaller and indigenous firms, crucial to the economies on either side of the border. And how important these markets are for any policy of increasing the number of exporters by starting firms along an exporting pathway.
- Sectoral risks also apparent especially for agri-food sectors (meat, dairy, seafood) which have not only higher tariffs than other goods but also high exposure (many send 90%+ of their exports to the cross-border or UK market). Smaller but still significant levels of exposure in several other sectors: building materials, fertilisers, rubber manufactures and metals.
- Higher percentages of firms in the border region selling into the cross-border market, the EU (from NI) and GB (from RoI) than in rest of NI or rest of Ireland – eg: in Donegal 38% of firms sell into cross-border market and 25% into GB while all-island averages are 30% and 20%.
- The sectors with highest exposure to risk are well represented with firms in the Border region including:
 - Dairy – processing takes place across the Border region with highly integrated (and often cross-border) supply chains – eg: Town of Monaghan Co-op, Glanbia in Bailieborough, Dale Farm/Fane Valley, Kerry Group, Leckpatrick, etc.
 - Meat processing – AIBP a key player here but also other important smaller producers – McCarrens (Cavan), McAdams, Silver Hill and Cartons (all Monaghan), Silvercrest, Linden Foods, etc.
 - Seafood – especially in Cos Donegal and Down such as Atlantic Dawn, Green Isle, etc.
 - Building materials – present across all the Border region with particular concentrations around Quinn Cement, Lagan Cement, Readymix (Cemex), Kilsaran (Louth and Meath), etc.
 - Metals production – notable concentration of highly-skilled producers in and around Sligo and in Mid-Ulster.

Farming & Fisheries: Funding likely to be a key issue for many smaller NI farmers – may open opportunity for rationalisation of agriculture but experience of fisheries show how politically problematic that is likely to be.

- **Farming:** Exposure to threats to funding and markets:
 - In 2014/15 the average SFP of £25.5k per farm accounted for 103% of NI farm business income in a difficult year for dairy and meat prices. Of the top ten areas for payments only Coleraine and Ballymena are not in border council areas.
 - Exposure to risk much higher for agri-food sectors with much higher shares of exports going to South or wider EU which will face tariffs – these are sectors with

balance of trade surpluses therefore problems around any ideas for import substitution. Again higher risk profile for border council areas with the intensity of employment in these sectors.

- **Fisheries:** seen as an opportunity area and split along fishing/processor lines with latter dependent on local/cross-border/GB markets and former seeing opportunities for greater levels of fishing in the Irish Sea and off Atlantic coastline.

FDI: Area of much higher uncertainty for NI than the southern Border counties because of importance of access to the single market for many businesses.

- Great uncertainty here and likely to bring both risks and opportunities. Some analysis (Wavteq, 2016) suggests a sharp fall in FDI for NI is likely (given the higher proportions won by the region in recent years and the greater risk to knowledge-based services sectors looking access to the single market). Therefore a high exposure to risk – perhaps less so for the border councils?
- At same time – and critical for Louth, Letterkenny and Sligo in particular – the opportunities that may arise from FDI interest especially in the financial services and fintech areas may be significant.

Tourism: The Southern Border Cos more exposed to risk here from the GB market given its importance to them. Cross-border flows also critical for some local markets.

- Similar reliance in NI border council areas on tourism employment as NI generally – exception is NMDDC which is slightly higher (2013 Census of Employment)
- In South a slightly higher reliance – especially in Donegal, Leitrim and Cavan (c.2% higher).
- Lower reliance on RoI/EU tourists in some of the NI border councils than NI average (17.8% – Belfast is the only outlier (21.4%). But falling numbers of these tourists in 2013-2015 period (possibly due to strengthening of sterling). May now begin to change (early 2016 numbers for RoI visits to NI looked up on same period in 2015).
- Much higher reliance on GB tourists in Southern Border counties (44% of total tourists in 2015) than in Ireland generally (31%) – highest share in Louth (49%).

Retail: Return of the volatility associated with exchange rate fluctuations and while numbers of Southern shoppers definitely increasing the evidence is that we are not yet at 2008 peak levels.

- Slightly higher shares of the local labour markets in retail and wholesale in NI and Southern border areas than the State averages.
- Longstanding importance (evident since the 1980s) of cross-border flows (in both directions) to retail outlets on both sides of the border depending on the impact of taxes and exchange rates on price, most recently around 2008-09. At times of price sensitivity shares in NI border centres can rise to close to 60% of all cars falling away to 35% as a 'normal' level.
- The cross-border retail story is often a source of 'noise' in the local and national press and commentary but larger threat to smaller town-based shopping remains the one from concentration in larger outlets and online shopping.

Migration: Not as clear a sub-regional picture but while smaller numbers UK citizens in Ireland or EU ones in NI are critical to some sectors – healthcare being an obvious one for both jurisdictions.

- Less than 2% of RoI workforce in 2014 comprised of UK nationals – especially in ICT, financial services, healthcare and retail.
- In NI the share of EU nationals is smaller (closer to 1%) with highest shares in fishing and agriculture, healthcare, hospitality, manufacturing (esp agri-food but not just that) and retail.

Cross-border commuting: The numbers here are always trickier to interpret given historic levels of under-declaration. The recent Censuses North (2011) and South (2011) showed that approximately 16,000 people were resident on one side of the border and travelling across the border to work on the other side.

- Roughly 9,800 in South travel across the border to NI every day to work – more than a third of these in Donegal (living in bordering areas) and going into Derry. Roughly 6,600 in North travelling across the border to the South
- Other research increases this by 50% to around 25,000 ‘frontier workers’, some of the difference undoubtedly explained by cross-border work in construction, agriculture and other sectors where the employment arrangements are more temporary and sub-contract based.

Funding: Exposure to serious risk for several areas/sectors in NI from withdrawal from EU funding – community & voluntary sector, farming, local government, universities...

- Approximately €3.4bn in Peace and Interreg monies up to 2020 invested in NI and Southern Border Counties. EU Funding in Interreg, Peace & Reconciliation, Rural Development, CAWT, Research & Development, Horizon 2020 etc. How will this funding be replaced after 2020.
- Cumulative pot for NI only in 2014-2020 (inc CAP estimated at €3.5bn) from EU monies – quite small in the overall spending (2-3%) but critical for some sectors which have built strategies around EU supports – North West EU Unit, Newry/Dundalk plans, etc.
- Not to ignore research funding – NI target of €145m from current round - €23m secured in 2015/16 year.

Concluding remarks: Economic risks are likely to be variable across geographies and sectors and will need further investigation but disruption in UK/EU cooperation will most likely be felt along its one land border.

- There remains great uncertainty around Brexit – less about whether it will happen and more about the shape it will take and how long any transitional arrangements may take. Political pressure currently is pushing towards a ‘harder, faster’ approach but this may not be the end result of negotiations.
- Uncertainty resulting in immediate dislocations as a result of exchange rate fluctuations.
- Longer-term exposure to risk in some sectors and areas of the economy – agriculture, agri-food, FDI in NI, funding for research/community sector, etc which will need to be mitigated.
- May be opportunities also – FDI in Ireland, refocus on innovation and export planning – but these will only be possible through a targeting of competitiveness issues – both costs and capabilities – that can sometimes be weaker in more peripheral regions.