

Agenda Item:	
Report to:	Strategy, Policy & Resources Committee
Subject:	<i>Community Planning / DEA Staffing Arrangements</i>
Date:	11 June 2015
Reporting Officer:	Eddy Curtis, Director of Strategy, Planning & Performance
Contact Officer:	Heather McKee, Community Planning Manager

<u>Decisions Required</u>	
<i>Consider and agree the recommendations in the report</i>	
1.0	<u>Purpose & Background</u>
1.1	The new Community Planning responsibilities require Council to develop a mechanism for ongoing engagement with the community and voluntary sector which will contribute to the implementation and monitoring of the Community Plan.
1.2	Community Planning requires a new concept for Local Government, Partners and the Community and will require new working arrangements.
2.0	<u>Key Issues</u>
2.1	<p>The Community Planning Partnership is required to facilitate ongoing engagement at a local level to support</p> <ul style="list-style-type: none"> • An environment for joint working across the community, voluntary and statutory sectors to address locally identified issues • The monitoring and review of the appropriateness of the Community plan in addressing need at a local level. <p>It is suggested that DEA Fora would provide the means to do this.</p>
2.2	This will require changes in culture and behaviour which should be support by a dedicated team ensuring evidence based planning across all areas of delivery. This will also underpin the work of the Council teams in Active and Healthy Communities, Enterprise Regeneration and Tourism and Regulatory and Technical Services Departments.
2.3	Support will be required to ensure linkages across all areas of the community planning process addressing all issues such as health, education, roads, tourism, development, environment, etc.
3.0	<p><u>Recommendations</u></p> <p>To support the development of community planning to approve allocation of</p> <p>Option 1: 5 DEA Coordinators</p> <p>OR</p> <p>Option 2: 7 DEA Coordinators</p>

4.0	<u>Resource Implications</u>
	Salary costs
5.0	<u>Appendices</u>
<ul style="list-style-type: none"> • Suggested Community Planning / DEA Staffing support 	

Appendix 1

Community Planning / DEA Staffing Arrangements

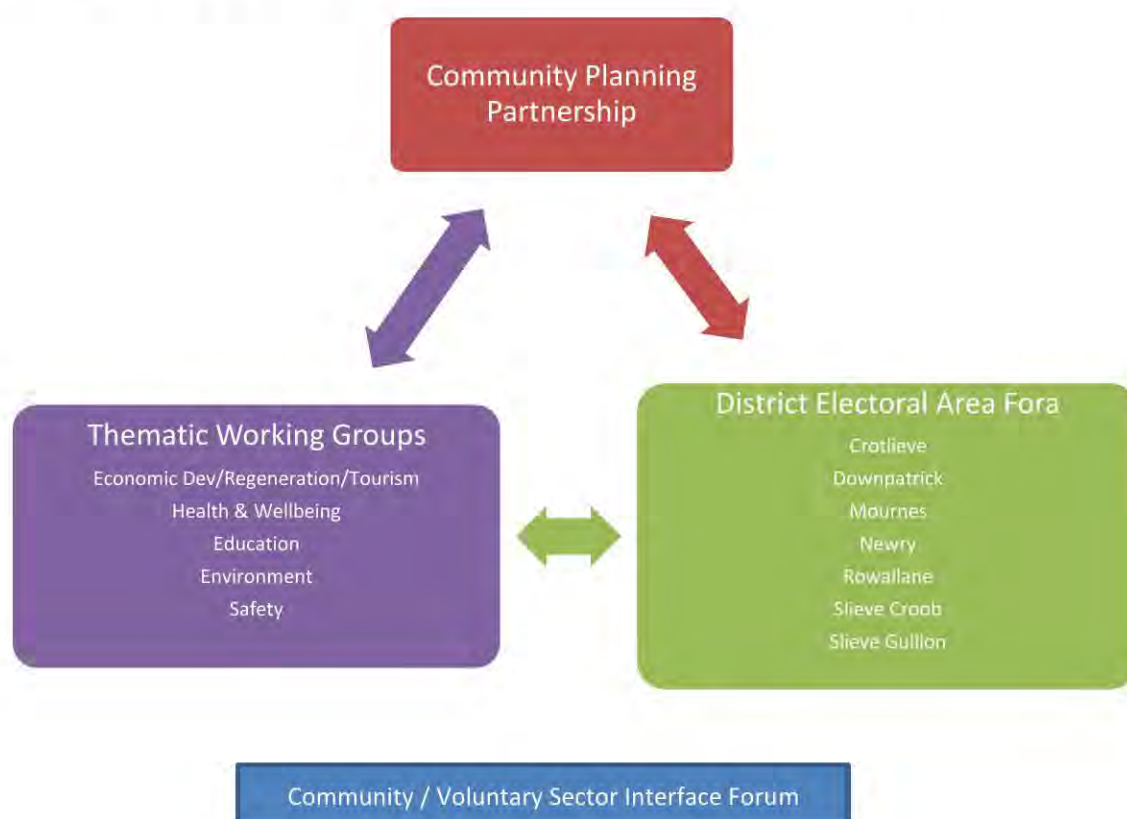
1.0 Introduction

Community Planning is the key over-arching framework for collaborative working to address the needs of everyone in our District, particularly the most vulnerable. It brings with it the potential for new ways of working to achieve this goal. This also means the development of new focussed partnerships, and a more focused mechanism at a local level to allow the community to inform and influence the actions of the Community Planning partnership.

It is suggested that the most constructive means of developing and delivering local plans as part of the community planning process is to do this on a District Electoral Area Basis.

To support partnership working with the community at DEA level will require dedicated Officer support. This will also ensure links between DEA actions and thematic areas of delivery.

Interlinked levels of Community Planning shown in the diagram, represent the interdependence of each level:



To support the robust functioning of this mechanism will require Officers with a specific remit to do so as outlined in section 2 below.

2.0 Dedicated Officer Support:

Option 1: 5 DEA Coordinators

OR

Option 2: 7 DEA Coordinators

DEA Coordinator role (x 5 no. or x 7 no. Officers)

- To Coordinate DEA engagement activity in line with the Community Planning process and Strategic Engagement plan.
- Coordinate and compile an evidence based action plan for respective DEA as an out-working of the community plan at a local level.
- To be central point of contact for all DEA Issues.
- To coordinate DEA meetings and undertake or refer follow up actions.
- Link with relevant Council Departments and partners to build capacity of community to actively participate in community planning process.
- To be a central point of contact for all DEA issues, monitoring evidence base and reviewing impact of actions at a local level.

5 Officer Option allocated to DEAs as follows:

- Crotlieve and Slieve Croob
- Downpatrick and Rowallane
- Mournes
- Newry
- Slieve Guillion

7 Officer Option allocated to each DEA as follows:

- Crotlieve
- Downpatrick
- Mournes
- Newry
- Rowallane
- Slieve Croob
- Slieve Guillion

Recommendation:

To support the development of community planning to approve allocation of

Option 1: 5 DEA Coordinators

OR

Option 2: 7 DEA Coordinators

Agenda Item:	
Report to:	Strategic Planning & Resources Committee
Subject:	Consultation on the Proposals for the Future of the Youth Council
Date:	11 June 2015
Reporting Officer:	Heather McKee, Community Planning Manager

<u>Decisions Required</u>	
<i>Agree response to be submitted to Department of Education</i>	
1.0	<u>Purpose & Background</u>
1.1	With the creation of the regional Education Authority, there is would be 2 organisations operating at a regional level. The Department of Education, through its restructuring of the regional and sub-regional youth service delivery wihs to amalgamate youth service delivery in thin the new education administration arrangements.
2.0	<u>Key Issues</u>
	<p>The Department of Education propose to dissolve the Youth Council and transfer its functions, assets and staff to the Education Authority.</p> <p>The consultation document sets out 2 options for the future delivery of youth services (outlined on the draft response at appendix 1)</p> <p>The preferred option would be option 2 to protect, as far as possible, the functions currently undertaken by the Youth Council which would be subsumed within the operation of the Education Authority.</p> <p>The proposed response is attached at appendix 1.</p>
3.0	<u>Resource Implications</u>
	None.
4.0	<u>Appendices</u>
	<ul style="list-style-type: none"> ▪ Draft Response

Newry, Mourne and Down District Council response to the Consultation on Proposals for the Future of the Youth Council

1.0 Overview of Options

Option 1 - Dissolution of the Youth Council. (Repeal of The Youth Service (NI) Order 1989)

The creation of Educational Authority enables the delivery of a single regional youth service. This option provides the opportunity for minimising the duplication of regional and sub regional youth services so that the maximum proportion of available grant funding is allocated to front line youth services whilst complementing the consistency and quality of the service provided. As a single provider the Education Authority will ensure consistency in the delivery of youth service. The Education Authority's functions do not require any legislative amendments in order to administer regional youth services.

Option 2 - Dissolution of the Youth Council (Repeal of The Youth Service (NI) Order 1989) and protection of youth provision within the Education Authority. This option builds on Option 1 as it proposed that youth provision within the Education Authority is protected through the development of:-

- specific targets relating to youth provision set by the Minister and monitored by the Department;
- management/monitoring of the Education Authority youth budget to ensure it underpins these targets;
greater flexibility in the allocation of resources, regionally and sub regionally;
- particular consideration given to the funding of Regional Voluntary Youth Organisations;
- designated staff for youth services within the Education Authority; and
- scope for strategic/higher level projects to be identified as part of the Regional Youth Development Plan preparation process, which will guide and support the delivery of services by the Education Authority.

2.0 Consultation Response Questions

1. Do you agree that the creation of the Education Authority combined with current budgetary constraints provides a need to rationalise the

administration of regional and sub regional youth services?

- a. **YES** If you support the delivery of regional and sub regional youth services in the Education Authority, please identify the option that you think will achieve the desired effect: Option 1 or Option 2
- b. **NO** If you do not support the delivery of regional and sub regional youth services in the Education Authority, please state what your objections are and give your reasons including any possible alternative models that you may suggest.

Response:

Yes: Having two regional bodies with a similar or overlapping remit could lead to conflict and it not economically feasible in the current climate. However, the Council would not wish to see the remit and services supported by the Youth Council diluted by their inclusion within the remit of the Education Authority and support Option 2 which protects youth provision and the associated budget as outlined above.

2. Are there any services currently provided by the Youth Council which you consider must be retained by the Education Authority?

Response:

The services currently provided by the Youth Council should be protected and delivered by the Education Authority as outlined in Option 2.

3. Do you consider that the dissolution of the Youth Council will adversely impact on regional youth services?

Response:

The dissolution of the Youth Council could, in the short term, impact on regional youth service. It will be imperative that the Education Authority retain staff with the knowledge and experience to ensure that provision is maintained. It will also be essential that the Authority is monitored to ensure that the delivery of outcomes identified in the Regional Youth Development Plan are achieved.

It is also key that the Regional Youth Development Plan is linked to the Community Planning process in each Council area with the Education Authority taking the lead of delivery of identified outcomes.

4. Do you consider that the options identified adversely impact on any of the Section 75 groups?

<p>If yes, please tell us.</p> <p>Which groups do you think the option affects? and How do you think the groups would be adversely affected?</p>
<p>Response: There is nothing in the information provided to suggest that the options identified would adversely impact on any of the section 75 groups. .</p>
<p>5. Do you have any further comments, additional evidence or information that the Department should consider when assessing the proposed rationalisation of the administration of youth service funding?</p>
<p>Response: Statistics for the Newry, Mourne and Down District Council area show declining numbers enrolling in Higher Education courses and achieving Higher Education qualifications. This factor, coupled with the increase in unemployment among the younger age group, demonstrates a worrying trend. Therefore, it is essential that funding to frontline youth service is not adversely affected by responsibility transferring to the Education Authority.</p>



Department of Education



Consultation on Proposals for the Future of the Youth Council

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Introduction

The primary function of this consultation document is to set out the Department of Education (hereafter “the Department”) options for the future of the Youth Council for Northern Ireland (hereafter “the Youth Council”).

Your views on the consultation are welcome and will provide the opportunity to inform decisions on the proposals for the future of the Youth Council. Details on how to send comments and the closing date for consultation are provided later.

The Minister’s final decision on the future of the Youth Council will take account of the outcome of this consultation.

Strategic Context

The historic pattern of funding for youth services will change with the creation of the Education Authority which provides a new regional body to deliver youth services. However, this leaves a situation where there are now effectively two organisations operating at a regional level: the Education Authority and the Youth Council. The establishment of the Education Authority represents an opportunity for the Department to reshape and reform regional and sub-regional youth service delivery to ensure that the service is supported to participate as effectively as possible within the new education administrative arrangements. Within this context, therefore, the Department seeks to explore how it’s funding for youth services might be delivered through the Education Authority.

Under the Review of Public Administration, the Education Skills Authority (ESA) was proposed to provide a single authority for the administration of education. As part of those proposals, the Youth Council was to be subsumed into ESA. The Executive subsequently agreed to withdraw from its 2014-16 Programme for Government commitment to establish ESA and instead to amalgamate the five Education and Library Boards (ELBs) and their Staff Commission into a single Education Authority, leaving the Youth Council and CCMS outside these arrangements. The options considered in this paper are not intended to replicate the ESA proposal to dissolve the Youth Council and transfer its functions, assets and staff to ESA but to resolve the administrative effect of the creation of the Education Authority (i.e. the existence of two organisations operating at a regional level).

Budgetary Considerations

The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last 5 years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as Education. The Minister has taken every action possible to protect Education funding and those frontline services within the Department's remit. However, it is simply impossible to protect everything, hence the Minister has decided that a different approach for managing the DE funded youth service is required to ensure quality and consistency in delivery in order to allow the youth service to continue to provide the maximum level of frontline services within its approved budget.

The Minister's focus remains on raising standards and improving outcomes and therefore the Department must seek to ensure that the youth service is fit for purpose, maximises value for money and avoids duplication.

Priorities for Youth

When published in October 2013, the Priorities for Youth policy indicated that delivery of many of its actions would be the responsibility of ESA, as the Department's delivery body. Priorities for Youth was therefore clear that delivery of policy objectives could be taken forward within a single administrative structure.

In delivering Priorities for Youth there are significant roles for both regional and local voluntary groups working in partnership with the Statutory Authorities. This includes a more strategic approach to the assessment of need for general and targeted provision, planning of youth services and engagement between the voluntary sector and the statutory sector to develop greater cooperation, where appropriate, in the implementation and delivery of actions in the Regional Youth Development Plan. The establishment of the youth service Regional Advisory Group has put in place a mechanism which enables key stakeholders to engage directly with the statutory authorities to inform the strategic delivery of youth services, both regionally and sub regionally. This will help the Department meet its overall policy objectives to raise standards and improve educational outcomes.

Current Arrangements

Until now each of the five ELBs has been responsible for securing the provision of adequate facilities for youth service in its local area and it has done this using a mix of funded provision through a large number of voluntary youth organisations and direct statutory provision. In 2015 -16 the Department's funding to the Education Authority, including earmarked funding for particular services, is almost £29 million.

The statutory functions of the Youth Council are set out at Annex A. In terms of funding, it provides financial support to regional voluntary youth organisations, mainly through infrastructure funding, but also for some specific programmes. The funding for the Youth Council for 2015 -16, including earmarked funding, is around £4.1 million.

Until now regional and local administrative structures have coexisted, each within a clearly defined remit. In this context, the statutory organisations have worked together effectively on issues of mutual interest relating to youth service delivery. However, as stated earlier, the establishment of the Education Authority has made the picture less clear, as there are now two statutory bodies operating at a regional level.

The challenge is to examine whether these structures are the most appropriate way of ensuring the delivery of existing services and functions, that the most effective use is made of the Department's youth budget and that the policy requirements of Priorities for Youth are delivered.

Rationale for Change

The establishment of the Education Authority enables a new approach to be taken to the organisation of regional and sub regional youth services focusing on equality of access and consistency in the delivery of departmental policies and provision of services to ensure that they are fit-for-purpose and maximise efficiency and value for money. It creates a structure of governance that supports, challenges and holds to account those responsible for delivering regional and sub regional youth service activities to children and young people in a systematic and consistent manner.

The current youth service structures were designed for a different context. With the establishment of the Education Authority and with the youth sector embarking

on the implementation of Priorities for Youth it is essential that the organisational structure/capacity supports the effective delivery of programme services.

It is important to stress that regional and sub regional youth services should not be viewed as isolated identities, but as a whole which will require collaboration and interaction to deliver the optimal outcomes for children and young people. The emphasis will be on ensuring the delivery of high quality youth services across both regional and sub regional levels through effective engagement of multiple stakeholders (e.g statutory, voluntary, regional, sub regional and sectoral bodies). The Department believes it is timely to address the rationalisation of the administration of youth services to facilitate more innovative decision making, reduce bureaucracy and eliminate duplication in order to have greater budgetary efficiencies and a youth service fit for purpose going forward.

The Department is making every effort to protect Education funding and frontline services within the Department's remit whilst cutting unnecessary administration. Rationalising the delivery of regional youth services within the Education Authority will enable them to operate more efficiently than through previous structures by allowing greater flexibility in the allocation of youth service resources and realising further gains derived from minimising duplication and making economies of scale. This will mean that more of the youth service budget can be allocated to frontline services. It is recognised that the Youth Council has to date provided a distinctive entity in the management of regional youth services. However, given the current budget context and the Minister's desire to protect frontline services, there may be other options to achieve this.

Giving effect to the administration of regional youth services through the Education Authority does not require a change to the current Education Authority legislation, however, as the Youth Council was established under the Youth Service (NI) order 1989, primary legislation would be required to effect a change in approach (ie to dissolve the Youth Council).

The Department is therefore seeking views on whether the functions currently undertaken by the Youth Council could be subsumed within the operation of the Education Authority as set out in the Education and Libraries (NI) Order 1986 where the Education Authority is responsible for securing adequate facilities for youth services activities ancillary to education.

Impact on Other Executive Departments

Consideration will be given to the potential impact this policy may have on legislation and policies of other Executive Departments.

Timing

The timing of the repeal of the Youth Service (NI) Order 1989 would be subject to the legislative process in the NI Assembly.

Options in Respect of the Future Delivery of Youth Services

The Department would like to hear the views of all interested persons on the options identified below:-

- **Option 1 - Dissolution of the Youth Council. (Repeal of The Youth Service (NI) Order 1989)** The creation of Educational Authority enables the delivery of a single regional youth service. This option provides the opportunity for minimising the duplication of regional and sub regional youth services so that the maximum proportion of available grant funding is allocated to front line youth services whilst complementing the consistency and quality of the service provided. As a single provider the Education Authority will ensure consistency in the delivery of youth service. The Education Authority's functions do not require any legislative amendments in order to administer regional youth services.
- **Option 2 - Dissolution of the Youth Council (Repeal of The Youth Service (NI) Order 1989) and protection of youth provision within the Education Authority.** This option builds on Option 1 as it proposed that youth provision within the Education Authority is protected through the development of:-
 - specific targets relating to youth provision set by the Minister and monitored by the Department;
 - management/monitoring of the Education Authority youth budget to ensure it underpins these targets;

- greater flexibility in the allocation of resources, regionally and sub regionally;
- particular consideration given to the funding of Regional Voluntary Youth Organisations;
- designated staff for youth services within the Education Authority; and
- scope for strategic/higher level projects to be identified as part of the Regional Youth Development Plan preparation process, which will guide and support the delivery of services by the Education Authority.

Questions for Consultation

The Department encourages all who read this document to approach it with an open mind and to respond to it constructively. We hope that, with the benefit of this consultation, we will be able to provide a youth service that will best serve the needs of children and young people. We would welcome responses to the following questions:

Whilst acknowledging the effective administration of regional youth services by the Youth Council to date,

1. Do you agree that the creation of the Education Authority combined with current budgetary constraints provides a need to rationalise the administration of regional and sub regional youth services?
 - a. **YES** If you support the delivery of regional and sub regional youth services in the Education Authority, please identify the option that you think will achieve the desired effect: Option 1 or Option 2
 - b. **NO** If you do not support the delivery of regional and sub regional youth services in the Education Authority, please state what your objections are and give your reasons including any possible alternative models that you may suggest.
2. Are there any services currently provided by the Youth Council which you consider must be retained by the Education Authority?
3. Do you consider that the dissolution of the Youth Council will adversely impact on regional youth services?
4. Do you consider that the options identified adversely impact on any of the Section 75 groups?

If yes, please tell us.

- Which groups do you think the option affects? and
- How do you think the groups would be adversely affected?

5. Do you have any further comments additional evidence or information that the Department should consider when assessing the proposed rationalisation of the administration of youth service funding?

How to Respond to this Consultation

The Department would welcome your comments by **5.00pm on Friday 12 June 2015**. We cannot guarantee to be able to consider your response if it arrives after this date.

The Department would particularly welcome comments on any perceived adverse impacts that this funding change may have on any particular area of Youth Council work or on particular groups.

Responses should be made preferably by using the Response Booklet. Responses in other formats should be clearly marked with the words **Consultation on Proposals for the Future of the Youth Council** on the title page, or in the subject box of emails. Written responses should be sent to:

Post: Consultation on Proposals for the Future of the Youth Council
Department of Education
Youth & Schools in the Communities Team
Rathgael House
Balloo Road
BANGOR
BT19 7PR

E-mail: youth.services@deni.gov.uk

Telephone queries: 028 9127 9747

When responding, please state whether you are responding as an individual or representing the views of an organisation. Please make it clear who the organisation represents and, where applicable, how the views of members were gathered.

Additional Copies

Additional copies of this document can be obtained from the above address or by contacting us by telephone on: **028 9127 9747**.

Alternative Formats

Other versions, such as Braille or Audio can be requested. Please contact 028 9127 9747 or youth.services@deni.gov.uk with your request.

Electronic copies of this document and the response booklet are available in English and Irish on the Department's website at: www.deni.gov.uk.

Complaints

If you have any comments about the way this consultation has been conducted, they should be sent to the Head of Youth & Schools in the Community Team:

Email: Brenda.shearer@deni.gov.uk

By post: Head of Youth & Schools in the Community Team
 Consultation on Proposals for the Future of the Youth Council
 Department of Education
 Youth & Schools in the Communities Team
 Rathgael House
 43 Balloo Road
 Rathgill
 BANGOR
 BT19 7PR

Telephone: 028 9127 9765

Confidentiality of Consultations

The Department will 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.

The Freedom of information Act 2000 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.

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

For further information about confidentiality of responses please contact the Information Commissioner's Office (or see website at: www.informationcommissioner.gov.uk).

Section 75

Under Section 75 of the Northern Ireland Act 1988 the Department, in carrying out its functions is required to have **due regard to the need to promote equality of opportunity between:**

- persons of different religious belief, political opinion, race, age, marital status or sexual orientation;
- men and women generally;
- persons with a disability and persons without; and
- persons with dependents and persons without.

In addition, without prejudice to the above obligations, the Department is also required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

As part of this consultation the Department is inviting views on any future potential Section 75 impacts.

Your views will be taken into account by the Department when it carries out an Equality Impact Assessment screening exercise and, if appropriate, a full Equality Impact Assessment.

Timescale

This consultation will take place between 20 April 2015 and 12 June 2015.

Relevant Legislation

The Education and Libraries (NI) Order 1986

The Youth Service (NI) Order 1989

The Education Act (NI) 2014

Annex A

Background to Youth Council

The Youth Council was established under Article 3 of **The Youth Service (NI) Order 1989**. It is an executive Non-Departmental Public Body (NDPB) of the Department of Education. The existing structure of Youth Council has been in place since 1 January 1990.

The functions of the Youth Council are as set out in **Article 4 (1) the Youth Service (NI) Order 1989**.

<http://www.legislation.gov.uk/nisi/1989/2413/contents>

The Youth Council's functions include:

- advise the Department of Education, Education Authority and other bodies on the development of the youth service;
- encourage cross-community activity by the youth service;
- encourage the provision of facilities for the youth service and facilities which are especially beneficial to young persons; and
- encourage and assisting the co-ordination and efficient use of the resources of the youth service.

Article 4 (2) The Youth Council may also assist the efficient provision of administrative services (including training and travel) by voluntary headquarter organisations whose services are available throughout NI and not only in some particular locality.

Consultation on Proposals for the Future of the Youth Council

Agenda Item:	
Report to:	Strategic Policy & Resources Committee
Subject:	<i>Building Change Trust, Civic Activism Project</i>
Date:	11 June 2015
Reporting Officer:	Heather McKee, Community Planning Manager
Contact Officer:	Heather McKee, Community Planning Manager

<u>Decisions Required</u>	
<i>For Noting</i>	
1.0	<u>Purpose & Background</u>
1.1	As part of Community Places work to support the community planning process they applied to the Building Change Trust for funding to assist Councils, including Newry, Mourne and Down to engagement with their communities.
2.0	<u>Key Issues</u>
	Community Places has received confirmation of funding for their Civic Activism Project and will commence work with Newry, Mourne and Down Council from August 2015 to support community engagement activity.
3.0	<u>Resource Implications</u>
	None
4.0	<u>Appendices</u>
	<ul style="list-style-type: none"> ▪ None

Item:	
Report to:	Strategic Planning & Resources Committee
Subject:	Membership of the Association for Public Service Excellence (APSE)
Date:	11 June 2015
Reporting Officer:	Johnny McBride, Change Manager
Contact Officer:	Johnny McBride, Change Manager

<u>Decisions Required</u>	
Members are asked to note the contents of the report and consider and agree to:	
<ul style="list-style-type: none"> ▪ Membership of the Association for Public Service Excellence (APSE) for 2015/16 	
1.0	<u>Purpose & Background</u>
1.1	The purpose of this report is to recommend for Members' agreement membership of APSE for the 2015/16 financial year.
1.2	APSE is a well-established not for profit organisation which provides support to Councils and other public sector organisations across a range of performance management and improvement activities. Both predecessor Councils have, up until vesting and for a considerable number of years, been active members of the association.
2.0	<u>Key Issues</u>
	Membership Benefits
2.1	<p>As a member of the association and as part of the annual subscription fee, the Council can avail of the following services:</p> <ul style="list-style-type: none"> ▪ Briefings service on topical local government issues relating to performance; ▪ Network queries service enabling the Council to source information from other Councils; ▪ Regular meetings in NI based around specific themes; ▪ Advisory groups service covering a range of Council functions; ▪ Principal Advisor support and advice; ▪ Research support from Principal Advisors on specific issues; ▪ Regular access to various publications concerning best practice and research across local government services; and ▪ Access to previous research, information and publications.
2.2	Access to these services has proved useful and beneficial in the predecessor Councils for supporting performance management and improvement activities.

3.0	<u>Resource Implications</u>
3.1	The membership subscription fee for 2015/16 is £3,250.
4.0	<u>Appendices</u>
<ul style="list-style-type: none"> ▪ None 	

Item:	
Report to:	Strategic Planning & Resources Committee
Subject:	Organisational Improvements & Efficiencies (Transformational Programme)
Date:	11 June 2015
Reporting Officer:	Johnny McBride, Change Manager
Contact Officer:	Johnny McBride, Change Manager

Decisions Required

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

- **The report and recommendations of the Members' Workshop held on Friday, 29 May 2015.**

1.0	<u>Purpose & Background</u>
1.1	The purpose of this report is to seek Members' agreement of the report and recommendations of the Workshop held on Friday, 29 May 2015. The purposes of which was to consider the need for, as well as the key decisions and actions which are required to develop, a programme of improvements and efficiencies.
2.0	<u>Key Issues</u>
	Member Working Group
2.1	<p>The purpose of this Member Working Group is to perform the role of a Programme Board which will have a number of critical roles as the programme of work is developed. It is not a decision-making forum but will:</p> <ul style="list-style-type: none"> ▪ Provide political leadership. direction and support to the programme; ▪ Explore the scope of the programme, its projects and initiatives in more detail; ▪ Recommend to Council (via the Strategic Planning & Resources Committee) the allocation of resources (people & money) to support the programme and its projects; ▪ Secure a one Council / corporate approach as well as championing programme objectives; ▪ Monitor progress against any programme plans, timescales and targets; and ▪ Recommend to Council (again via the Strategic Planning & Resources Committee) the approval of business cases, policy changes and projects for implementation.
2.2	The Working Group will be supported by the Chief Executive, the Senior Management Team as well as other Officials. Draft Terms of Reference will be tabled for consideration at its inaugural meeting which is scheduled for the end of June 2015.

3.0	<u>Resource Implications</u>
3.1	There are no specific resource implications contained within this report as the Working Group will be supported from within existing Council resources.
4.0	<u>Appendices</u>
	<ul style="list-style-type: none"> ▪ Appendix I – Report of the Members’ Workshop held on Friday, 29 May 2015.

APPENDIX I

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

File Note:

Workshop: “Future Council Improvements & Efficiencies”

Friday 29 May 2015, 12.00pm

Training Room, District Council Offices, Monaghan Row, Newry

In attendance:

(Councillors)

Cllr T Andrews	Cllr C Casey
Cllr G Craig	Cllr W Clarke
Cllr C Enright	Cllr G Donnelly
Cllr T Hearty	Cllr H Harvey
Cllr K Loughran	Cllr D Hyland
Cllr D McAteer	Cllr B Quinn
Cllr H Reilly	Cllr G Stokes
Cllr J Tinnelly	Cllr B Walker

(Officials)

Mr L Hannaway	Chief Executive
Mr C O'Rourke	Director, Regulatory & Technical Services
Mr E Curtis	Director, Strategic Planning & Performance
Mrs M Ward	Director, Enterprise, Regeneration & Tourism
Mr R Dowe	Head of Finance & ICT
Mr J McBride	Change Manager
Ms C McAteer	Democratic Services Officer
Ms L Dillon	Democratic Services Officer

Also in attendance: Mr Seamus Neely, Chief Executive, Donegal County Council

Apologies:

Cllr M Ruane
Cllr P Brown
Cllr L Kimmins
Cllr P O'Gribin
Cllr L Devlin
Cllr S Doran
Cllr C McGrath

Introductions

The Chief Executive welcomed everyone to the workshop, which he stated represented an opening conversation with Members to begin to consider how and where the future changes are to be made to realise improvements and efficiencies. He also welcomed Mr Seamus Neely, Chief Executive Donegal County Council to the workshop.

Purpose

The purpose of the workshop was to consider the need for, as well as the key decisions and actions which are required to develop, a programme of improvements and efficiencies.

Presentations

Mr E Curtis, Director of Strategic Planning & Performance delivered a presentation on “Why is a programme needed in Newry, Mourne & Down?”

Mr S Neely, Chief Executive, Donegal County Council, delivered a presentation on “Local Government Efficiency Measures” which was based on the experiences of Donegal County Council.

Mr J McBride, Change Manager delivered a presentation on “What might an effective programme look like & what actions are required locally?”

Discussions

During discussions, Members raised the following points:

- The need to reduce the payroll costs of the Council
- The need to consider a longer-term view of Council finances particularly in relation to budgets / rate levels
- The need for shared services particularly through the merging of back office functions
- The need for investment in the District’s infrastructure as a means to maximise income via a larger rate base
- The need to consider the future delivery of services
- The need to prioritise staff engagement concerning improvements and efficiencies
- The need to consider the disposal of Council assets

Recommendations

- (a) **To establish a Member Working Group to explore the key issues in more detail and to make recommendations to Council.**
- (b) **Membership to be comprised of:
The Chairperson of each of the four Standing Committees plus the Planning Committee plus a single representative from each of the Groupings on the Party Representatives Forum (Total 10 Members).**
- (c) **Council Officers be authorised to begin to develop a programme of work.**
- (d) **In advance of the 2016/17 rate estimates process, Party Groupings begin to consider indicative rates targets for 2016/17 and future years.**
- (e) **A report of the Workshop and recommendations be tabled at the Strategic Planning & Resources Committee Meeting on the 11 June 2015.**

- (f) **The first Meeting of the Member Working Group to be held at the end of June 2015.**

End

Reports to:	Strategic Policy & Resources Committee
Subject:	Identity Forms – Night Safes/Lodgements
Date:	4 June 2015
Reporting Officer:	Robert Dowey
Contact Officer:	Robert Dowey

Decisions Required

A proposer and seconder is required to sign the above noted form in favour of Danske Bank.

1.0	Purpose and Background Form needs signed to provide Night Safe facilities.
2.0	Recommendation Agree to complete Indemnity Forms.
3.0	Resource Implications N/A
4.0	Appendices N/A

Reports to:	Strategic Policy & Resources Committee
Subject:	Legal Expenses Insurance Cover re Complaints Against Councillors
Date:	4 June 2015
Reporting Officer:	Robert Dowey
Contact Officer:	Robert Dowey

Decisions Required

Do Councillors want to take out Insurance cover for the above?

1.0	Purpose and Background Legal cover only in the event a Councillor faces a complaint under the Councillors Code of Conduct.
2.0	Recommendation Agree to take out legal cover.
3.0	Resource Implications Premium is £2050 plus I.P.T. plus 20% commission for 41 Members i.e. £40 plus £2 + £8 = £50 per Member.
4.0	Appendices

Subject: Request for swap of representatives on two external organisations

Report to: Strategy, Policy and Resources Committee 11 June 2015

Date: 3 June 2015

Reporting Officer: Eddy Curtis, Director of Strategic Planning and Resources

Contact Officer : Eileen McParland, Democratic Services Manager

Decisions required:

Members are asked to consider the report's contents.

1.0 Purpose and Background:

- 1.1 The purpose of this report is to consider request from the Independents/smaller parties grouping for a change to appointments made to external organisations at the Council's Annual General Meeting.

2.0 Key Issues:

- 2.1 A request has been made by the Independents/smaller Parties grouping for Councillor Patrick Brown to replace Councillor Kevin McAteer on the Local Government Partnership on Travellers' Issues and for Councillor Kevin McAteer to replace Councillor Patrick Brown on the Louth, Newry, Mourne and Down Joint Committee.
- 2.2 As these appointments were made by Council at its AGM, formal approval of these requests is required.

3.0 Resource Implication:

None

4.0 Appendices

None

Subject: Appointment of Members to external organisations

Report to: Strategy, Policy and Resources Committee 11 June 2015

Date: 3 June 2015

Reporting Officer: Eddy Curtis, Director of Strategic Planning and Resources

Contact Officer : Eileen McParland, Democratic Services Manager

Decisions required:

Members are asked to consider and approve the report's contents.

1.0 Purpose and Background:

- 1.1 The purpose of this report is to agree arrangements for the appointment of Members to a number of external organisations.

2.0 Key Issues:

- 2.1 Appointments are required to the external organisations listed at appendix 1. Members are requested to take account of proportionality when considering their recommendations.
- 2.2 In relation to the Sports Association for the District (SAND) seven Members are to be appointed – 1 from each of the Council's DEA's. These appointments have been discussed at the Party Representatives Forum where it was agreed that Party Representatives would consult within their own parties/groupings and across parties/groupings to see if a local proportionate arrangement could be achieved.
- 2.3 Appointments to the following organisations are being deferred to allow for consideration in conjunction with the Council's tourism and economic strategy –
 - Destination Strangford Lough Tourism Forum
 - Mourne Tourism Forum
 - St. Patrick's County Tourism Forum
- 2.4 Appointments are also required to the Newry and Mourne Travellers Forum – 3 members in addition to the 3 members already appointed to the Local Government Partnership for Travellers Issues who will also sit on the local Forum.
Current membership on the N Ireland Forum - Councillors P Brown*, L Kimmins, G Stokes (*note request from the independent/smaller parties grouping for Councillor K McAteer to replace Councillor Brown).

3.0 Resource Implication:

None

4.0 Appendices

Appendix 1 – external appointments requiring appointments

Appendix 1

Appointments to additional external organisations

Sports Association for the District – 7 Members

Ring of Gullion Management Group - information to follow

Strangford Lough and Lecale Partnership – 2 Members

N Ireland Museums Council – 1 Member or 1 Officer

Rural Community Network - Refer to attached email giving background to current membership:

(Councillor T Hearty represents statutory sector and

Councillor D McAteer is currently co-opted)



RCN - Statutory representative

Kathryn Kerr

to:

eileen.mcparland@newryandmourne.gov.uk

04/06/2015 15:55

Hide Details

From: Kathryn Kerr <kathryn@ruralcommunitynetwork.org>

To: "eileen.mcparland@newryandmourne.gov.uk"

<eileen.mcparland@newryandmourne.gov.uk>,

Eileen

Cllr Terry Hearty and RCN

RCN's Board is made of representatives from the community sector, 2 from the NI voluntary sector and 1 from the statutory representative. The statutory members of RCN were asked to nominate and elect one member to our Board for a two year period – October 2014 to October 2016. Following the election Newry & Mourne chose to nominate Cllr Hearty. He currently sits on our Board representing the statutory sector of Northern Ireland. I understand that the Council has changed but there is no problem if Cllr Hearty still wishes to remain on RCN Board or if the Council wish to nominate somebody else.

Declan McAteer was the previous statutory Board member – also nominated from Newry & Mourne – and is currently co-opted onto RCN Board for the current two year period (rather than a statutory representative).

If you need more information please get in touch.

Kathryn

Kathryn Kerr

Finance & IT Officer

Rural Community Network

38a Oldtown Street

Cookstown

Co Tyrone BT80 8EF

Tel: 028 86766670

email: kathryn@ruralcommunitynetwork.org



Rural Community Network
SUPPORTING RURAL COMMUNITIES



To keep up to date with rural issues become a fan of RCN on **Facebook**



Follow us on Twitter

If you would like to become a member of RCN please contact [Kathryn](#)

Report to: Strategy, Policy and Resources Committee 11 June 2015

Subject: Appointment of Members to Sub-Group for Chief Executive’s appraisal

Date: 3 June 2015

Reporting Officer: Eddy Curtis, Director of Strategic Planning and Resources

Contact Officer : Eileen McParland, Democratic Services Manager

Decisions required:

Members are asked to consider and approve the report’s contents.

1.0 Purpose and Background:

1.1 The purpose of this report is to agree arrangements for the appointment of Members to Sub-Group for the appraisal of the Chief Executive.

2.0 Key Issues:

2.1 Currently membership of this Sub-group consists of 1 Sinn Fein, 1 SDLP, 1 DUP, 1 UUP, 1 independent representative – Councillors Casey, Murnin, Craig, Taylor and Enright.

2.2 Membership of this Sub-Group was discussed by the Party Representatives and, due to the requirement for consistency in relation to the appraisal process, it is recommended that the current membership continue for the current Council term, ending May 2019.

3.0 Resource Implication:

None

4.0 Appendices

None

Our Ref:

Your Ref:

GC/MC/MUC.541

Date:

5 May 2015

Chief Executive
Newry, Mourne and Down District Council
Monaghan Row
Newry
BT35 8DJ

27-29 Broad Street, Magherafelt
Co. Derry BT45 6EB
Tel: (028) 7963 3433
Fax: (028) 7930 1658
Email: magherafelt@paduffy.com
DX 3303 NR

G. Conway LL.B.
A. Madden LL.B.
P. McGlone LL.B.

Dear Sir

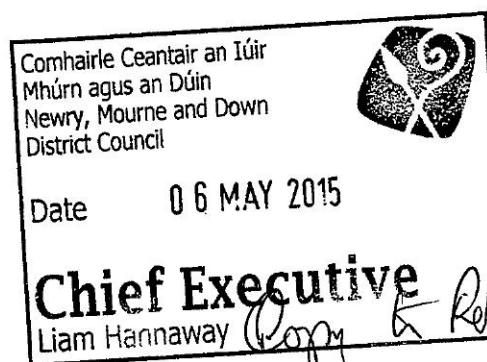
Re: **In the Matter of an Application by Mid Ulster District Council for Leave to Apply for Judicial Review of a Decision by the Department of the Environment Queen's Bench Division (Judicial Review 15/42429/01)**

We take this opportunity to enclose a Judicial Review Pre-Action letter in relation to Mid Ulster District Council's rates support grant for 2015/2016 forwarded to the Local Government Policy Division 1 on 22 April 2015 forwarded to you as an interested party.

We would ask you to note proceedings were issued and served in this matter on Friday 1 May 2015 although we have asked the Department if it wishes to agree a stay of the claim to discuss the matter.

Yours sincerely

PA Duffy & Co.



22 April 2015

By first class post and email

Local Government Policy Division 1
Finance Branch
Level 4
Causeway Exchange
1 – 7 Bedford Street
BELFAST
BT2 7EG

Dear Sir or Madam

Judicial review pre-action letter in relation to Mid Ulster District Council's rates support grant for 2015/2016

1. Proposed claim for judicial review

To The Department of the Environment, Local Government Policy Division 1, Finance Branch, Level 4, Causeway Exchange, 1-7 Bedford Street, Town Parks, Belfast BT2 7EG.

2. The applicant

Mid Ulster District Council ("the Council"), Circular Road, Dungannon, BT71 6DT

3. Reference details

GC/MC/MUC.541

4. The details of the matter being challenged

The decision of the Department of the Environment ("the Department"), contained in its letter to the Council of 4th February 2015, to allocate £2,401,549 to the Council as rate support grant ("RSG") for 2015/2016.

5. The issue

The Council is concerned by the basis on which its RSG allocation has been calculated. In particular the Department uses a Northern Ireland-wide conversion rate for converting the net annual value rate into the capital value rate as part of the gross penny rate product ("GPRP") calculation required to determine RSG. Although the Department of Regional Development helpfully facilitated informal discussion between one of its economists and an officer of the former Magherafelt District Council, the Council doubts the legality of the process of calculating RSG, which was not the subject of consultation when introduced.

The formula to determine a council's RSG is set out in regulation 3 of, and Schedule 1 to, The Local Government (Rates Support Grant) Regulations (Northern Ireland) 2011 ("the 2011 Regulations"). The first step is to calculate:-

$100(\text{Council GPRP} / \text{Northern Ireland GPRP}) - 100(\text{Council adjusted population} / \text{Northern Ireland adjusted population}).$

This calculation gives rise to a surplus or negative variance. The second step is to calculate:-

$100(\text{Council's negative variance} / \text{Total councils' negative variances}).$

This results in the percentage allocation to each council of the total RSG.

Thus GPRP is a key element in the formula. GPRP is defined by regulation 2(1) as follows:-

"the income that may be raised from one penny of district rates on rateable and derated properties, as determined by the Department on the basis of data provided by the Department of Finance and Personnel."

The Department is therefore required to determine GPRP. The Council understands that the Department calculates GPRP by adding the EPP of domestic rates, based on capital values, and the EPP of non-domestic rates, based on rental values. In order to calculate a Council's combined EPP the Department uses a conversion rate to convert the non-domestic EPP into an EPP calculated on the same basis as the domestic EPP. That conversion rate is a single rate used for all districts in Northern Ireland.

By contrast, when an individual council determines its own rate, it must apply a conversion rate set for that particular council by legislation, currently The Rates (Making and Levying of Different Rates) Regulations (Northern Ireland) 2015 ("the 2015 Regulations"), and prior to that the Rates (Making and Levying of Different Rates) Regulations (Northern Ireland) 2006.

A Methodology Note of 2014 by the Department's Analytical Services Branch shows that, had individual conversion rates been used to determine the RSG payable to the Council's three predecessor councils (Cookstown DC, Dungannon and South Tyrone BC and Magherafelt District Council) in 2014/2015, they would collectively have received about £975,000 more than they did through application of a Northern Ireland-wide conversion rate. The Council believes that, had the conversion rate set for it in the 2015 Regulations been applied, it would have received a similar amount in excess of the c. £2.4 million RSG paid to it this year.

The Council is concerned to understand the reasoning behind the Department's use of a unified conversion rate for Northern Ireland in calculating GPRP for the purpose of making RSG allocations. The Methodology Note states, under Conclusions:-

“... the correct conversion factor to apply is the NI-average. However, it may be the case that the regulations themselves might need to be revisited in order to make them consistent with the current approach. This issue will be for policy colleagues to consider and decide.”

However the Note does not explain why the correct conversion rate is the Northern Ireland average. Absent such an explanation, the Council is concerned that the Department has acted ultra vires its powers under the 2011 Regulations (and the enabling legislation) and/or unreasonably in determining the Council's RSG.

6. The details of the action that the respondent is expected to take

The Department is requested to agree, for 2015/2016 and for future years, to use the Council's conversion rate, as currently specified in the 2015 Regulations, to calculate the Council's combined EPP for the purposes of determining GPRP in setting RSG; or, if it declines to do so, to explain the reasons for declining to do so.

7. The details of the legal advisers, if any, dealing with this claim

P.A. Duffy & Co Solicitors, 27-29 Broad Street, Magherafelt, Co. Londonderry BT45 6EB, reference as in section 3 above.

8. The details of any interested parties

Antrim and Newtownabbey Borough Council
Ards and North Down Borough Council
Armagh City, Banbridge and Craigavon Borough Council
Belfast City Council
Causeway Coast and Glens District Council
Derry City and Strabane District Council
Fermanagh and Omagh District Council
Lisburn and Castlereagh City Council
Mid and East Antrim Borough Council
Newry, Mourne and Down District Council

9. The details of information sought

Currently, nothing beyond the explanation sought in section 5 above, should the Department decline to take the step referred to.

10. The details of any documents that are considered relevant and necessary

If the Department does not agree to take the step referred to in section 5 above, and instead explains on the basis on which it declines to do so, we would be grateful for all documents on which the Department relies in offering that explanation, including background papers and financial calculations.

11. The address for reply and service of court documents

Please see section 3 above.

12. Proposed reply date

Given that the normal 3 month limit for bringing judicial review claims ends on Monday 4th May 2015, we would be very grateful for a reply by the end of Wednesday 29th April 2015.

Yours faithfully

cc jeff.glass@doeni.gov.uk
Lizanne.kennedy@doeni.gov.uk
lgdfinance@doeni.gov.uk

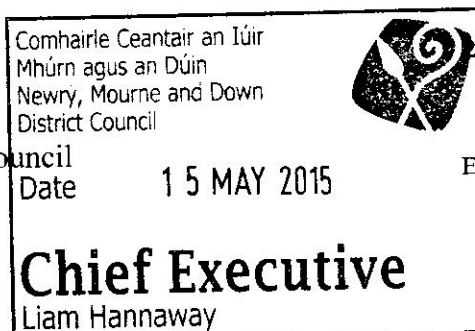
Our Ref:

Your Ref: GC/MC/MUC.541

Date:

13 May 2015

Chief Executive
Newry, Mourne and Down District Council
Monaghan Row
Newry
BT35 8DJ



uffy&Co
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Co. Derry BT45 6EB
Tel: (028) 7963 3433
Fax: (028) 7930 1658
Email: magherafelt@paduffy.com
DX 3303 NR

Dear Sir

Re: **In the Matter of an Application by Mid Ulster District Council for Leave to Apply for Judicial Review of a Decision by the Department of the Environment Queen's Bench Division (Judicial Review 15/42429/01)**

We refer to our letter of 5 May 2015.

The Application for hearing of the Leave Application has been listed for Thursday 28 May 2015 at 10.00 am in the Royal Courts of Justice, Chichester Street, Belfast. You will note, however, we had indicated in our letter of 5 May 2015 we had asked the Department if it wishes to agree a stay of the claim to discuss the matter. We are currently discussing a Consent Order and the hearing may not take place on 28 May 2015 as originally scheduled. We simply forward this letter to keep you updated as to developments.

Yours sincerely

P A Duffy & Co

**From the office of the
Minister of the Environment**



Department of the
Environment
www.doeni.gov.uk

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Mr Liam Hannaway
liam.hannaway@nmandd.org

DoE Private Office
8th Floor
Goodwood House
44 - 58 May Street
Town Parks
BELFAST
BT1 4NN

Telephone: 028 902 56019

Email: private.office@doeni.gov.uk

Your reference: NMD/SC

Our reference: COR/1301/2015

12 May 2015

Dear Mr Hannaway

Thank you for your letter of 20 April 2015 requesting that I increase the limit on the number of members who can receive a Special Responsibility Allowance (SRA) and also the payment amounts to reflect new planning responsibilities.

You will be aware that my predecessor appointed an Independent Remuneration Panel in May 2013 to conduct a review of all councillors' allowances. The Panel when making its recommendations on the new rates was asked to take into consideration the full range of new duties that councillors were to undertake from 2015/2016; this included the new planning responsibilities.

The Report of the Panel, dated 1 November 2013, recommended that the basic allowance from 1 April 2015 should be increased considerably to take account of the new duties for all councillors.

As a result of this recommendation I directed that the basic allowance be increased from £10,051 in 2014/2015 to £14,200 from 1 April 2015, and in addition increased the SRA limits, again to take into account the new responsibilities for councillors. For your council's population of approximately 174,000 this meant an increase from £63,482 in 2014/15 to £70,000 in 2015/16. It is a matter for each council to identify the responsibilities and the level of SRA to be awarded to councillors within this maximum SRA limit whilst also adhering to other restrictions. These restrictions are that up to 50% of councillors may attract a SRA and the maximum amount one councillor can receive is 1/5th of the total SRA limit. The main advantage of each council deciding how to allocate SRA is that it gives councils flexibility to remunerate responsibilities which accord with particular priorities.

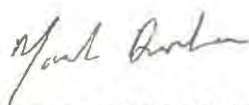
It is recognised that there may be exceptional circumstances where it may be appropriate to apply SRA to more than half of the members of a particular council. The regulations allow for councils to apply, in those circumstances, to the Department for approval to do so.

I believe the current levels of basic allowance and SRA and associated limits are correct. As was the position pre-Reform, these allowances will be up-rated in line with any Local Government Officers pay increases.

You may wish to note that when the Northern Ireland Executive made the commitment to review the transferring functions in 2016, I agreed to review the level of basic allowance if further functions were transferred.

I trust you find this informative.

Yours sincerely



MARK H DURKAN MLA
Minister of the Environment



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158

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BY EMAIL ONLY

Mr. Eddy Curtis
Newry, Mourne & Down District Council
O'Hagan House
Monaghan Row
NEWRY, Co Down BT35 8DL

OUR REF: RMCS/CB/D5/5189

YOUR REF:

DATE: 20 May, 2015

Dear Sir

RE: SOUTH DOWN RESCUE

I refer to our recent discussion when you advised that South Down Community Rescue Group wish to lease property from the Council in close proximity Council-owned property near Newry Canal. They indicated that they wished to locate a portacabin type building which would connect to sewer, water and power, and also be used for storage of a boat. Two possible sites have been looked at, one at Albert Basin and the other at the Ross Thompson site near Newry Town Hall. The Council is concerned that granting such a lease could limit/restrict/delay huge development of the sites. I am asked to advise.

The Business Tenancies (Northern Ireland) Order 1996 gives protection to business tenants in relation to tenure of business property. Security of tenure is of immeasurable importance for many tenants. Protection for tenants in Northern Ireland is much greater than in England and Wales as the parties cannot agree to contract out of the legislation as they can in England and indeed in Scotland. As a result tenants in Northern Ireland are very well placed.

The ambit of the Order is set out in Article 3(1): "Subject to the provisions of this Order, this Order applies to any tenancy where the property comprised in the tenancy is or includes premises which are occupied by the tenant and are so occupied for the purposes of a business carried on by the tenant, or for those and other purposes."

We can split this statement into several component parts:

- (a) It only applies to tenancies. This can be a fixed term or a periodic tenancy. It does not apply to licences. It should be remembered that the key difference between a Licence and a Tenancy is the concept of exclusive possession. For example a flower shop in a shopping centre is different from a flower seller in the mall of the shopping centre.
- (b) The property comprised in the tenancy must be or include business premises. The fact that the premises include other types of premises does not mean that the premises do not come within the ambit of the legislation, for example living above a shop but the only part of those premises which would be protected by the legislation will be the part used by the business premises.



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- (c) The premises must be occupied. If a tenant is not in occupation it cannot claim protection.
- (d) The occupation must be by the tenant and for the purposes of the business carried on by the tenant. Business is defined in Article 2(2) of the Order and is a two-strand definition. It includes (a) a trade, profession or employment; and (b) any activity carried on by a body of persons whether corporate or unincorporated, whether or not carried out for gain or reward. A body such as the South Down Rescue may come within the ambit of the Order. A golf club has been for example defined as coming within the legislation (Cameron v Gordon BT/11/66).
- (e) The legislation talks about premises that must be used for the purpose of a business, this does not necessarily mean the public face of a business and a store/warehouse used for a retail shop or an area used for staff training will be defined as business premises. Given the information that I have received in relation to South Down Community Rescue I am satisfied that this organisation could well have the benefit of the Business Tenancies Order.

I should point out however that the granting of a tenancy for less than 9 months does not come within the ambit of the Order. However problems arise if the period is then extended and the protection for the tenant can then come into play.

In the light of the fact that the Council may wish to sell/develop these sites in the near future I would recommend caution in granting the lease which has been requested.

If any query arises please do not hesitate to contact me.

Yours faithfully

Rory McShane
McSHANES SOLICITORS

e-mail : rory.m@mcshaneandco.com

Direct Dial No. (028) 3025-4817

Sent electronically without signature



Fw: Meeting Friday 29/5/15.
Patricia Oakes to: Sarah-Louise Taggart

03/06/2015 09:29

Sarah,

Oliver McGauley email?

P

Patricia Oakes

PA to Eddy Curtis, Director of Strategic Planning & Performance
Newry, Mourne and Down District Council

Oifig Dhún Pádraig

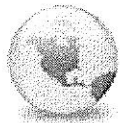
Downpatrick Office

Downshire Civic Centre
Downshire Estate, Ardglass Road
Downpatrick BT30 6GQ

Council: 0300 013 2233
Planning: 0300 200 7830
Ext: 8002

www.newrymournedown.org
www.facebook.com/nmdcouncil
www.twitter.com/nmdcouncil

----- Forwarded by Patricia Oakes/Down District Council on 03/06/2015 09:28 -----



Oliver McGauley <olymac@live.ie>

28/05/2015 20:42

To EDDIE CURTIS. <eddie.curtis@newryandmourne.gov.uk>,

cc

Subject Meeting Friday 29/5/15.

Dear Mr Curtis thank you for the time given re. our meeting of today. As most people realize Angling and the Newry Canal are things i have

been involved in and have passionately helped to develop/promote over the past 50 years(the first open angling event i ran was 1965)-in this time we had on the Waterway a World Championship,All Ireland,various International Events as well as other annual competitions that ran throughout the "Troubles" all of which kept the Canal to the fore throughout the difficult years. Unfortunately angling seems to be considered the " poor relation"-with space on the Basin being reduced by boats moored,being dissuaded re. using the Omeath Road stretch (because of safety)not to mention the taking away(planned out) of the little seating positions along Merchants Quay(these were inside the wall that was along the waterway) 60+ angling positions!.

However all is not lost-the Council have been helpful in providing around 30 pegs on the middle bank beyond O'Rourkes old coal yard(great-no traffic problems) and already some major competitions are planned for this year.This plus other encouraging developments have led to the reforming of the " Newry Coarse Fish Angling Club" whose plans include the provision of a small steel portable building for use as an administration point/store for misc. bits like first aid/safety items tackle etc..It is important this facility utilized fully - we plan to use the main exterior panels for advertising our club, the Canal and Newry(see illustrations provided).To this end we are asking the Newry Mourne and Down District Council to grant us permission, even on a temporary basis, to locate it on the middle bank between O'Rourkes and Dromalane where our message will be clearly seen(it would be ideal if we could have in position for the " Home International" event scheduled for Oct 2015)-We would ask that you give us your support in this instance as it is an important part of our plans in bringing major angling events back to Newry.-Oliver McGauley PR.O. Newry Coarse Fish Angling Club.

Newry, Mourne and Down District Council
Estates and Project Management
EM/367
28th May 2015



DOWNSHIRE CIVIC CENTRE COMMERCIAL UNIT 1 FIT-OUT MECHANICAL & ELECTRICAL CONTRACTOR QUOTATION REPORT

Brief Description of Works

Newry, Mourne and Down District Council invited Harvey Group to submit a quotation for the mechanical and electrical fit-out of Commercial Unit 1 in the Downshire Civic Centre in preparation of the relocation of DARD Fisheries Staff. All construction works required for the unit are to be carried out by others in a separate quotation.

Tender Process

The following companies were invited to provide quotations for this work:

- Harvey Group PLC

The application, specification and drawing packages for this project were released on Monday 11th May 2015.

Only Harvey Group were invited to quote for this work as the Council required continuity of services installation from the existing in the Civic Centre. The original installation was carried out by Harvey Group.

The Form of Contract will be NEC Short Form of Agreement between the Council & the Contractor.

Tender Comparison

The sums quoted in the returned submission was as follows:-

- | | |
|--|-----------------|
| <ul style="list-style-type: none"> · Harvey Group PLC | £47,205.70 +VAT |
|--|-----------------|

No quality criteria were specified for assessment in this quotation. This quotation was broken down into £20,668.55 +VAT for Mechanical works and £26,537.15 +VAT for Electrical works.

Summary

An assessment of the returned quotations was carried out on Thursday 28th May 2015 by Tom McClean and James Gordon.

Upon assessment of Harvey Group's quotation it was deemed that the costs provided were reasonable and did not warrant rejection.

This quotation was compared with prices quoted by Harvey Group (then acting as a sub-contractor for O'Hare & McGovern) for the previous M&E fit-out for the adjacent NIFRS units. The previous quotation totalled £78,506.13 +VAT, which consisted of £31,452.54 +VAT for Mechanical works and £47,053.59 +VAT for Electrical works. This quotation included a small amount of M&E work to three adjacent rooms.

By comparing prices submitted from this quotation and the previous quotation, the panel deemed that this represented value for money, given that both projects consisted of works of a very similar nature and the original quotation was priced using competitive rates from the original Downshire Civic Centre tender.

Recommendation

The panel recommendation is to appoint Harvey Group PLC to carry out the mechanical and electrical fit-out of Commercial Unit 1 in the Downshire Civic Centre to the contract value of £47,205.70 +VAT.



James Gordon

Assistant Project Manager
Newry, Mourne and Down District Council

Downpatrick Civic Centre

Quotation for Fitout Units 2-5 NIFRS

**Floor Finishes**

Carpet tiling	110 m2	35.87 £	3,945.70
Dust sealer/ primer	110 m2	0.60 £	66.00
Skirting board	55 m	3.90 £	214.50
Painting wood; priming before fixing	55 m	0.63 £	34.65
Painting wood	55 m	3.20 £	176.00

Wall Finishes

Wall lining	50 m	72.35 £	3,617.50
Extra over for door openings	6 nr	20.98 £	125.88
Wall lining; insulated dry lining board	29 m	143.18 £	4,152.22
Extra over for window openings	10 nr	20.97 £	209.70
Shadow bead to openings	109 m	6.75 £	735.75
Plaster skim coat	245 m2	6.00 £	1,470.00
Ditto ne 300 wide	34 m	3.60 £	122.40
Ceramic tiling to walls	2 m2	69.21 £	138.42
Beads & silicone	2 m	3.81 £	7.62
Painting walls	255 m2	5.44 £	1,387.20
Painting shadow bead	109 m	1.50 £	163.50
40x75mm Timber batten fixed to metal stud	40 m	5.00 £	200.00

Ceiling Finishes

Suspended ceiling	80 m2	27.82 £	2,225.60
Perimeter margin	70 m	25.16 £	1,761.20
Edge trim to perimeter margin	143 m	6.14 £	878.02
Transition trim to suspended ceiling	65 m	6.97 £	453.05
Plaster skim coat to margin	24 m2	6.00 £	144.00
Paint perimeter margin	24 m2	5.44 £	130.56
Paint metal bead	143 m	1.50 £	214.50

Protection of Existing Finishes Block 1	item	£	4,809.81
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Film to Screens (excluding logo)	item	£	-
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Teapoints	item	£	500.00
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Blinds	item	£	1,164.00
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Trickle vents to windows	item	£	1,000.00
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Mechanical Services Installation	item	£	31,452.54
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Electrical Services Installation	item	£	47,053.59
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BWIC including Firestopping	item	£	2,500.00
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Preliminaries	item	£	14,225.45
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Total Quotation (excluding VAT)		£	125,279.36
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Valuation Report

- 1. Rental Valuation of three Council owned warehouses (to include mezzanine flooring) and a covered canopy area based at 29 Belfast Road, Saintfield.**
- 2. Rental Valuation of three Council owned warehouses (to exclude mezzanine flooring) and a covered canopy area based at 29 Belfast Road, Saintfield.**

Prepared on behalf of Newry and Mourne District Council

1st June 2015

Prepared by

Geoffrey Kennedy BSc (Hons) MRICS
 NI Property Group,
 7 Rathconvil Road,
 Poyntzpass,
 Newry,
 BT35 6RP

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 Telephone: 07784192417: FAX: +44(028) 38 318790: www.nipropertygroup.co.uk



Executive Summary:

Address: 29 Belfast Road, Saintfield

Description: Three Council owned warehouses and a covered canopy area.

Valuation Date 1st June 2015

Rental valuation for warehousing to include mezzanine flooring: £68,000.00 pa.

Rental valuation for warehousing to exclude mezzanine flooring: £75,000.00 pa.

The above executive summary is to be used in conjunction with the valuation report to which it forms part and is subject to the assumptions, caveats and bases of valuation stated herein and should not be read in isolation.



FAO Brieghe Magil,
Newry and Mourne District Council
O'Hagan House
Newry
BT35 8DJ

1st June 2015

7 Rathconvil Road,
Poyntzpass,
Newry,
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BT35 6RP

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Dear Brieghe

RE: Rental Valuation of three Council owned warehouses (1. to include mezzanine flooring. 2. to exclude mezzanine flooring) and a covered canopy area based at 29 Belfast Road, Saintfield

Instruction

We refer to your written instruction of 20 May 2015 requesting our opinion on the market rental value of the above mentioned property.

The valuation date is 1st June 2015. Our inspection of the area was undertaken on 26th May 2015 by Geoffrey Kennedy and Nigel Watson.

We have carried out our inspections, made relevant enquiries and have pleasure in reporting as follows:-



Location

The subject property is located off Belfast Road, a short distance (0.5 mile) from Saintfield village centre, adjacent to Millpond Business Park.

Saintfield is a village in County Down located off the A7 road halfway between Belfast and Downpatrick. A population of 3,381 was recorded at the 2011 Census. The village is primarily a commuter settlement for those working in South and Central Belfast.

Surrounding land uses are largely residential and agricultural with Millpond Business Park and a school located adjacent.

Description/Construction

The property comprises three warehouse buildings, and ancillary office block (with dedicated parking to the front), yard and an extensive canopy area. For the purposes of this valuation, we have been asked to ignore the office block and value the warehousing only.

The warehouse buildings are of steel portal frame construction with block walls, double skin insulated roof covering, approximately 20% roof light coverage, CCTV, alarm system and 8.8 metre eaves height. Their construction can be summarised as follows:

Warehouse A

- Constructed in 1977 and reroofed in 2007.
- Benefits from five external roller shutter doors and a three ton Carruthers Monobox gantry crane.
- Mezzanine storage has been installed at the front and rear of the warehouse.

Warehouse B

- Adjacent to Warehouse A and constructed in 2005.
- Benefits from two electric roller shutter doors.
- Mezzanine storage has been installed.



Warehouse C

- Constructed in 2007.
- Benefits from eight electric roller shutter doors.

A canopy (constructed in 2007) connects the three warehouses.

As a general comment, the warehouses are in good condition throughout, commensurate with their age and type of construction.

Condition

It should be noted that a full land survey has not been carried out by NI Property Group and therefore no warranty can be implied or given in this respect.

It has been assumed that there are no highway developments, environmental or planning proposals which would materially affect directly or indirectly the lands and that there are no tree preservation orders.

It has been assumed that there are no mining or subterranean activities known to have taken place and that the property is free from flooding.

It has also been assumed that the boundaries are clearly defined and the ownership is known and that there are no boundary disputes. It has been assumed that all work to the property has been undertaken with full planning permission and building regulation consents and that any maintenance contract guarantees are available.



Valuation Commentary

The property occupies a secondary location within Northern Ireland, given that it is on the outskirts of a village c. 11 miles from Belfast. This has a negative effect on the rental rate chosen per sq ft. It is undoubtedly an inferior warehouse location to Belfast and Lisburn, albeit the accommodation is of a high standard. If the property were openly marketed, demand would likely emanate from industrial occupiers including those involved with steelworks.

The extensive mezzanines installed in two of the warehouses have a negative effect on rental value. Industrial occupiers tend to prefer full height warehouses to enable the utilisation of forklift trucks and other heavy machinery. Our rental including mezzanines is therefore a lesser value than where they are excluded.

A rental of £2 / sq ft was applied to the ground floor areas (unaffected by mezzanine floors) with lesser rates applied to the affected areas and upper floor mezzanines. The hardstanding / parking areas and canopy are reflected in our rental rates.

Valuation

We have been asked to provide two market rental valuation figures, as follows:

Market Rental Value 1

After due consideration of the property and our general knowledge of the property market, we are of the opinion that the Market Rental Value of the subject property including the mezzanine floors but excluding the office block is fairly represented at **£68,000 (Sixty Eight Thousand Pounds Sterling)** per annum.

Market Rental Value 2

After due consideration of the property and our general knowledge of the property market, we are of the opinion that the Market Rental Value of the subject property excluding the mezzanine floors and the office block is fairly represented at **£75,000 (Seventy Five Thousand Pounds Sterling)** per annum.

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BASIS OF VALUATION

MARKET VALUE

We have prepared our valuation on the basis of Market Value, which is defined in the Appraisal & Valuation Standards, published by The Royal Institution of Chartered Surveyors as:-

“The estimated amount for which a property would exchange on the date of valuation between a willing buyer and a willing seller in an arms length transaction after proper marketing wherein the parties had acted knowledgeably, prudently and without compulsion”

No allowance is made for any costs of sale or any liability for taxation including VAT, which may arise on disposal.

We trust this report is sufficient for your purposes however should you have any queries or require any further information, please do not hesitate to contact us.

Yours Faithfully

Geoffrey Kennedy MRICS

For and On Behalf of NI Property Group

Reports to:	Strategy, Policy and Resources Committee – 11 June 2015
Subject:	Lease of Unit – 1B, The Square, Warrenpoint
Date:	26 May 2015
Reporting Officer:	Eddy Curtis
Contact Officer:	Briege Magill

Decisions Required

The Council to decide if they wish to approve request from current tenant to change use of Unit 1b at Warrenpoint Square from beauty therapy to pet grooming.

1.0	<p>Purpose and Background</p> <p>The Council currently lets Unit 1A at The Square, Warrenpoint, to a tenant for use a beauty therapy clinic. The period of the lease is from 31 January 2013 to 20 January 2018.</p> <p>The tenant has now requested change of use to a pet grooming facility.</p> <p>The current lease allows for this stating that the unit can be used for "any other use to which the Landlord consents (and the Landlord is not entitled to withhold that consent unreasonably)".</p> <p>Eoin Devlin, Environmental Health, has confirmed that no special licence/ conditions apply to a pet grooming facility.</p>
2.0	<p>Recommendation</p> <ul style="list-style-type: none"> Recommend the Council approve this request and that same rent etc apply
3.0	<p>Resource Implications</p> <p>None</p>
4.0	<p>Appendices</p> <p>None</p>

Agenda Item:	Newry, Mourne & Down Policing & Community Safety Partnership (PCSP)
Report to:	SPR
Subject:	Nomination of Partnership Chairperson
Date:	11 June 2015
Reporting Officer:	Eddie Curtis
Contact Officers:	Janine Hillen

Decisions Required

Members are requested to note the contents of the report and appendices and to approve the recommendations at Section 2.

1.0	<p>Purpose & Background</p> <p>Council have appointed 10 Elected Representatives to serve as Members of the new Newry, Mourne & Down PCSP in accordance with d'Hondt. (4 x Sinn Fein, 4 x SDLP, 1 x DUP, 1 x UUP) . Agreement is now required for the position of PCSP Chair.</p> <p>Key Issues</p> <p>Regulations laid out in Schedule 1, Section 10 of the Justice Act N.I. 2011, determine how the position of Chair should be allocated.</p> <p>Specifically,</p> <p><i>In appointing to the office of chair, the council shall ensure that, so far as practicable —</i></p> <p><i>(a)a person is appointed to that office for a term of 12 months at a time or, where that period is shorter than 18 months, for a period ending with the reconstitution date next following that person's appointment;</i></p> <p><i>(b)that office is held in turn by each of the four largest parties represented on the council immediately after the last local general election.</i></p>
2.0	<p>Recommendations</p> <p>In light of the above legislation and taking account of the political make-up of the District PCSP, appointment of the Partnership Chair should be in the following order:</p>

	<div>Year 1 Sinn Fein</div> <div>Year 2 SDLP</div> <div>Year 3 DUP</div> <div>Year 4 UUP</div> <div>Sinn Fein to nominate one member to the position of PCSP Chair.</div>
3.0	<div>Resource Implications</div> <div>N/A</div>
4.0	<div>Appendices</div> <div>N/A</div>