



February 14th, 2019

Notice Of Meeting

You are invited to attend the Strategy Policy and Resources Committee Meeting to be held on **Thursday, 14th February 2019 at 5:00 pm** in **Mourne Room, Downshire Civic Centre Downpatrick.**

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

Chair: Councillor M Savage

Vice Chair: Councillor W Walker


Members: Councillor R Burgess Councillor P Byrne
Councillor M Carr Councillor S Doran
Councillor C Enright Councillor D Hyland
Councillor O McMahon Councillor P Brown
Councillor B Ó Muíri Councillor J Rice
Councillor M Ruane Councillor G Sharvin
Councillor J Trainor

Agenda

1.0 Apologies & Chairperson's Remarks

2.0 Declarations of Interest

3.0 Action Sheet arising from SPR Committee Meeting held on

 *SPR-17012019.pdf*

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Corporate Planning and Policy

4.0 Tuairisc Chonradh na Gaeilge agus An Coiste um Riar an Chirt ar Chomhairlí Áitiúla Dualgais agus an Ghaeilge:Creatlach Comhlíonta 2018/Conradh na Gaeilge & Committee on the Administration Justice 2018 Report on 'Local Councils, Obligations and The Irish Language: A Framework for Compliance'

 *Tuairisc an Ghrupa Oibre Eanair 2019.docx deireanach.pdf*

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 *Report on Conradh na Gaeilge & Committee on the Administration Justice 2018 Report on Local Councils, Obligations and The I.pdf*

Page 8

 *Conradh na Gaeilge & CAJ Report on Local councils, obligations and the Irish language A Framework for Compliance 2018.pdf*

Page 10

Local Development Plan

5.0 Local Development Plan Steering Group-Minutes of Meeting 12/10/2018

Planning Committee Members are invited to attend for this item.

 *Minutes of LDP Steering Group Meeting 12 Oct 2018.pdf*

Page 70

6.0 Local Development Plan – Timetable Revision

Planning Committee Members are invited to attend for this item

 *SPR Report re LDP Timetable Revision 2019.pdf*

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 *Appendix 1. Agreed Current LDP Timetable - Summary (Oct'17).pdf*

Page 77

 *Appendix 2. Draft Revised LDP Timetable - Summary (Feb'19).pdf*

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Community Planning and Performance

7.0 Review of Community Planning Structures

 *SPR - Review of CP Governance 14.02.2019.pdf* *Page 81*

8.0 Governance Arrangements 2019-2023

 *Governance Arrangements 2019 - 2023.pdf* *Page 87*

 *App 1 - Council Standing Orders.pdf* *Page 90*

 *App 2 - SPR TOR.pdf* *Page 116*

 *App 3 - Audit Committee TOR.pdf* *Page 119*

 *App 4 - ERT TOR.pdf* *Page 122*

9.0 Party Representatives Forum - Interim Terms of Reference (3 - 20 May 2019)

 *Party Reps ToR Post Election.pdf* *Page 125*

Corporate Services

10.0 Proposed Changes to Registration Service (Births, Deaths and Marriages)

 *SPR14022019RegistrationService.pdf* *Page 127*

11.0 Replacement fencing at Windy Gap Pad

 *Replacement fencing at Windy Gap Pad.pdf* *Page 131*

 *Map - Windy Gap.pdf* *Page 133*

For Noting

12.0 Key Outcomes Report: Central - Local Government Political Partnership Forum - 18th January 2019

 *NILGA Outcomes Note.pdf* *Page 134*

13.0 Correspondence received from Local Government Staff Commission for NI - Postponement of Dissolution Date

 *letter to Newry, Mourne & Down District Council Jan 19.pdf* *Page 136*

14.0 Albert Basin Park

 *SPR Feb 19 - Albert Basin Park.pdf*

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 *ABP - Draft Programme.pdf*

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

15.0 Management Accounts to 31 December 2018

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).

 *Management accounts December Report to SP&R 2.pdf*

Not included

 *Income & Exp. (By Director) as at 31.12.18 - All.xlsx*

Not included

16.0 Public Right of Way, Rathfriland Road, Newry

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 to SPR - Feb 2019 - Bells Lane.pdf*


Not included

 *Indicative map Bells Lane.pdf*

Not included

17.0 Recruitment: AtlanticCultureScapes

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).

 *Agenda Item - AA 2019 - create 2 new posts.pdf*


Not included

18.0 Corry Square Carpark

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).

 *SPR Feb 19 - Corry Sq Carpark.pdf*

Not included

 *Appendix 1 - Drg Nr 01.pdf*

Not included

19.0 NI Public Services Ombudsman Complaint

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).

 *NI Public Services Ombudsman complaint Mrs Caroline Ward.pdf*

Not included

20.0 D1 Process re: Raymond McCreesh Park

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).

 *D1 process.pdf*

Not included

Invitees

Cllr Terry Andrews	terry.andrews@nmandd.org
Cllr Naomi Bailie	naomi.bailie@nmandd.org
Cllr Patrick Brown	patrick.brown@nmandd.org
Cllr Robert Burgess	robert.burgess@nmandd.org
Lorraine Burns	lorraine.burns@nmandd.org
Cllr Pete Byrne	pete.byrne@nmandd.org
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Mrs Marie Ward	marie.ward@nmandd.org

ACTION SHEET – STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING (SPR) – THURSDAY 17 NOVEMBER 2016 – ITEMS STILL IN PROGRESS OR ON-GOING.

SPR/282/2016	Correspondence from the Department for Communities Regeneration Bill	Council to write to the Minister for Communities asking him to reconsider the decision not to progress the Regeneration Bill.	L Hannaway	To be completed once a Minister for Communities is in place.	N
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ACTION SHEET – STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING (SPR) – THURSDAY 12 APRIL 2018 – ITEMS STILL IN PROGRESS OR ON-GOING.

SPR/060/2018	Disposal of Land where Departmental Approval is required	It was agreed to note the content of the Officer's Report relating to disposal of Council land when, under legislation, Departmental approval is required and to invite Departmental representatives to meet with Council to discuss the matter.	L Moore	An invitation has been extended to the Department to meet with the Council. Department to attend November S P & R	N
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ACTION SHEET – STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING (SPR) – THURSDAY 15 NOVEMBER 2018 – ITEMS STILL IN PROGRESS OR ON-GOING.

SPR/149/2018	Presentation from Department for Communities	It was agreed that officers would draw up a policy statement on submission of proposals to the Department and this to be brought back to a future Committee Meeting for Members' consideration.	F O'Connor	Clarification being sought from Department as to whether any change in the current legislation is being considered, prior to development of a policy statement to ensure consistency/clarity in obtaining Departmental approval.	N
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ACTION SHEET – STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING (SPR) – THURSDAY 17 JANUARY 2019

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
SPR/003/2019	Action Sheet of SPR Meeting held on 15 November 2018	It was agreed that the Action Sheet be noted and actions removed as marked	D Services	Actioned	Y
SPR/004/2019	Report on Section 75 Policy Screening Report – Quarterly Report for Period October-December 2018	It was agreed to note the Section 75 Policy Screening Report – Quarterly Report for period October-December 2018.	C Moffett	Noted	Y
SPR/005/2019	Sub Lease of "The Boat House" Warrenpoint	It was agreed to grant a sub-lease of "The Boat House" premises to Carlingford Lough Curragh Club at a peppercorn rental for a term due to expire on 31 st March 2021.	F O'Connor	Noted	Y
SPR/006/2019	Implementation of Local Government Resilience Resourcing Model	The SLA was agreed to progress the implementation of the Local Government Resilience Resourcing Model and enable the adoption of a regional approach.	C Mallon	Agreed	Y
SPR/007/2019	Dye-Laws Tyrella Beach	It was agreed to have the agreed Dye-Laws for the Regulation of the Seashore at Tyrella, County Down, formally made to enable the legislative procedural requirements outlined in the officer's report to be completed.	A Robb	Agreed	Y
SPR/008/2019	Circular 11/2018 – Consultation on Rectification of the Cost Cap Floor Breach	It was agreed to note the correspondence from NILGOSC and any Member who wished to add to the consultation response to contact the Director.	Members	Agreed	Y
SPR/009/2019	Renewal of Lease with Mourne Stimulus	It was agreed to approve the renewal of the Lease with Mourne Stimulus of its existing premises at Council Road, Kilkee, for the term of 25 years from the end of the existing Lease on the same terms and conditions, save for the Clause permitting an option to renew.	A Robb	Agreed	Y

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
SPR/010/2019	Residents Survey Report	It was agreed to note the results and findings detailed within the circulated reports.	A Beggs	Noted	Y
SPR/011/2019	Civic Centre Regeneration (CCR) Programme	<p>It was agreed to note the contents of the officer's report and approve the enhancement and extension of the existing Town Hall and Sean Hollywood Arts Centre to include:</p> <ul style="list-style-type: none"> a) a highly-specified, flexible Studio Theatre of the standard required to place Newry on the professional, studio-scale touring circuit; b) in the main Town Hall a high quality, multi-use room equipped to accommodate occasional music performances, conferences, banquets, local community, amateur and semi-professional performing arts groups; c) a greatly improved ancillary offer comprising canal-side/riverside café/bar facilities; visual arts display areas; informal internal and external pop-up performance areas; d) to adapt the existing accommodation and develop the new so that they can also support conferencing facilities for up to 300 attendees, comprising primary meeting space, plenary space, breakout, exhibition and catering; e) to include a number of syndicate rooms for accommodating smaller meetings. <p>It was also agreed to approve the procurement of external resource to provide conference operational expertise.</p>	A Grimshaw	Noted	Y
SPR/012/2019	Draft: Regional Spatial and Economic Strategy	It was agreed to note the Council response to the Draft Regional Spatial and Economic Strategy for Eastern 7 Midland and Northern & Western Regional Assembly.	A Hay	Noted	Y
SPR/013/2019	Brexit Planning	It was agreed to note the update on Brexit Planning	D Carville	Noted	Y

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
SPR/014/2019	Report on Surplus Assets	<p>It was agreed to approve the disposal of the assets listed in para.3.1 of the officer's report through the D1 public trawl process, namely lands at:</p> <ul style="list-style-type: none"> • Meadowlands Recreation Area • Ballywange • 17 Square, Ballynahinch – Steel Frame • Grove Gardens Recreation Area – Killyleagh • Windmill Hollow – Sainfield • Linkside Park, Newcastle • Boghill Amenity Area, Forkhill • Rear of Jonnesborough Market • Kilkeel Town Hall • Lands adjacent to Derryleckagh Playing Fields <p>And to consider further the remaining assets listed in the officer's report at a further meeting of the Strategic Projects Working Group.</p>	C Mallon	Noted	Y
SPR/015/2019	NMDDC Asset Valuation	It was agreed to engage LPS to undertake valuations of NMDDC's Land and Buildings for 2018-19 Annual Accounts under a Direct Award Contract	K Montgomery	Noted	Y
SPR/015/2019	Sub-Lease to Drumnakelly Power Limited	Agreed to consent to a sub-lease from Drumnakelly Power Limited to Granville Energy Supply Limited of the site currently held by Drumnakelly Power under lease of the Council dated 29 th July 2013.	F O'Connor	Noted	Y
SPR/017/2019	Business Case for Procurement of Valuation Services	It was agreed to approve the Business Case to enable the procurement of Valuation Services to proceed.	F O'Connor	Noted	Y

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
SPR/018/2019	Update on D1 Process	<p>It was agreed to note the contents of the officer's report and:</p> <ul style="list-style-type: none"> to proceed to dispose of the Hospital Road site via the D1 Process to the Northern Ireland Housing Executive, with Council noting their commitment to provide a portion of Daisy Hill Nurseries site to the Southern Health and Social Care Trust for the identified carparking required by the Trust; to progress to private sector sale of Market McAlevey Store and Croreagh Office; to dispose of the Metal Portal Frame Store (Kearns and Murtagh) site via the D1 Process to the Northern Ireland Housing Executive; that officers carry out further investigations and planning considerations in respect of Abbey Heights Amenity Area; and to delay private sector sale of Moorhill Former Refuse Site for a 2 month period. 	C Mallon	Noted	Y
SPR/019/2019	Action Sheet arising from Albert Basin Working Group Meeting held on 6 December 2018	Agreed to note the contents of the action sheet.	D Carville	Noted	Y
SPR/020/2019	Action Sheet arising from Strategic Projects Working Group Meeting held on 14 January 2019	Agreed to note the contents of the action sheet.	D Carville	Noted	Y
SPR/021/2019	NILGA Subscription and Work Plan 2019/20	Agreed to note the NILGA Subscription and Work Plan 2019/20	D Carville	Noted	Y

Tuairisc do:	Coiste Straitéise, Polasaí agus Acmhainní
Dáta an Chruinnithe:	14 Feabhra 2019
Ábhar:	Tuairisc Chonradh na Gaeilge agus An Coiste um Riar an Chirt ar Chomhairlí Áitiúla Dualgaís agus an Ghaeilge: Creatlach Comhlíonta 2018
Oifigeach Tuairiscithe(Teideal Poist san áireamh)	Regina Mackin, Leas Stiúrthóir Phleanáil Corparáide agus Polasaí
Oifigeach Teagmhála (Teideal Poist san áireamh):	Colin Moffett, Ceannaire Polasaithe Corparáidigh Ursula Mhic An tSaoir, Oifigeach Forbartha na Gaeilge

Deimhnigh cad atá uait faoin Thuairisc seo le x a chur i mbosca amháin:--

le haghaidh cinnidh	le haghaidh nótaíle amháin	X
1.0	Aidhm agus Cúlra	
1.1	Sa cháipéis seo atá déanta sa bhliain 2018 ag Conradh na Gaeilge agus Coiste um Riar an Chirt le chéile sa bhliain 2018 pléitear cur i bhfeidhm gealltanais rialtais na Ríochta Aontaithe maidir leis an Ghaeilge ar leibhéal an rialtas áitiúil i dtuaisceart na hÉireann.	
1.2	<p>Tá an creat seo bunaithe ar chúig bheart uileghabhálacha ina cuireadh an tuairisc seo le chéile:</p> <ul style="list-style-type: none"> • Beart 1: Polasaí Gaeilge: Ghlacfaidh an Chomhairle le polasaí a éascaíonn gníomh diongbháilte chun an Ghaeilge a chur chun cinn • Beart 2: Áiseanna a chur ar fáil chun an Ghaeilge a chur chun cinn agus chaomhnú • Beart 3: Dul i ngleic le claontacht agus coáinfhulaingt agus feachtas faoi Ghaeilge a chur chun cinn • Beart 4: Scirbhísí i nGaeilge a sholáthar • Beart 5: Bac a chur le leithcheal, céimeanna ar gcúl agus constaicí 	
2.0	Buncheisteanna	
2.1	<p>Leagadh amach i leathanaigh 53 -55 den tuairisc nótaí tráchtá i dtaca le Comhairle Ceantair an Iúir, Mhúrn agus an Dúin agus tugadh achoimre ar an ráiteas</p> <p>Maidir le Beartas 1 dúradh sa tuairisc gurb í Comhairle Ceantair an Iúir, Mhúrn agus an Dúin an Chomhairle is comhlíontaí ó thaobh polasaí de a éascaíonn gníomh diongbháilte chun an Ghaeilge a chur chun cinn. Is é an tátal thar na cúig bhearta uileghabhála ná</p> <p><i>Cé go bhfuil bearnaí sa soláthar, léirigh an Chomhairle tiomantas chun a gcuid dualgas de réir CETRM a aithint.</i></p>	

3.0	Moltaí
3.1	Suntas a thabhairt do thorthaí na tuairisce seo Tuairisc Chonradh na Gaeilge agus An Coiste um Riar an Chirt ar Chomhairlí Áitiúla Dualgais agus an Ghaeilge: Creatlach Comhlíonta 2018
4.0	Impleachtaí acmhainne
4.1	Ní bhaineann le hábhar
5.0	Impleachtaí Comhionannais agus Dea-chaidrimh
5.1	Níltear ag siúl go mbeidh ceistanna Comhionannais agus Dhéa-chaidrimh ann
6.0	Impeachtaí Phromhadh Leas na tuaithe
6.1	Níl i gceist sa tuairisc seo ach go ndéanfar nóta di agus sáraíonn sé sin scóip an Achta um Riachtanais Tuaithe (TÉ) 2016
7.0	Aguisíní
	<ol style="list-style-type: none"> 1. Comhairlí Aitiúla, Dualgais agus an Ghaeilge: Creatlach Comhlíonta/ Local Councils, Obligations and the Irish language: A Framework for Compliance Conradh na Gaeilge & Coiste um Riar an Chirt (CAJ) 2018
8.0	Dolcíméid Chulrá
	Ní bhaineann le hábhar

Report to:	Strategy, Policy and Resources Committee
Date of Meeting:	14 February 2019
Subject:	Conradh na Gaeilge & Committee on the Administration Justice 2018 Report on 'Local Councils, Obligations and The Irish Language: A Framework for Compliance'
Reporting Officer (Including Job Title):	Regina Mackin Assistant Director Corporate Planning and Policy
Contact Officer (Including Job Title):	Ursula Mhic An tSaoir Irish language Development Officer Colin Moffett, Head of Corporate Policy

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

For decision		For noting only	X
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1.0	Purpose and Background
1.1	Conradh na Gaeilge (Gaelic League) and CAJ (Committee on the Administration of Justice) in 2018 document on how commitments made by the UK Government in relation to the Irish language in the European Charter for Regional or Minority Languages (ECRML) have been implemented by local government in the north of Ireland.
1.2	<p>The framework on which this report has been prepared is centred upon five overarching measures:</p> <ul style="list-style-type: none"> • Measure 1: Irish Language Policy: Council adopt policy which provides for 'resolute action' to promote the Irish Language • Measure 2: Resourcing the promotion and safeguarding of the Irish Language • Measure 3: Tackling prejudice and promoting tolerance and understanding of the Irish Language • Measure 4: Service provision in the Irish Language • Measure 5: Preventing discrimination, retrogression and barriers
2.0	Key issues
2.1	<p>Pages 53 to 55 of the report sets out comments in relation to Newry, Mourne and Down District Council.</p> <p>In relation to Measure 1 the report states Newry, Mourne and Down District Council is the most compliant in terms of having a policy which provides for resolute action to promote the Irish Language.</p> <p>The overall conclusion across the five overarching measures is that, <i>"Although gaps in provision remain, the council has shown a commitment to progressively realise their obligations under the ECRML."</i></p>

3.0	Recommendations
3.1	To note the findings of the Conradh na Gaeilge & Committee on the Administration Justice 2018 Report on 'Local Councils, Obligations and The Irish Language: A Framework for Compliance
4.0	Resource implications
4.1	Not applicable.
5.0	Equality and good relations implications
5.1	No equality and good relations issues are anticipated.
6.0	Rural Proofing implications
6.1	The report is for noting and does not fall within the scope of the Rural Needs Act (NI) 2016.
7.0	Appendices
	1. Comhairlí Áitiúla, Dualgais agus An Ghaeilge: Creatlach Comhlíonta /Local Councils, Obligations and the Irish language: Framework for Compliance Conradh na Gaeilge(Gaelic League) & CAJ(Committee on the Administration of Justice) 2018
8.0	Background Documents
	N/A

Comhairlí Áitiúla, Dualgais Agus An Ghaeilge: Creatlach Comhlíonta

Local Councils, Obligations and The Irish Language: A Framework for Compliance

Conradh na Gaeilge & Committee on the
Administration of Justice

2018



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GIORRÚCHÁIN ABBREVIATIONS

12

CAJ: An Coiste um Riar an Chirt

CAJ: Committee for the Administration of Justice

CC: An Coimisiún Comhionannais

CoE: Council of Europe

CCD: An Coimisiún um Chearta an Duine

COMEX: Council of Europe Committee of Experts

CE: Comhairle na hEorpa

CETRM: An Chairt Eorpach um Theangacha Réigiúnacha agus Mionlaigh

CnaG: Conradh na Gaeilge

CMNC: An Creat-Choinbhinsiún um Mionlaigh Náisiúnta a Chosaint

DCAL: Department for Culture, Arts and Leisure (now Department of Communities)

CnaG: Conradh na Gaeilge

DofC: Department of Communities

COMEX: Coiste Saineolaithe Chomhairle na hEorpa

ECNI: Equality Commission

MTC: Measúnacht Tionchair Comhionannais

ECRML: European Convention for Regional and Minority Languages

NA: Na Náisiúin Aontaithe

EQIA: Equality Impact Assessment

RCEF: An Roinn Cultúir, Ealaíon agus Fóillíochta (An Roinn Pobal, mar a thugtar anois uirthi)

FCNM: Framework Convention for the Protection of National Minorities

NIHRC: Human Rights Commission

RP: An Roinn Pobal

UN: United Nations

INTREOIR INTRODUCTION

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Sa tuarascáil seo, atá déanta ag an Choiste um Riar an Chirt (CAJ) agus Conradh na Gaeilge i gcomhar lena chéile, pléitear cur i bhfeidhm gealltanais rialtas na Ríochta Aontaithe maidir leis an Ghaeilge ar leibhéal an rialtais áitiúil i dtuaisceart na hÉireann.

Is eagrais neamhrialtasach Gaeilge é Conradh na Gaeilge, a bunaíodh sa bhliain 1893, a bhfuil naisc láidre aige leis an phobal agus arb é an Ghaeilge a chosaint agus a chur chun cinn a phríomhaidhm. Eagrais neamhrialtasach é CAJ, a bunaíodh sa bhliain 1981, a dhéanann comhlíonadh na gcaighdeán idirnáisiúnta a bhaineann le cearta an duine a chur chun cinn agus a mhonatóiriú. Sa tuarascáil seo, tá saineolas Chonradh na Gaeilge ar chúrsaí Gaeilge agus saineolas CAJ ar dhlíthe maidir le cearta an duine fite ina chéile chun comhlíonadh a ndualgais idirnáisiúnta i leith na Gaeilge ag rialtais áitiúla a mheasúnú.

Tá rábhacht ar leith le comhairlí áitiúla maidir le dualgais an stáit i leith phobal na Gaeilge a chomhlíonadh. Tá údarás ag comhairlí i dtaca le ceisteanna éagsúla amhail comharthaí sráide agus forbairt phobail. Tá ról acu i ngníomhaíochtaí cultúrtha agus oidhreacht, agus trína gcuic brandála féin agus trí na seirbhísí ina gceantar áitiúil is féidir leo an teanga a chur chun cinn go mór. Tá dualgas a bhaineann leis an dea-chaidreamh ar chomhairlí fosta. Áirítear leis sin a bheith ag dul i ngleic leis an chlaontacht agus comhthuisct a chur chun cinn i réimsí éagsúla comhionannais.

In ainneoin gealltanais a bheith déanta bunaithe ar chonarthaí éagsúla agus samplaí den dea-chleachtas a bheith le fáil anseo is ansíúd, tá aird tarraingthe go minic ar neamh-chomhlíonadh na ngealltanais déanta i gconarthaí ag coistí monatóireachta de chuid na Náisiún Aontaithe (NA) agus Chomhairle na hEorpa (CE) a bhfuil sé mar dhualgas orthu cur i bhfeidhm a oibleagáid ag an stát a mhonatóiriú.

This report, jointly produced by the Committee for the Administration of Justice (CAJ) and Conradh na Gaeilge, documents how commitments made by the United Kingdom government in relation to the Irish language have been implemented by local government in the north of Ireland.

Conradh na Gaeilge, founded in 1893, is an Irish language non-governmental organisation with extensive links to the community and a core interest in the protection and the promotion of the Irish language. CAJ, founded in 1981, is a non-governmental organisation promoting and monitoring compliance with international human rights standards. This report utilises the Irish language expertise of Conradh na Gaeilge and the human rights law expertise of the CAJ to assess the compliance of local government with international obligations relating to the language.

Local councils have a particular importance in fulfilling the state's duties to the Irish language community. Councils have authority over matters such as street signage and community development, have a role in cultural and heritage activities, and through their own branding and services in local areas have significant potential to promote the language. There is also a good relations duty on councils which, when interpreted correctly, should involve local authorities tackling prejudice and promoting understanding across a range of equality grounds.

Despite the range of treaty-based commitments and some examples of good practice, issues of non-compliance with treaty-based undertakings have regularly been identified by the United Nations (UN) and Council of Europe (CoE) oversight committees tasked with monitoring implementation of the state's obligations.

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Is í an Chairt Eorpach um Theangacha Réigiúnacha nó Mionlaigh an conradh is suntasaí ar leibhéal an rialtais áitiúil maidir le teangacha réigiúnacha agus mionlaigh. Dhaingnigh Rialtas na Ríochta Aontaithe an Chairt seo ar an 1 Iúil, 2001 agus tá ceangal ar údaráis phoiblí sa tuaisceart – ranna, forais ghaolmhara agus comhairlí ceantair san áireamh – feidhmiú dá réir. Rinne an Ríocht Aontaithe gealltanais ghinearálta i dtaca leis an Ghaeilge agus le hAlbainis Uladh faoi Chuid II den Chairt, agus ghlac sé chuige féin roinnt forálacha sonracha i dtaca leis an Ghaeilge faoi Chuid III den Chairt.

I mí Aibreáin 2015, bunaíodh 11 'shárchomhairle', mar a thugtar orthu, in áit na 26 chomhairle a bhí ann go dtí sin, agus leis sin tháinig athrú mór ar struchtúr an rialtais áitiúil. Tá gealltanais in Alt 7(1)b den Chairt Eorpach um Theangacha Réigiúnacha nó Mionlaigh go gcinnteoidh páirtithe de chuid an stáit nach gcuirfidh na forais nua riaracháin constaici ar bith roimh chur chun cinn teangacha réigiúnacha agus mionlaigh. Mar sin de, níor chóir go gcuirfeadh na struchtúir nua bac ar bith ar chur i bhfeidhm iomlán na ndualgas eile atá luaite sa Chairt.

Tá 'fíorú forchéimnitheach' mar phrionsabal de chuid na Cairte. Ciallaíonn sé sin gur chóir go mbeadh an stát i gcónaí ag obair chun oibleagáidí i leith phobal na Gaeilge a fhíorú ina n-iomláine. Tuigtear nach féidir gach dualgas a chomhlíonadh thar píche agus go bhfuil gá le planáil, acmhainní agus am chun na hoibleagáidí atá leagtha amach a chomhlíonadh ina n-iomláine. Ní hionann é sin agus a rá, áfach, gur féidir leis an stát a bheith ag moilleadóireacht agus a dhualgais á gcur i bhfeidhm aige. Caithfidh sé a bheith ag obair go leanúnach leis na dualgais a fhíorú ar dhóigh leanúnach, fhorchéimnitheach in am agus i dtráth.

The ECRML is arguably the most significant treaty for local government in relation to regional and minority languages. The ECRML was ratified by the UK Government on 1 July 2001 and is binding on public authorities in the north – including departments, associated bodies and district councils. The UK subscribed to general commitments for Irish and Ulster Scots under Part II of the Charter, and to a number of specific provisions for Irish under Part III.

In April 2015, 11 so-called 'super-councils' replaced 26 predecessor councils, marking a significant change in the structure of local government. Article 7(1)b of the European Charter for Regional and Minority Languages (ECRML) contains a commitment that state parties ensure that new administrative divisions do not constitute an obstacle to the promotion of regional minority languages. Therefore, the new structures should not in any way create an obstacle to the full implementation of other duties under the ECRML.

The ECRML also contains a principle of progressive realisation which means that the state should always be working towards the full realisation of the obligations to the Irish language community. It is understood that not all obligations can be met overnight and that planning, resources and time are necessary to fully comply with the obligations set out. It does not mean, however, that the state can delay the implementation of its duties, but that it must consistently work towards the realisation of its duties in a timely, continuous and progressive manner.

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In ainneoin na ndúshlán atá ann mar gheall ar neamh-chomhlíonadh na ndualgas, léiríonn figiúirí daonáirimh agus figiúirí maidir le líon na ndaltaí cláraithe i scoileanna go bhfuil fás suntasach tagtha ar phobal na Gaeilge le blianta beaga anuas. Tá an forás seo tiomáinte i bpáirt ag fás leanúnach na ngaelscoileanna (i dtréimhse a bhfuil líon na ndaltaí i scoileanna trí chéile imithe i laghad). Tá pobail Chaeilge le fáil i ngach ceann de na ceantair chomhairle nua; tá na sonraí le fáil sna Próifílí Teanga atá déanta ag Conradh na Gaeilge (Deireadh Fómhair, 2018). Is léir ó thuarascálacha atá déanta ag forais chonartha nach bhfuil na dualgais maidir le forbairt na Gaeilge a chur chun cinn agus a chosaint á gcomhlíonadh de réir na n-cibleagáidí idirnáisiúnta.

Táthar ann a deir go bhfuil úsáid agus cur chun cinn na Gaeilge leatromach ann féin agus go gcuireann sé isteach ar chearta daoine eile. Ach tá sé ráite go soiléir ag eagrais idirnáisiúnta nach fíor é sin. Sa tuarascáil seo, féachfar le scóip na n-oibleagáidí idirnáisiúnta maidir leis an Ghaeilge agus comhairlí áitiúla a shoiléiriú agus le measúnú a dhéanamh ar chuid de na constaicí a bhíonn le sárú agus an Ghaeilge á cur chun cinn, ceisteanna a bhaineann le cearta daoine eile san áireamh.

Thar ceann Chonaradh na Gaeilge agus an Coiste um Riaradh an chirt, ba mhaith linn buíochas a ghabháil le hOllscoil Uladh agus le Cinnteacht as ucht a gcuid oibre agus comhpáirtíochta, agus le pobal na Gaeilge a roinn eolas linn go fonnmhar leis an tuairisc seo a chur i gcrích.

In spite of challenges created by non-compliance, the census and school enrolment figures show that the Irish language community has grown substantially in recent years. This has, in part, been driven by the continuous growth of Irish medium schools (at a time when enrolment figures for schools in general are falling). Irish speaking communities are found in each of the new council areas, a breakdown of which can be found in the Language Profiles completed by Conradh na Gaeilge (October 2018). However, it is evident from treaty body reports that the duties to enhance and protect the development of the Irish language are not being fulfilled in compliance with international obligations.

Despite international bodies making clear statements to the contrary, there continue to be charges that the use and promotion of the Irish language has of itself a discriminatory impact, or otherwise interferes with the rights of others. This report will seek to clarify the scope of international obligations on the Irish language insofar as they relate to local councils, and to assess some of the obstacles and barriers faced when promoting Irish, including issues around the rights of others.

Conradh na Gaeilge and the Committee on the Administration of Justice would like to thank Ulster University and Cinnteacht for their work and collaboration on this document and lastly, the Irish speaking community, who generously shared information with us that allowed us to compile this report.

DUALGAIS IDIRNÁISIÚNTA AGUS AN GHAELGE

INTERNATIONAL OBLIGATIONS AND LANGUAGE

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"Sna Stáit sin ina ... bhfuil mionlaigh teanga, ní shéanfar ar dhaoine de na mionlaigh sin, i gcomhphobal le baill eile den ghrúpa lena mbaineann siad, an ceart ... chun a dteanga féin a úsáid."

Airteagal 27, (NA) An Cúnant Idirnáisiúnta um Chearta Sibhialta agus Polaitiúla, 1966

"In those States in which... linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group... to use their own language."

Article 27, (UN) International Covenant on Civil and Political Rights (ICCPR), 1966

Tá dualgaís maidir le cosaint na Gaeilge cumhdaithe i roinnt conarthaí éagsúla atá déanta ó na 1990idí ar aghaidh. Tá siad seo a leanas ina measc:

- An Chairt Eorpach um Theangacha Réigiúnacha nó Mionlaigh, 2001
- An Creat-Choinbhinsiún um Mionlaigh Náisiúnta a Chosaint
- Comhaontú Aoine an Chéasta, 1998
- Comhaontú Chíl Rímhinn, 2006
- An Cúnant Idirnáisiúnta um Chearta Eacnamaíochta, Sóisialta agus Cultúrtha, 1976

Obligations in relation to the protection of the Irish language have been enshrined into a number of treaties since the 1990s. These include:

- The European Convention for Regional and Minority Languages, 2001
- The Framework Convention for the Protection of National Minorities
- The Good Friday Agreement, 1998
- St. Andrew's Agreement, 2006
- International Covenant on Economic, Social and Cultural Rights 1976

Tá roinnt forálacha i gComhaontú Aoine an Chéasta, 1998 faoin Ghaeilge. Dearbhaítear an méid seo a leanas ann:

"aithníonn na rannpháirtithe uile túbhocht na hEirí, na tuisceana agus na caoinfhulaingthe i ndáil le héagsúlacht teanga, ar a n-áirítear i dTuaisceart Éireann, an Ghaeilge, Albainis Uladh agus teangacha na bpobal eitneach éagsúil, ar cuid de shaibhreas cultúrtha oileán na hÉireann iad uile."

The Good Friday Agreement 1998 contains a number of provisions for the Irish language. The Agreement affirms that all parties to it

"recognise the importance of respect, understanding and tolerance in relation to linguistic diversity, including in Northern Ireland, the Irish language, Ulster Scots and the languages of the various ethnic communities, all of which are part of the cultural wealth of the island of Ireland."

Tá naoi ngealltanas atá déanta ag rialtais na Ríochta Aontaithe maidir leis an Ghaeilge liostaithe i bparagraf 3 agus 4 den chaibidil i gComhaontú Aoine an Chéasta faoi Chearta. Coimircí agus Comhionannas Deiseanna. Is iad seo a leanas na cinn is mó a bhaineann leis an rialtas áitiúil:

- gníomh diongbháilte chun an teanga a chur chun cinn;

Paragraph 3 and 4 of the section on Rights, Safeguards and Equality of Opportunity in the Good Friday Agreement enumerates nine commitments made by the UK government in relation to the Irish language, the most relevant to local government being to:

- take resolute action to promote the language;

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- úsáid na teanga a éascú agus a spreagadh sa chaint agus i scríbhneoireacht sa saol príobháideach agus sa saol poiblí mar a mbeidh éileamh cuí ann;
- iarracht chun deireadh a chur, más féidir é, le srianta a chuirfeadh nó a d'oibreodh in aghaidh chothú nó fhorbairt na teanga; agus
- foráil maidir le hidirchaidreamh le pobal na Gaeilge, agus a gcuid tuairimí a léiriú d'údaráis phoiblí agus gearáin a imscrúdú.

"Glacann na Páirtithe leis go n-aithníonn siad an ceart atá ag gach duine de mhionlach náisiúnta a s(h)loinne agus a c(h)éadainmneacha i dteanga an mhionlaigh a úsáid agus go n-aithníonn siad an ceart ar na hainmneacha sin a bheith aitheanta go hoifigiúil, de réir na modúlachtaí a bhforáiltear dóibh ina gcóras dlí féin." Airteagal 11(1), (Comhairle na hEorpa) An Creat-Choinbhinsiún um Mionlaigh Náisiúnta, 1995

- facilitate and encourage the use of the language in speech and writing in public and private life where there is appropriate demand;
- seek to remove, where possible, restrictions which would discourage or work against the maintenance or development of the language; and
- make provision for liaising with the Irish language community, representing their views to public authorities and investigating complaints.

"The Parties undertake to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them, according to modalities provided for in their legal system." Article 11(1), (Council of Europe) Framework Convention for National Minorities, 1995

Mar gheall ar an Chomhaontú, cuireadh dualgas reachtúil ar an Roinn Oideachais fosta an Ghaeilge a chur chun cinn agus a éascú (Airteagal 89 den Ord Oideachais (TÉ), 1998) agus rinne rialtas na Ríochta Aontaithe gealltanais chomh maith go nglacfadh sé céimeanna chun na bearta sin a chothabháil faoi Thionól nua Thuaisceart Éireann "ar shlí a chuirfidh san áireamh mianta agus iogaireachtaí an phobail". Go bunúsach, seo gealltanais a tugadh ar aghaidh tríd an Cháirt Eorpach a dhaingniú.

The Agreement also led to a statutory duty being placed on the Department of Education to encourage and facilitate Irish medium education (Article 89 of the Education (NI) Order 1998) and the UK government also committed to taking steps to sustain such measures under the new Northern Ireland Assembly "in a way which takes account of the desires and sensitivities of the community," a commitment essentially taken forward by ratifying the European Charter.

Mar gheall ar Chomhaontú Aoine an Chéasta 1998, bunaíodh roinnt foras feidhmithe trasteorann, foras teanga Thuaidh-Theas ina measc. Bunaíodh Foras na Gaeilge i 1999 agus feidhmeanna aige an Chaeilge a chur chun cinn. Áirítear leis na feidhmeanna sin a bheith ag feidhmiú mar fhoras foirmiúil comhairleach maidir le cúrsaí teanga do gach údarás poiblí, an rialtas áitiúil san áireamh, agus úsáid na Gaeilge sa saol poiblí a éascú agus a chur chun cinn de réir CETRM.

The Good Friday Agreement 1998 led to the establishment of a series of cross-border implementation bodies, among which was a specific North-South language body. Foras na Gaeilge was established in 1999, with functions to promote the Irish language. This included the function of being a formal advisory body on the language to all public authorities, including local government, as well as facilitating and encouraging the use of Irish in public life in accordance with the ECRML.

DUALGAIS IDIRNÁISIÚNTA AGUS AN GHAeilGE INTERNATIONAL OBLIGATIONS AND LANGUAGE

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Faoi larscribhinn B de Chomhaontú idirnáisiúnta Chill Rímhinn 2006, rinne Rialtas na Ríochta Aontaithe gealltanas suntasach eile chun "Acht Gaeilge a thabhairt isteach bunaithe ar an taithí sa Bhreatain Bheag agus in Éirinn". Cé go bhfuil an gealltanas seo iontach soiléir, níor comhlíonadh riamh an chéad gealltanas, chun reachtaíocht don Ghaeilge a thabhairt isteach, cé go raibh trí chomhairliúchán phoiblí ann faoi reachtaíocht don Ghaeilge ó bhí 2006 ann agus gur léirigh gach uile cheann acu go raibh tacaíocht láidir i measc an phobail do reachtaíocht chosanta don Ghaeilge. Cuireadh beagnach 13,000 freagairt isteach le linn an chomhairliúcháin dheireanaigh in 2015 agus bhí 94.7% de na freagróirí i bhfách le cosaint don Ghaeilge sa dlí. Rinneadh an dara gealltanas lena cuireadh dualgas reachtuil ar Fheidhmeannas Thuaisceart Éireann "straitéis a ghlacadh ina leagtar amach an dóigh a bhfuil sé beartaithe aige forbairt na Gaeilge a fheabhsú agus a chosaint". Ar an 10 Márta, 2016, in ainneoin an ghealltanais sin agus na ngealltanas eile a bhí déanta i gClár 2011 don Rialtas 2011 ag an Fheidhmeannas, vótáil an Fheidhmeannas ar son diúltú don mholadh a bhí curtha faoina bhráid ag an Aire sa Roinn Cultúir, Ealaíon agus Fóillíochta straitéis don Ghaeilge a ghlacadh. Ar an 3 Márta, 2017, in athbhreithniú breithiúnach a ghlac Conradh na Gaeilge in éadan an Fheidhmeannais, rialaigh an Ard-Chúirt go raibh teipthe ar an Fheidhmeannas a dualgas reachtuil a chomhlíonadh maidir le straitéis don Ghaeilge a chur i bhfeidhm.

De réir an dlí idirnáisiúnta, tá ceangal dlí ar an rialtas áitiúil gealltanais atá bunaithe ar chonarthaí a chomhlíonadh. Cé nach féidir caingean dlí a thabhairt os comhair na gcúirteanna intíre, bheadh sé iomlán míréasúnach diúltú na polasaithe cuí a chur i bhfeidhm díreach ar an bhunús nach dócha go dtabharfaí comhairle os comhair cúirte de dheasca na polasaithe cuí gan a bheith curtha i bhfeidhm. Tá míniú tugtha ag Coimisiún Thuaisceart Éireann um Chearta an Duine ar na cineálacha oibleagáidí atá i gceist. Tá an míniú le fáil ar a shuíomh gréasáin:

Under Annex B of the international St Andrews Agreement 2006, a further significant commitment was made by the UK Government that it would "introduce an Irish Language Act reflecting on the experience of Wales and Ireland". Despite its unequivocal nature, the first commitment to legislate for Irish has never been met although there have been three public consultations on Irish language legislation since 2006, all of which demonstrated clear public support in favour of protective legislation for Irish. There were almost 13,000 responses to the last consultation in 2015, with 94.7% in favour of legal protection for the Irish language. A second commitment was made placing a statutory duty on the Executive to which had been made was taken forward through the introduction of a statutory duty on the NI Executive to "adopt a strategy setting out how it proposes to enhance and protect the development of the Irish language." On 10 March 2016, despite that commitment and additional commitments made in the Executive's Programme for Government 2011-15, the Executive voted to reject the proposal brought forward by the Minister for the Department of Culture, Arts and Leisure to adopt an Irish language strategy. On 3 March 2017, in a Judicial Review taken by Conradh na Gaeilge against the Executive, the High Court found that the Executive had "failed in its legislative duty" to implement an Irish language strategy.

These treaty-based commitments are legally binding on local government as a matter of international law. Although acting incompatibly with them is not directly actionable in the domestic courts, it would be entirely unreasonable to decline to implement policy simply because the Council was unlikely to be able to be taken to court as a result. The Northern Ireland Human Rights Commission sets out the nature of such obligations on its website as follows:

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"De réir an dlí idirnáisiúnta, tá dualgas ar an Ríocht Aontaithe meas a léiriú ar na cearta daonna uile sna conarthaí atá sínithe aige agus iad go léir a chosaint. Tá an dualgas seo le comhlíonadh ag gach comhchuid ábhartha den rialtas agus den pharlaimint. I gcás Thuaisceart Éireann, ní le Westminster amháin a bhaineann sé [sic.] ach leis an Fheidhmeannas agus leis an Tionól agus leis an rialtas áitiúil fosta. Maidir leis na breithniúna, bítear ag súil go nglacann siadsan oibleagáidí idirnáisiúnta i dtaca le cearta an duine san áireamh."

Mar atá soiléirithe sa tagairt seo thuas ón Choimisiún um Chearta an Duine, ní hamháin go bhfuil ceangal dlí sa dlí idirnáisiúnta maidir le gealltanais bunaithe ar chonarthaí, ach tá roinnt dóigheanna ann ar féidir gealltanais bunaithe ar chonarthaí a agairt sna cúirteanna intíre fosta, go mór mhór mar ionstraimí léirmhínte don reachtaíocht intíre.

"As a matter of international law, the UK is obliged to respect and protect all of the human rights in the treaties that it has committed to. That duty extends across all the relevant parts of government and parliament. For Northern Ireland it embraces not only to [sic.] Westminster but also the Executive and the Assembly, as well as local government. The judiciary, for their part, are expected to take the international human rights obligations into account."

As this reference from the Human Rights Commission clarifies, in addition to being binding in international law, there are also a number of ways in which treaty-based commitments can be invoked in the domestic courts, largely as interpretative instruments for domestic legislation.

CREATLACH COMHLÍONTA A FRAMEWORK FOR IMPLEMENTATION

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Chun comhlíonadh a mheas d'fhorbair údair an taighde seo creat freagrachta bunaithe ar dhualgais idirnáisiúnta a leagann amach na gníomhartha dlisteanacha lena mbítear ag dúil ó na comhairlí áitiúla maidir lena gcuid sainréimsí agus ról.

Bunaíodh na bearta seo ar an Chairt Eorpach do Theangacha Mionlaigh agus Réigiúnacha, ar an Chreat Coinbhinsiúin, ar an Choirbhinsiún Eorpach um Chearta an Duine, ar Chomhaontú Acine an Chéasta, ar Chomhaontú Chill Rímhinn agus caighdeán na Náisiún Aontaithe, go háirithe an Cúnant Idirnáisiúnta ar Chearta Eacnamaíocha, Sóisialta agus Cultúrtha. Léirmhínítear na bearta i gcomhar leis an dlí-eolaíocht atá á forbairt i dtaobh na gcaighdeán seo, agus i gcomhar leis an pholasáí straitéiseach ó thuaidh, lena n-áirítear treoir-cháipéisí eisiithe ag an Roinn Cultúir, Ealaíon agus Fóillíochta i dtaobh chur i bhfeidhm na Cairte Eorpaí do Theangacha Mionlaigh agus Réigiúnacha.

Tá liosta de thrí ghné atá riachtanach do 'ghníomh diongbháilte' déanta ag COMEX. Is iad:

- creat dlí a chruthú le teangacha mionlaigh a chur chun cinn,
- forais a bhunú a bheidh freagrach as na teangacha sin a chur chun cinn, agus
- acmhainní airgeadais a sholáthar.

Tá na hoibleagáidí idirnáisiúnta uile a bhaineann le cosaint na Gaeilge, tarraingthe le chéile againn agus sa chuid seo thíos leagtar amach na dóigheanna éagsúla a mbíonn agus nach mbíonn comhairlí áitiúla ag comhlíonadh na ndualgas sin faoin Chairt Eorpach um Theangacha Réigiúnacha nó Mionlaigh.

Tá an creat seo bunaithe ar chúig bheart uileghabhálacha, mar atá leagtha amach thíos:

In order to assess compliance, the authors developed a framework derived from international obligations setting out the actions that can be reasonably expected of local councils in light of their specific remits and roles.

These measures have been derived from the ECRML, Framework Convention, European Convention on Human Rights, Good Friday and St Andrews Agreements and UN standards, specifically the International Covenant on Economic, Social and Cultural Rights. The measures have been interpreted in accordance with both the evolving jurisprudence on such standards, and the framework of strategic policy in the north, including guidance documents issued by the Department of Culture, Arts and Leisure in relation to implementation of the ECRML.

COMEX has listed three aspects that, among other things, are necessary in order to constitute 'resolute action'. These are:

- the creation of a legal framework for the promotion of minority languages,
- the establishment of bodies which are responsible for the promotion of these languages, and;
- the provision of financial resources.

After drawing together all of the international obligations which exist in relation to the protection of the Irish language, the following section outlines ways in which local councils are or are not currently meeting their obligations under the European Charter for Regional and Minority Languages.

This framework is centred on five overarching measures, as follows:

CREATLACH COMHLÍONTA A FRAMEWORK FOR IMPLEMENTATION

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1: Polasaí Gaeilge

2: Áiseanna a chur ar fáil chun an Gaeilge a chur chun cinn agus a chaomhnú

3: Dul i ngleic le claontacht agus caoinfhulaingt agus feachtas faoin Ghaeilge a chur chun cinn

4: Seirbhísí i nGaeilge a sholáthar

5: Bac a chur le leithcheal, céimheanna ar gcúl agus constaicí

1: Irish language Policy

2: Resourcing the promotion and safeguarding of the Irish language

3: Tackling prejudice and promoting tolerance and understanding of the Irish language

4: Service provision in the Irish language

5: Preventing discrimination, retrogression and barriers

BEARTAS 1: POLASAÍ GAEILGE: GLACFAIDH COMHAIRLÍ LE POLASAÍ A ÉASCAÍONN GNÍOMH DIONGBHÁILTE CHUN AN GHAELIGE A CHUR CHUN CINN

a) Polasaithe a fhorbairt:

i) Comhairle a ghlacadh ón fhoras chomhairleach oifigiúil, Foras na Gaeilge;

ii) Dul i gcomhairle le cainteoirí Gaeilge agus a riachtanais agus a mianta siúd a ghlacadh san áireamh.

b) Ábhar na bpolasaithe:

i) Bearta a chuimsíonn gníomh diongbhálte leis an Chaeilge a chosaint;

ii) Bearta sainiúla maidir le comharthaíocht agus brandáil ábhartha dhátheangach a sholáthar, lena n-áirítear bunleaganacha Gaeilge de logainmneacha a chur chun cinn; agus

iii) Úsáid na Gaeilge, sa chaint agus i scríbhneoireacht, a éascú agus/nó a chur chun cinn sa tsaoil phoiblí agus sa tsaoil phríobháideach, lena n-áirítear úsáid na Gaeilge a cheadú agus/nó a chur chun cinn i seomra na comhairle.

MEASURE 1: IRISH LANGUAGE POLICY: COUNCILS ADOPT POLICY WHICH PROVIDES FOR 'RESOLUTE ACTION' TO PROMOTE THE IRISH LANGUAGE

a) Policy development:

i) Take advice from the official advisory body, Foras na Gaeilge;

ii) Consult with, and take into consideration needs and wishes expressed by, Irish speakers.

b) Policy content:

i) Measures that involve resolute action to safeguard the Irish language;

ii) Specific measures on the provision of bilingual signage and related branding, including promotion of the original Irish language forms of place-names; and

iii) The facilitation and/or encouragement of the use of Irish, in speech and writing, in public and private life, including allowing and/or encouraging use of Irish in the council chamber.

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BEARTAS 2: ÁISEANNA A CHUR AR FÁIL CHUN AN GHAEILGE A CHUR CHUN CINN AGUS A CHAOMHNÚ

MEASURE 2: RESOURCING THE PROMOTION AND SAFEGUARDING OF THE IRISH LANGUAGE

- a) Acmhainní inmheánacha: Soláthar le leibhéal réasúnach acmhainní inmheánacha a chur ar fáil sa chomhairle féin chun dualgais i leith na Gaeilge a chomhlíonadh; d'fhéadfaí é seo a dhéanamh le maoiniú seachtrach, mar shampla trí oifigeach Gaeilge a chur ar fáil; agus
- b) Acmhainní seachtracha: Soláthar faoi choinne acmhainní seachtracha a bheith curtha ar fáil ag an chomhairle chun cuidiú le gníomhaíochtaí ar son na Gaeilge a dhéanamh.

- a) Internal resourcing: Provision for reasonable internal resourcing within the council to discharge duties towards the Irish language, potentially through external funding such as the provision of an Irish language officer; and
- b) External resourcing: Provision for external resources being provided by the council to contribute towards the delivery of promotional activities for the Irish language.

BEARTAS 3: DUL I NGLEIC LE CLAONTACTH AGUS CAOINFHULAINGT AGUS FEASACHT FAOIN GHAEILGE A CHUR CHUN CINN

MEASURE 3: TACKLING PREJUDICE AND PROMOTING TOLERANCE AND UNDERSTANDING OF THE IRISH LANGUAGE

- a) Gníomh dearfach: Tionscnaimh chun dul i ngleic leis an chlaontacht agus chun an chomhthuisct a chur chun cinn;
- b) Polasaithe níos leithne: A chinntiú nach mbíonn freagairtí i leith na teanga ag teacht salach leis an sprioc seo.

- a) Positive action: Initiatives to tackle prejudice and promote understanding;
- b) Broader policy: Ensure responses towards the language do not conflict with this goal.

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BEARTAS 4: SEIRBHÍSÍ I NGAEILGE A SHOLÁTHAR

- a) Seirbhísí/gníomhaíochtaí áirithe a sholáthar trí mheán na Gaeilge, go díreach nó mar aistriúchán:
- i) Comhthreagras/iarratais ó bhéal;
 - ii) Úsáid na Gaeilge i ndiospóireachtaí i seomra na comhairle (gan an Béarla a fhágáil as);
 - ii) Úsáid na Gaeilge i sloinnte;
 - iii) Deiseanna leis an Ghaeilge a fhoghlaim a éascú;
 - iv) Aon soláthar níos leithne seirbhísí i nGaeilge.
- b) An Ghaeilge a fhíisteach i ngníomhaíochtaí cultúrtha agus eile de chuid na comhairle:
- i) Gníomhaíochtaí cultúrtha a bhaineann leis an Ghaeilge go sonrach a chur chun cinn;
 - ii) Páirt a thabhairt don Ghaeilge agus do chainteoirí Gaeilge i ngníomhaíochtaí cultúrtha níos leithne;
 - iii) Úsáid na Gaeilge a chur chun cinn i ngníomhaíochtaí eacnamaíocha agus sóisialta agus i ngníomhaíochtaí níos leithne de chuid na comhairle;
 - iv) Caidrimh agus naisc chultúrtha le bardais eile ina bhfuil cainteoirí Gaeilge, Albainise Uladh agus Gaeilge na hAlban a éascú.

MEASURE 4: SERVICE PROVISION IN THE IRISH LANGUAGE

- a) Provision of certain services/activities through the medium of Irish, directly or through translation:
- i) Correspondence/oral applications;
 - ii) Use of Irish language in debates in council chamber (without excluding English);
 - ii) Use of Irish in family names;
 - iii) Facilitation of opportunities to learn Irish;
 - iv) Any broader service provision in Irish.
- b) Incorporation of Irish into the cultural and other activities of the council:
- i) Encourage Irish-specific cultural activities;
 - ii) Involvement of Irish and Irish speakers in broader cultural activities;
 - iii) Encourage use of Irish in economic and social and broader council activities;
 - iv) Facilitation of cultural relationships and links with other municipalities with speakers of Irish, Scots, Gaelic and other languages.

BEARTAS 5: BAC A CHUR LE LEITHCHEAL, CÉIMEANNA AR GCÚL AGUS CONSTAICÍ

- a) An leithcheal a chosc: A chinntiú nach mbíonn idirdhealú éagórach ann mar gheall ar pholasaithe agus ar chinntí comhairle a imríonn tionchar ar an Ghaeilge.
- b) Cúlchéimniú a chosc: A chinntiú nach mbíonn an soláthar don Ghaeilge sa chomhairle níos measa ná mar a bhí ag an chomhairle a bhí ann roimhe seo.
- c) Constaicí a shárú: Na comhairlí cinnte a dhéanamh de go sáraítear constaicí míchuí ar chur chun cinn na teanga.

MEASURE 5: PREVENTING DISCRIMINATION, RETROGRESSION AND BARRIERS

- a) Preventing discrimination: Ensuring council policies and decisions impacting on the Irish language do not constitute an unjustified distinction.
- b) Preventing retrogression: Ensure that provision for Irish in the council is not less favourable than the predecessor council.
- c) Overcoming barriers: Councils ensure that undue obstacles to promoting the language are overcome.

COMHIONANNAS AGUS DEA-CHADRIMH EQUALITY AND GOOD RELATIONS

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COMHIONANNAS

Le hAlt 75 d'Acht Thuaisceart Éireann 1998, leagadh dualgas reachtúil ar údaráis phoiblí comhionannas deiseanna a chur chun cinn i naoi réimse atá luaite sa reachtaíocht. Níl teanga ar na réimsí sin. Is amhlaidh go bhfuil táscairí ann a bhaineann le cúlra pobail, creideamh, tuairim pholaitíochta, cine, aois, stádas pósta, gnéaschlaonadh, gnéas, míchumas agus cleithiúnaithe. De réir na ndualgas seo, caithfidh comhairlí Scéimeanna Comhionannais a ghlacadh agus ní mór go mbeadh socrúithe leagtha amach iontu chun measúnú a dhéanamh ar an tionchar a bheidh ag polasaithe atá beartaithe agus glactha ar chomhionannas deiseanna.

De réir théarmaí na Scéimeanna Comhionannais reachtúla, ní mór dul i mbun próiseas 'scagadh comhionannais' i dtaca le gach polasaí. Sa phróiseas seo, déantar measúnacht ar an tionchar a bheidh ag polasaithe ar chomhionannas deiseanna. Má léirítear gur dócha go mbeidh drochthionchar ag polasaí ar chomhionannas deiseanna, ba chóir don chomhairle, de ghnáth, Measúnacht Tionchair Comhionannais (MTC) iomlán a dhéanamh. Mura n-aithnítear drochthionchar ar bith a bheith ann, glactar leis go bhfuil an polasaí 'scagtha amach' agus nach bhfuil gá le MTC. As na comhairlí a bhfuil polasaithe Gaeilge glactha acu, dealraíonn sé go bhfuil gach ceann acu i ndiaidh dul i gcomhairle le Coimisiún Comhionannais Thuaisceart Éireann ag céim forbartha an pholasaí. Níl aon dualgas sainiúil ar an Choimisiún Comhionannais maidir le ceisteanna teanga.

EQUALITY

Section 75 of the Northern Ireland Act 1998 placed a statutory duty on public authorities to promote equality of opportunity across nine grounds set out in the legislation. These grounds do not include language. They do include indicators of community background and other indicators of religion, political opinion, race, age, marital status, sexual orientation, sex, disability and dependents. Under these duties councils must adopt Equality Schemes, which must set out arrangements for assessing the impact of proposed or adopted policies on equality of opportunity.

Under the terms of statutory Equality Schemes all policies are to be subject to the process of 'equality screening'. This process involves assessing the impacts of a policy on equality of opportunity. If the screening identifies that the policy would likely have adverse impacts on equality of opportunity, the council should usually then do a full Equality Impact Assessment (EQIA). If no adverse impacts are identified the policy is considered to have been 'screened out' with no need for an EQIA. Among the councils who have adopted Irish language policies, all of the councils appear to have also consulted with the Equality Commission for Northern Ireland at the policy development stage. The Equality Commission does not have a specific remit on language issues.

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Siocair go mbaineann formhór na n-úsáideoirí Gaeilge le cúlra Caitliceach nó náisiúnach nó gur daoine óga iad, de réir na staitisticí, is dócha go mbíonn dea-thionchar soiléir ó thaobh comhionannas deiseanna de ag aon soláthar a dhéantar i leith na Gaeilge ar na grúpaí sin. Is féidir go mbeidh dea-thionchar ó thaobh comhionannas deiseanna de ag polasaithe den chineál seo ar Phrotastúnaigh, ar aontachtóirí, ar dhaoine scothaosta agus ar mhionlaigh eitneacha fosta óir is grúpaí iad sin nach dócha go raibh deiseanna eile acu a bheith i dteagmháil leis an Ghaeilge (Daonáireamh 2011).

Is ionann 'drochthionchar' ar chomhionannas deiseanna agus rud a mbíonn grúpa nó grúpaí daoine thíos leis go láithreach nó rud a mbeidh grúpa nó grúpa daoine thíos leis ar ball. Cé nár léiríodh riamh go dtí seo cén dóigh a mbeadh drochthionchar ar chomhionannas deiseanna ag polasaí Gaeilge atá ag teacht le creat CETMR, tá MTCanna iomlána déanta ar chuid mhaith polasaithe Gaeilge cé nach bhfuil aon fhianaise cheart ann ar dhrochthionchair a bheith ann de réir bhuntéarmaí na reachtaíochta.

Rinne trí chomhairle scagadh amach ar a gcuid polasaithe ar an bhunús nár mheas siad tionchair chomhionannais a bheith acu, ach rinne comhairle amháin acu, is é sin Comhairle Chathair Dhoire agus Cheantar an tSrátha Báin, MTC ar pholasaí a bhí ann roimh ré. Rinne Comhairle an Dúin, mar a bhíodh ann, MTC fosta agus fuarthas nach raibh aon drochthionchar ag a pholasaí dátheangachais.

Fuarthas amach trí phróiseas scagtha Chomhairle Ceantair Fhear Manach agus na hÓmaí go mbeadh tionchar mór dearfach ag a pholasaí teanga siúd ar chúrsaí comhionannais agus dea-chaidrimh. I gcontrárthacht leis sin, agus rud ar ábhar iontais é, fuarthas amach trí phróiseas scagtha Chomhairle Lár-Uladh go mbeadh drochthionchar "mór" ar chomhionannas deiseanna agus ar chúrsaí dea-chaidrimh ag an pholasaí Gaeilge, agus rinneadh MTC iomlán. Ba é conclúid an MTC féin, áfach, gur bcag fianaise a bhí le fáil a thacaigh leis an mhaiomh go mbeadh drochthionchar ann.

Given that statistically there are higher numbers of Irish language users among people from a Catholic or nationalist background or among younger people, providing for the Irish language is likely to have a clearer positive impact on equality of opportunity for these groups. However, there is also potential for such policies to have positive impacts on equality of opportunity for Protestants, unionists, older persons and ethnic minorities, all of whom are less likely to have had other opportunities to engage with the Irish language (Census 2011).

An 'adverse impact' on equality of opportunity essentially refers to something which immediately has or will lead to a discriminatory detriment to one or more groups of people. Although it has never been demonstrated how an Irish language policy consistent with the ECRML framework could constitute an adverse impact on equality of opportunity, many Irish language policies have been subjected to full EQIAs despite there being no real evidence of adverse impacts under the original terms of the legislation.

Three councils screened their policies out as not having equality impacts, although one, Derry City & Strabane District Council, had subjected a predecessor policy to an EQIA. This was also the case with the predecessor Down Council which had found no adverse impacts from its bilingualism policy. Fermanagh and Omagh District Council's screening found that its linguistic diversity policy would have major positive impacts on equality and good relations. By contrast Mid Ulster Council's screening exercise surprisingly determined that there would be "major" adverse impacts on equality of opportunity and good relations due to the Irish language policy, and conducted a full EQIA. The EQIA itself however concluded that there was little concrete evidence to substantiate adverse impacts.

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DEA-CHADIRIMH

Cé nach bhforáiltear dó i gComhaontú Aoine an Chéasta, tugadh reachtaíocht isteach faoi choinne na dara coda den dualgas reachtúil faoi Alt 75. Baineann an reachtaíocht sin le dualgas chun 'an dea-chaidreamh' a chur chun cinn ar bhonn tuairim pholaitíochta, creideamh reiligiúnach agus grúpa ciniúil. Tá tús áite, áfach, ag an dualgas maidir le comhionannas.

Is mar seo a leanas a léirmhíneadh Comhairle na hEorpa an Dea-Chaidreamh:

"Tá cóimheas, comhthuisceant agus imeascadh mar ghnéithe de chur chun cinn an dea-chaidrimh idir grúpaí éagsúla sa tsocái agus an leithcheul agus an chaoifhulaingt á sárú san am céanna".

Cé nach n-éilítear leis an reachtaíocht go ndéantar measúnacht ar pholasaithe ó thaobh an dea-chaidrimh de, mar sin féin tá measúnachtaí den chineál seo mar chuid de na scéimeanna comhionannais atá glactha ag roinnt comhairlí. Bíonn fadhbanna leis sin nuair a dhéantar léirmhíniú tuata ar choincheap an dea-chaidrimh óir is minic a dhéantar cinneadh go mbeidh 'drochthionchar' ar an dea-chaidreamh ag aon ábhar atá conspóideach ó thaobh polaitíochta de nó ag aon ábhar a gcuirtear ina choinne.

Déanann an Coiste Saineolaithe (COMEX) monatóiriú ar chomhlíonadh CETMR ar son Chomhairle na hEorpa. Tá Imní curtha in iúl ag COMEX faoi thuairiscí ó ionadaithe Gaeilge faoi na dóigheanna a bhfuil dualgais á léirmhíniú, agus tá sé ráite go láidir agus go soiléir ag COMEX nach féidir a rá de réir an chreat dlí go mbaineann aon drochthionchar le bearta dearfacha ar son na Gaeilge. Dúradh an méid seo a leanas i dTuarascáil COMEX ar an 3ú Timthriall Monatóireachta i dtaca leis an RA in 2010:

Although not provided for in the Good Friday Agreement, a second limb of the section 75 statutory duty was legislated for, namely a duty to promote 'good relations' on grounds of political opinion, religious belief and racial group. That duty is, however, subordinate to the equality duty.

The Council of Europe defined Good Relations as: *"Promoting good relations between different groups in society entails fostering mutual respect, understanding and integration while continuing to combat discrimination and intolerance"*

While the legislation does not require that policies undergo assessment on the grounds of good relations, some councils have nevertheless adopted equality schemes which do this. This has been particularly problematic when lay interpretations of the good relations concept have been applied, in essence leading to a determination that any matter which is politically contentious or objected to constitutes an 'adverse impact' on good relations.

The Committee of Experts (COMEX) monitors compliance with the ECRML for the CoE. COMEX has expressed concerns over reports from Irish language representatives on the ways that the duties have been interpreted, and has emphasised that within the legal framework positive measures for Irish are not to be considered an adverse impact. The COMEX UK 3rd Monitoring Cycle Report, 2010 stated that:

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"Cuireadh in iúl don Choiste Saineolaithe gur tharla sé roinnt uaireanta, go háirithe i gcomhairlí áitiúla, go ndearnadh cinneadh gan an Ghaeilge a chur chun cinn ná a úsáid siocair go bhféadfadh a leithéid de bheart a bheith mar shárú ar Ait 75 d'Acht Thuaisceart Éireann... Is mian leis an Choiste Saineolaithe a bhéimniú nach leithcheal in aghaidh úsáideoirí teangacha a úsáidtear go forleathan é bearta speisialta a ghlacadh ar mhaithe le teangacha réigiúnacha nó mionlaigh a bhfuil sé mar aidhm leo comhionannas a chur chun cinn idir úsáideoirí na dteangacha sin agus an chuid eile den daonra agus nach leithcheal é bearta speisialta a ghlacadh a thógann san áireamh riocht sainiúil na dteangacha réigiúnacha nó mionlaigh sin" (Paragraf 123)

Tá a leithéid ráite fosta ag an fhoras maoirseachta um Chreat-Choinbhinsiún Chomhairle na hEorpa um Mionlaigh Náisiúnta. In 2011, dúradh sa Tríú Tuairim acu faoin Ríocht Aontaithe:

"Ba ait leis an Choiste Chomhairleach, agus chuir sé isteach air, go bhfuil roinnt ionadaithe de chuid na n-údarás den tuairim gur leithcheal in aghaidh daoine den mhóramh é úsáid na Gaeilge a chur chun cinn. Níl ráitis den chineál sin ag teacht le príonsabail an Chreat-Choinbhinsiúin... Tugann an Coiste le fios, arís eile, nach... leithcheal in aghaidh daoine eile é cearta na mionlach atá ccsanta faoin Chreat-Choinbhinsiún a chur i bhfeidhm." (Paragraf 28)

Dúirt an Coiste fosta gurb é "an trua é gur mhinic a cuireadh in aghaidh beart chun feiceálacht agus úsáid na teanga a chur chun cinn ar an bhunús gur leithcheal é sin in aghaidh grúpaí eile sa daonra" (para 21). Phléigh an foras conartha go díreach le húsáid an dualgais i dtaca leis 'an dea-chaidreamh' chun gníomh dearfach i leith na Gaeilge a sheachaint. Luaigh sé go sonrach comharthaí dátheangacha, i bhfianaise na ndualgas sainiúil cultúrtha oidhreacht faoin Chreat-Choinbhinsiún logainmneacha ina mbunteanga a chur chun cinn. In 2011, dúirt an Coiste Chomhairleach um an Creat-Choinbhinsiún um Mionlaigh Náisiúnta:

"The Committee of Experts has been informed about several instances, especially within local councils, where it was decided not to promote or use the Irish language as it may contravene section 75 of the Northern Ireland Act... The Committee of Experts emphasises that the adoption of special measures in favour of regional or minority languages aimed at promoting equality between the users of these languages and the rest of the population or which take due account of their specific conditions is not to be considered an act of discrimination against the users of more widely used languages" (Paragraph 123)

The supervisory body for the Council of Europe's Framework Convention for National Minorities (FCNM) has also made similar observations. In 2011, their Third Opinion on the UK stated that:

"The Advisory Committee was disconcerted to hear that some representatives of the authorities consider that promoting the use of the Irish language is discriminating against persons belonging to the majority population. Such statements are not in line with the principles of the Framework Convention... It also reiterates that... implementation of minority rights protected under the Framework Convention [is] not be considered as discriminating against other persons." (Paragraph 28)

The Committee further held that "It is regrettable that measures to promote the visibility and use of [the Irish] language have often been opposed with the justification that they constitute discrimination against other groups of the population" (para 21). The treaty body directly addressed use of the 'good relations' duty in preventing positive action on the Irish language, singling out bilingual signage, given the specific cultural patrimony duties under the FCNM to promote placenames in their original languages. In 2011, the Advisory Committee on the Framework Convention for National Minorities:

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"Tá sé curtha in iúl don Choiste Chomhairleach nár cuireadh i gcrích i gcásanna áirithe bearta ar mhaithe le daoine de mhionlaigh, amhail comharthaí dátheangacha a chur in airde, ar an bhunús gur gá an dea-chaidreamh a chothú... Chomh maith leis sin, is fadhb é, dar linn, gur polasaí oifigiúil é a leithéid de chomharthaí a chur in airde sna háiteanna sin amháin nach mbeadh aon chonspóid ag baint leo. Is ábhar inní don Choiste Chomhairleach é nach bhfuil an cur chuige seo ag teacht le spiorad an Chreat-Choinbhinsiúin... arís is aidiú leis meas a léiriú ar úsáid teangacha mionlaigh... d'fhonn tuilleadh caoinfhulaingte agus dialóige idirchultúrtha a chur chun cinn sa tsochaí." (Paragraf 126 agus 158)

Is tábhachtach an creat reachtúil a thabhairt chun cuimhne a rialaíonn gur chóir an reachtaíocht uile, forálacha comhionannais agus dea-chaidrimh san áireamh, a léamh, chomh fada agus is féidir, ar dhóigh atá ag teacht leis na gealltanais i gconarthaí i leith na Caeilge. Sa chomhthéacs seo, tá sé i bhfad níos fóirsteanaí an dualgas 'dea-chaidrimh' a léamh mar dhualgas chun caoinfhulaingte i leith na Gaeilge agus glacadh léi a chur chun cinn.

Tá samplaí ann de MTCanna a d'fhéach le ceangal díreach a dhéanamh idir forálacha i reachtaíocht faoi fhostaíocht chothrom agus an dea-chaidreamh. De ghnáth, áfach, baineann dualgais fostaíochta cothroime i dtaca le timpeallachtaí oibre síochánta a chur chun cinn lena bheith ag dul i ngleic leis an chlaontacht, le díobháil leithcheala agus le ciapadh seiteach. De ghnáth, tagraíonn an dli-eolaíocht maidir lena leithéid de dhualgais do chásanna ina gcaithfidh fostóirí cosc a chur ar shiombailí nó ar shuaitheantais a bhaineann le taobh amháin den phobal an lámh in uachtar a fháil ar an taobh eile den phobal. Níor chóir go mbeadh aon bhaint aige sin le polasaithe a chuireann an Ghaeilge chun cinn de réir CETRM. Cuireann creat CETRM an dátheangachas agus tionscnaimh chomhlántacha eile chun cinn taobh istigh de chreat a chinntíonn nach mbíonn leithcheal ann i dtaca leis an tsoláthar leanúnach i mBéarla. Tá an Béarla mar phríomhthcanga na comhairle i ngach polasaí Gaeilge atá glactha go dtí seo.

"The Advisory Committee has been informed that, in some instances, the need for keeping good relations has been used as justification for not implementing provisions in favour of persons belonging to minorities, such as the erection of bilingual signs... Additionally, it finds it problematic that the official policy is to limit the erection of such signs to certain areas where the issue would not raise controversies. The Advisory Committee is concerned that this approach is not in line with the spirit of the Framework Convention... the aim of which is to value the use of minority languages... with a view to promoting more tolerance and intercultural dialogue in society." (Paragraph 126 and 158)

It is important to recall the constitutional framework that all legislation, including equality and good relations provisions, is, as far as possible, to be interpreted compatibly with the treaty-based commitments for the Irish language. A much more appropriate interpretation of the 'good relations' duty in this context is as a duty to promote tolerance and acceptance of the Irish language.

There are examples of EQIAs which have sought to directly relate the provisions of fair employment legislation to good relations. However the fair employment duties to promote harmonious working environments generally relate to tackling prejudice, discriminatory detriment and sectarian harassment. The jurisprudence on such duties tends to refer to situations whereby employers must prevent the symbols or emblems of one side of the community dominating the other. This situation should not arise in relation to policies to promote the Irish language consistent with the ECRML. The ECRML framework promotes bilingualism or other complementary initiatives for Irish within a framework ensuring that there is no prejudice to ongoing provision in English. All Irish language policies to date have kept the English language as the main language of the council.

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In 2012, thug an Coimisiún Comhionannais comhairle chonspóideach do Chomhairle Mhachaire Fíolta nuair a thug sé foláireamh di gan polasaithe atá 'deighilteach' ar bhonn tuairim pholaitíochta/creideamh reiligiúnach a thabhairt isteach. Níl aon thoráilacha sa reachtaíocht fostaíochta cothroime a bhaineann le polasaithe 'deighilteacha'. Bhí an chomhairle a tugadh mar ábhar inní ag grúpaí comhionannais agus ag ceardchumainn mar gheall ar na ciallachais a bheadh ann maidir le comhionannas a chur chun cinn ar bhonn gnéaschlaonta i bhfianaise na seasamh éagsúil ag na páirtithe polaitíochta faoin cheist seo.

Tá argóint ann go gcaithfidh áiteanna de chuid na gcomhairlí bheith 'neodrach' agus baintear úsáid as an argóint sin mar chúis le gan polasaí Gaeilge éifeachtach a ghlacadh de réir CETRM. Ní rud nádúrtha ná neodrach é an Ghaeilge a choinneáil amach ó spásanna de chuid na gcomhairlí agus ó áiteanna poiblí, áfach. Le fírinne, níl aon seasamh 'neodrach' ann a bhfuil gach duine ar aon intinn faoi, agus beidh conspóid pholaitíochta i gcónaí le cinntí maidir le polasaí a sholáthraíonn don Ghaeilge, de réir CETRM, a thabhairt isteach nó gan a thabhairt isteach.

Ní raibh sé i gceist go mbeadh Alt 75 ná an dualgas i leith an dea-chaidrimh mar ábhar crosta polaitíochta. Má fhaightear go bhfuil 'drochthionchar' ar chomhionannas deiseanna siocair polasaí a bheith conspóideach ó thaobh na polaitíochta de nó toisc go bhfuil naimhdeas ina leith, tá an dualgas á chur i bhfeidhm ar dhóigh mhíchuí. Bíonn fadhb ar leith ag teacht chun cinn arís agus arís eile i measúnachtaí tionchair comhionannais, is é sin go mbíonn údarais phoiblí, comhairlí ina measc, ag déanamh michtagóiriú ar shonraí staitisticiúla agus ar shonraí cáilíochtúla mar 'dhrochthionchair' i gcásanna áirithe fiú amháin nuair nach mbíonn drochthionchar a bhfuil díobháil leatromach iarbhir (bíodh an tairseach mhídhleathachta bainte amach nó nach mbíodh) mar thoradh air i gceist, de réir an tsainmhínte a thugtar ar dhrochthionchar.

In 2012 the Equality Commission (ECN) gave controversial advice to Magherafelt Council cautioning against policies which were 'divisive' on grounds of political opinion/religious belief. Fair employment legislation does not contain any provisions addressing 'divisive' policies. This advice prompted concern among equality groups and trade unions, not least given the implications for the promotion of equality on grounds of sexual orientation in the context of the different positions of political parties on this matter.

There has also been a contention that a council space must remain 'neutral' as a justification for refusing to adopt an effective Irish language policy in accordance with the ECRML. However, the continued exclusion of the Irish language from civic space is neither natural nor neutral. In short, there is no universally agreed 'neutral' position to take, and a policy decision either to provide for the language, in accordance with the ECRML, or not provide for it, is going to be politically contentious.

Neither section 75 nor the good relations duty were intended to operate as a political veto. It is a misapplication of the duty to find an 'adverse impact' on equality of opportunity merely because a policy is politically contentious, or attracts hostility. A recurring problem in equality impact assessments is public authorities, including councils, miscategorising statistical or qualitative information as 'adverse impacts', when the definition of an adverse impact which relates to actual discriminatory detriment (whether reaching the threshold of unlawfulness or not) is not met.

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De ghnáth, is é an rud a bhíonn i gceist leis an fhadhb seo staitisticí a chur i láthair a léiríonn go mbíonn níos mó Caitliceach agus náisiúnach ná Protastúnach agus aontachtóir ag labhairt na Gaeilge, agus an fhaisnéis sin a chur i láthair mar 'dhrochthionchar'. Níl a dhath díobhálach, áfach, faoi difear a bheith ann ó thaobh líon na gcainteoirí de. Is fíorannamh a thagtar ar an chonclúid chéanna maidir le réimse ar bith eile de chuid Alt 75, mar shampla ar bhonn aoise, agus difear ann siocair gur dóchála go labhraíonn daoine óga Gaeilge i gcomparáid le daoine scothaosta.

Tá an argóint déanta go bhfuil 'drochthionchar' ar ghrúpaí áirithe ag an Ghaeilge a bheith le feiceáil agus le duinstin siocair go gcuireann sé isteach ar chearta an duine nár mhaith leis nó léi an Ghaeilge a fheiceáil ná a chluinstin. Ní sárú ar aon cheart atá aitheanta sa bhaile ná go hidirnáisiúnta é, áfach, iachall a bheith ar dhuine an Chaeilge a fheiceáil in aice leis an Bhéarla ar lógó ná ar chomhartha, ná iachall a bheith ar dhuine daoine eile a chluinstin ag labhairt Gaeilge.

Agus comhairlí áitiúla nó údarás phoiblí eile ag plé le héilimh go bhfuil polasaithe ag sárú cearta daoine eile, tá sé tábhachtach bonn ceart, dlísteanaigh a bheith leis na héilimh sin. Chuir Coimisiún Thuaisceart Éireann um Chearta an Duine treoir ar fáil faoin cheist seo i mí Mheithimh 2010 (Cearta Teanga Mionlaigh, an Ghaeilge agus Albainis Uladh: Páipéar treocrach faoi chiallachais na Cairte Eorpaí um Theangacha Réigiúnacha nó Mionlaigh, an Choinbhinsiún Eorpaigh um Chearta an Duine agus Ionstraimí eile):

"Tá iarrtha ar an Choimisiún comhairle a thabhairt roinnt uaireanta sa chás inar chomhlíon eagrais gealltanais maidir le cur chun cinn na Gaeilge, mar shampla trí pholasaithe dátheangacha, agus go bhfuair na heagrais gearán ina dhiaidh sin ag cur ina leith gur sárú ar chearta baili foirne é iachall a chur arthu an Ghaeilge a chur chun cinn. Bainneann ceann de na cásanna sin le rialtas áitiúil – nuair a lorg Comhairle Léim an Mhadaidh comhairle faoi shíneadh lógó dátheangach na Comhairle go luath in 2009. Ba é conclúid an Choimisiúin go bhfuil cur chun cinn teangacha mionlaigh i lógónna agus in ábhar corparáideach i dTuaisceart Éireann ag teacht go huile is go hionlán leis na hobleagáidí dearfacha atá ar an Ríocht

Typically this will involve matters such as presenting statistics that show that there are more Catholics and nationalists than Protestants and unionists who speak Irish, and presenting this as equating to an 'adverse impact'. However, there is clearly nothing 'adverse' about having a differential in the number of speakers, and such a conclusion is rarely reached on any other section 75 ground where there is such a differential such as on the grounds of age, given that younger people are more likely than older people to speak Irish.

It has been suggested that exposure to the Irish language itself has an 'adverse impact' on some groups, on the basis that this intrudes on the rights of persons who do not want to see or hear the Irish language. However, having to see Irish used alongside English on a logo or sign, or to hear other people speaking Irish, does not breach any recognised right, domestic or international.

It is important that when local councils or other public authorities are dealing with claims that policies infringe upon the rights of others that a legitimate basis for this is stated. The NIHRC provided guidance on this matter in June 2010 (Minority Language Rights, the Irish Language and Ulster Scots: Briefing paper on the implications of the European Charter for Regional or Minority Languages, European Convention on Human Rights and other instruments):

"The Commission has on several occasions been asked to provide advice when organisations in fulfilling commitments to promote the Irish language, through for example bilingual policies, have subsequently received a complaint alleging that obliging staff to promote Irish violates their rights. One of these instances relates to local government – when the Council of Limavady/Léim an Mhadaidh consulted over the extension of the Council's bilingual logo in early 2009. The Commission concluded that promotion of minority languages in logos or corporate materials in Northern Ireland is entirely in step with the positive human rights obligations of the United Kingdom, and that official acknowledgement of a

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Aontaithe maidir le cearta an duine, agus nach sárú ar chearta daoine nach n-úsáideann teanga mionlaigh é aitheantas oifigiúil a bheith tugtha don teanga mhionlaigh sin... Is i comhairle an Choimisiúin gur deacair, á thaobh chearta an duine de, a fheiceáil go bhfuil bunús dlisteanach ar bith lena bheith ag cur in aghaidh chur chun cinn na Gaeilge ag fostaí nó, ar leibhéal níos ginearálta, ag údarás poiblí."

I gcomhthéacs na dlí-eolaíochta maidir le saoirse cainte, lean an Coimisiún um Chearta an Duine leis agus phléigh sé leis na híogaireachtaí a bhaineann leis an Ghaeilge a úsáid ar dhóigh a léiríonn meas ar chearta daoine eile: "Maidir le ceisteanna níos leithne, tá sé tugtha le fios ag an Choimisiún nach ann don 'chearta a bheith maslaithe' agus cearta á chleachtadh ag páirtí eile. Is prionsabal ginearálta é seo a bhaineann le saoirse cainte (Airteagal 10 de chuid an Choinbhinsiúin Eorpaigh um Chearta an Duine, ar gá é a léamh i gcomhar le hAirteagal 14 den Choinbhinsiún chéanna faoi neamh-leithcheal i dtaca le gnéithe áirithe, teanga ina measc). Tá an Coimisiún eolach ar na hargóintí atá sa chúrsaíocht go mbaineann 'íogaireachtaí' leis an Ghaeilge. Co-deimhin, i gComhaontú Bhéal Feirste (Comhaontú Aoine an Chéasta), spreagann rialtas na Ríochta Aontaithe an Tionól le gealltanais i leith na Gaeilge a chomhlíonadh ar dhóigh 'a chuirfidh san áireamh mianta agus íogaireachtaí ar phobail' (ach cuirtear a rá nach bhfuil sé soiléir cé acu pobal na Gaeilge nó pobal an Bhéarla atá i gceist). Go ginearálta, bheadh oon iarracht chun srian a chur ar úsáid nó ar chur chun cinn na Gaeilge chun freastal ar 'íogaireachtaí' daoine eile ag teacht salach le saoirse cainte. Mar sin féin, tá léiriú soiléir tugtha i ndlí-eolaíocht an Choinbhinsiúin Eorpaigh um Chearta an Duine (CECD) agus sa Chairt faoi dóigh ar féidir freastal ar íogaireachtaí daoine nach labhraíonn an teanga, is é sin trí aonteangachas sa teanga mhionlaigh a sheachaint. Tá cur chun cinn an iolrachais theangeolaígh atá mar dhlúthchuid de CECD léirithe sa Chairt agus códuithe go follasach inti. Mar shampla, seasann gealltanais na Ríochta Aontaithe chun cead a thabhairt an Ghaeilge a úsáid i ndíospóireachtaí sa Tionól agus i seomraí comhairlí taobh le foráil shollasach gur féidir déanamh umhlaidh sa chás umhain nach bhfágfar an Béarla ar lár. De réir an phrionsabail chéanna, d'fhéadfaí freastal ar íogaireachtaí daoine nach labhraíonn an Ghaeilge trína chinntiú go mbíonn an Béarla le feiceáil taobh leis an Ghaeilge ar ábhar aitheantais corparáideach."

minority language cannot constitute a violation of the rights of those who do not use that language... The Commission has advised that from a human rights perspective it is difficult to see any legitimate grounds for objecting to the Irish language being promoted by an employer or, more generally, a public authority."

In the context of jurisprudence on freedom of expression, the NIHRC went on to specifically address the issue of sensitivities of using the Irish language in a manner which accommodates the rights of others:

"On broader issues, the Commission has drawn attention to the fact that there is no 'right to be offended' by another party exercising a right. This is a general principle of freedom of expression (ECHR Article 10, which must be read in conjunction with ECHR Article 14 on non-discrimination on grounds that include language). The Commission is aware of arguments that there are 'sensitivities' regarding the Irish language. Indeed the UK government within the Belfast (Good Friday) Agreement encourages the Assembly to sustain commitments to the Irish language in a manner that 'takes account of the desires and sensitivities of the community' (albeit it is not clear if this refers to the Irish-speaking or English-speaking community.) In general restricting use or promotion of Irish to accommodate the 'sensitivities' of others would be incompatible with freedom of expression. However, both ECtHR jurisprudence and the Charter provide a clear indication of how the sensitivities of non-speakers can be accommodated, namely through the prevention of monolingualism in the minority language. The promotion of linguistic pluralism implicit in ECtHR jurisprudence is reflected in and explicitly codified into the Charter. For example the UK's commitment to allow Irish to be used in debates in the Assembly and council chambers stands alongside an explicit provision that this has to be done without excluding the use of English. The same principle indicates that the sensitivities of non-Irish speakers could be met by ensuring that English is not excluded from appearing alongside Irish in corporate identities."

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I mí Mheán Fómhair 2009, d'fhoilsigh Coimisiún Thuaisceart Éireann um Chearta an Duine a Thuarascáil Chomhthreomhar faoi CETRM ina dúradh gur cur faoi smacht i dtaca le cearta teanga grúpaí mionlaigh é 'comhthoilíú' a bheith de dhíth sula mbronnfaí cearta ar chainteoirí Gaeilge agus gurb ionann é sin agus 'cead' a bheith de dhíth ón mhóramh, agus nach bhfuil cur chuige den chineál sin ag teacht le cearta an duine:

"Tá sé ráite go leunúnach ag an Choimisiún nach bunús fóirsteanach é an iarracht fhadtéarmach teacht ar chomhthoilíú maidir le coincheapú i dtaca le cearta an duine a chosaint, go háirithe chomh fada agus a bhaineann sé le cearta grúpaí mionlaigh teanga agus eile. Ba chóir go mbeadh sé mar thosaíocht ag aon fhoras riaracháin atá tiomanta don rialú bunaithe ar chearta an duine reachtaíocht a thabhairt isteach agus acmhainní a chur ar fáil de réir mar is gá chun cearta an duine a aithint, a chosaint agus a chomhlíonadh agus chan iad a chosaint, agus ba chóir go mbeadh aird ar leith acu ar chearta grúpaí mionlaigh... B'fhearr, ar ndóigh, comhthoilíú chomh leathan agus is féidir a bheith ann, ach ní réamhchoinníoll é teacht ar chomhthoilíú chun cearta a dhronnadh ar dhaoine.

Tá an prionsabal ginearálta seo maidir le cearta grúpaí mionlaigh léirithe i ndlí-eolaíocht na Cúirte Eorpaí um Chearta an Duine. Sa chás *Barankevich v an Rúis*, i gcás tionóil agus léiriú smaointe, tuairimí, mothúchán srl ag grúpaí mionlaigh, dúirt an Chúirt go mbeadh aon chur faoi smacht de facto i dtaca le cleachtadh ceart mar gheall ar chead a bheith de dhíth ón mhóramh ag teacht salach leis an Choimisiún. Thug an Chúirt chun cuimhne go raibh "tábhacht ar leith leis an iolrachas, leis an chaoifhulaingt agus leis an leathanaigeantacht" sna cinntí a bhí déanta aici maidir le comharthaí sóirt na sochaí daonlathaí" agus luaigh sí nach "ionann daonlathas agus tús áite a bheith i gcónaí ag tuairimí an mhóramh", agus chuir sí béim ar an tábhacht a bhaineann le cothromaíocht a bheint amach chun a chinntiú go gcaitear mar is ceart le grúpaí mionlaigh agus nach mhaintear mí-úsáid as stádas ceannosaíochta."

In September 2009, the NIHRC published its Parallel Report on the ECRML which stated that requiring 'consensus' before providing for the rights of Irish language speakers essentially subjugates minority language rights to the 'permission' of a majority, and is not a human rights-compliant approach:

"The Commission has consistently maintained that a long-term search for consensus is not an appropriate basis on which to conceptualise the protection of human rights, most especially where the rights of linguistic or any other minorities are concerned. The priority for any administration committed to governance based on human rights must be to legislate and direct resources as necessary to recognise, respect, protect and fulfil human rights, having particular regard to minority rights... The broadest possible consensus is of course much to be desired, but the achievement of consensus is not a precondition for giving people access to their rights.

This general principle of minority rights is reflected in the jurisprudence of the European Court of Human Rights. In *Barankevich v Russia*, in the case of assemblies and expression by minorities, the Court stated that any de facto subjugation of the exercise of rights to permission from the majority would be incompatible with the Convention. The Court recalled that its decisions in reference to the hallmarks of a democratic society had "attached particular importance to pluralism, tolerance and broadmindedness" and noted that "democracy does not simply mean that the views of the majority must always prevail", emphasising the importance of a balance ensuring the proper treatment of minorities and avoiding abuse of a dominant position."

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Faoi théarmaí chuid 11 d'Ordú Rialtais Áitiúil (Forálacha Ilghnéitheacha) (TÉ) 1995 caithfidh gach rialtas áitiúil iarratais ar chomharthaíocht sráide dhátteangach a mheas. Faoi seo caithfidh comhairlí aird a bheith acu ar thuairimí ar bith atá ag cónaitheoirí aon sráide ar leith ar chomhartha dátteangach oifigiúil. Chinn gach comhairle ar a bpolasaí féin a chur i bhfeidhm chun an dualgas seo a chur i bhfeidhm, polasaithe atá an-éagsúil óna chéile.

Éilíonn an CETRM go gcuirfí an Ghaeilge chun cinn trí níos mó feiceálachta in áiteanna poiblí. Tá léirithe ag taighde go gcuidíonn feiceálacht mhéadaithe le teanga mhionlaigh a normalú, rud a chuireann le caoinfhulaingt. Tá bunús Gaeilge le 95% de na logainmneacha i gceantair na gcomhairlí. Cuireann úsáid comharthaíochta dátteangaí bealach simplí agus nádúrtha ar fáil le rochtain ar an Ghaeilge a éascú ar bhealach a bhaineann le cultúr agus stair chomhroinnte. I gceantar ar bith ina léiríonn tromlach na gcónaitheoirí gur mhaith leo comharthaíocht dhátteangach nó ainmchlár breise i nGaeilge ní mór don chomhairle seo a éascú de réir an CETRM.

Tá polasaithe na 11 comhairle leagtha amach sa tábla thíos. Cé go bhfuil roinnt de na polasaithe níos fearr ná a chéile maidir lena ndílseacht do CETRM, tá gach polasaí neamartach ar bhealach éigin maidir leis na riachtanais atá leagtha amach sa chreat reatha. Tá achoimre thíos ar phríomhfhorálacha pholasaithe comharthaíochta dátteangaí na gcomhairlí go léir:

Under the terms of section 11 of the Local Government (Miscellaneous Provisions) (NI) Order 1995, all local councils are required to consider requests for bilingual street signage. According to this, councils must have regard to any views on an official bilingual sign expressed by residents of any given street. Councils have implemented this duty by each adopting their own policy, which vary greatly from one to another.

The ECRML calls for the promotion of the Irish language through increased visibility in public places. Research has shown that increased visibility leads to the normalisation of a minority language which leads to great tolerance. 95% of placenames in the local council areas derive from the Irish language. The use of bilingual signage provides a simple, and natural opportunity to facilitate access to the Irish language in a way which links with shared history and culture. In any area where a simple majority of residents express a desire for bilingual signage or an additional nameplate in the Irish language, this should be facilitated by the council in accordance with the ECRML.

The policies of the 11 councils are set out in the table below. Although some policies are much better than others in terms of compliance with the ECRML, all of the policies fall short in some way of the requirements set out in the present framework. The main provisions of each of the councils' street signage policies are outlined below:

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Comhairle	Aontrom agus Baile na Mainistreach	Council	Antrim and Newtonabbey
Polasaí	Gan polasaí reatha ar bith i bhfeidhm	Policy	No policy currently in place
Scóip	N/Bh	Scope	N/A
Comhairle	Na hArda agus Tuaisceart an Dúin	Council	Ards and North Down
Polasaí	Polasaí Oidhreacht um Ainmniú agus Uimhriú Sráideanna	Policy	Legacy Street Naming and Numbering Policy
Scóip	Níl foráil ar bith ann do chomharthaíocht dhátheangach	Scope	Makes no provision for bilingual signage
Comhairle	Cathair Ard Mhacha, Droichead na Banna and Craigavon	Council	Armagh, Banbridge and Craigavon
Polasaí	Polasaí um Ainmniú agus Uimhriú Sráideanna (Feabhra 2015)	Policy	Street Naming and Numbering Policy (Feb 2015)
Scóip	Níl foráil ar bith ann do chomharthaíocht dhátheangach	Scope	Makes no provision for bilingual signage
Comhairle	Cathair Bhéal Feirste	Council	Belfast City
Polasaí	Ghlac an tseanchomhairle le polasaí i 1998, athbhreithníodh é roinnt uaireanta	Policy	Policy adopted by predecessor council in 1998, reviewed on a number of occasions.
Scóip	Tá an focal scoir ag an Chomhairle i gcúinsí áirithe maidir le gach iarratas, ach: -teastaíonn achainí ar dtús ó thrian de na daoine atá ar an chlár toghthóirí i sráid; -Reachtálfar suirbhé poist ina dhiaidh sin a éilíonn mórán de dhá dtrian, glacfar le foirmeacha ar bith nach gcuirtear ar ais mar dhiúltú	Scope	Council retains overriding discretion on particular circumstances of each application, but - Initial petition needed with one-third of persons on electoral register in street; - Postal survey will then be conducted requiring a two-thirds majority, any forms not returned will be categorised as a 'no'
Comhairle	Costa an Clochair agus na Glinntí	Council	Causeway Coast and Glens
Polasaí	Polasaí agus Nósanna Imeachta um Ainmniú agus Uimhriú Sráideanna agus Réadmhaoin	Policy	Street Naming and Property Numbering Policy and Procedures (Oct 2015)
Scóip	Achainí ó thrian de chónaith coirí na sráide mar thús; Caithfidh dhá dtrian ar a laghad a bheith ar a shon agus glacfar le nearnfhreagróirí mar dhiúltú Is féidir na comharthaí a chrochadh sa chuid sin den tsráid ina gcónaíonn an dá dtrian Má theipeann ar iarratas tá toirmeasc 5 bliana ar iarratas nua	Scope	Applications initiated by a petition of one-third of residents; Requirement for at least two-thirds of residents to say yes, with no responses potentially counted as 'no' for application to be considered; Signs might only be erected in parts of same street where two-thirds majority; Unsuccessful applications followed by a five year ban on submitting a new application

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Comhairle	Cathair Dhoire & An Srath Bán	Council	Derry and Strabane
Polasaí	Nósanna Imeachta um Ainmniú agus Uimhriú Sráideanna agus Réadmhaoin (Aibreán 2015)	Policy	Street Naming and Property Numbering Procedures (April 2015)
Scóip	Is féidir leis an Chomhairle nó le cónaitheoir tús a chur le hiarratas Suirbhé le cur ar na cónaitheoirí agus "tábhacht nach beag" le bheith leagtha ar mhórán dhá dtrian de chónaitheoirí bealach amháin nó bealach eile. Mar a bhfaightear agóid i gcoinne comharthaíochta dátheangai measfaidh an Chomhairle conas dea-chaidreamh a chur chun cinn sa cheantar; is féidir ainmneacha bailte fearainn a chur ar chomharthaí sráide fosta.	Scope	Can be Council or resident initiated; Residents to be surveyed and "considerable weight" will be attached to a two-thirds majority of respondents either way. Where objections to bilingual signage received Council will consider how to improve good relations in the area; Bilingual townland names can also be included on street signage
Comhairle	Fear Manach and An Ómaigh	Council	Fermanagh and Omagh
Polasaí	Polasaí um Ainmniú agus Uimhriú Sráideanna/Bóithre (Meitheamh 2015)	Policy	Street/Road Naming and Numbering Policy (June 2015)
Scóip	Cuirfidh an Chomhairle tús le próiseas má fhaigheann sí iarratas nár iarradh ó thrian de na cónaitheoirí; Lorgóidh sí tuairimí na gcónaitheoirí ansin agus déanfaidh sí cinneadh bunaithe ar 'thuairim an mhóráimh a fuarthas' de chuid dhá dtrian de chónaitheoirí na sráide	Scope	Council will initiate process if it receives unsolicited application from one-third of residents; Will then seek views of residents and make its decision on the basis of a 'received majority viewpoint' of two-thirds of occupiers in the street
Comhairle	Lios na gCearrbhach agus An Caisleán Riabhach	Council	Lisburn & Castlereagh
Polasaí	Polasaí um Ainmniú agus Uimhriú Sráideanna (gan dáta ach ghlac an Chomhairle nua leis)	Policy	Street Name and Numbering Policy (undated but adopted by new Council)
Scóip	Caithfidh an t-ainm a bheith aistriúcháin díreach ón ainm Béarla; Cinntear an t-aistriúchán le seirbhís teanga ollscoile agus glanfaidh na hiarrthóirí na costais; Trian de chónaitheoirí na sráide de dhíth le tús a chur le hiarratas; Déanfar suirbhé leis na teaghlaigh a chónaíonn ann agus cuirfear na torthaí faoi bhláid coiste comhairle mar aon le hagóidí nó tuairimí ar bith a fhaightear; Ní chuirfear na torthaí síos le haghaidh measúnaithe lánroghnaigh ach amháin má tá dhá dtrian de na daoine i bhfabhar athraithe, agus ina dhiaidh sin le haghaidh daingniúcháin na Comhairle.	Scope	Name must be direct translation of name in English; Direct translation will be checked with university language service and applicants to bear cost Application for bilingual street name needs initial petition of one third of residents; Survey will be done of resident households, with results presented to a council committee including any objections or observations received. Only if results show two-thirds of persons in favour will they be tabled for discretionary consideration by a council committee, and then for ratification by the Council

COMHARTHAÍOCHT SRÁIDE STREET SIGNAGE

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Comhairle	Lár agus Oirthear Antrima	Council	Mid and East Antrim
Polasaí	Gan polasaí ar bith i bhfeidhm	Policy	No policy in place
Scóip	Tarraingíodh an polasaí siar i ndiaidh do Chonradh na Gaeilge agus CAJ ceisteanna a ardú faoi dhlíthiúlacht an pholasaí a bhí ann.	Scope	Policy withdrawn following concerns being raised about legality of previous policy by Conradh na Gaeilge and the CAJ.
Comhairle	Lár Uladh	Council	Mid Ulster
Polasaí	Polasaí ar Ainmniú Sráideanna agus Comharthaíocht Dhátheangach 2018	Policy	Policy on Street Naming and Dual Language Signage 2018
Scóip	Mhaigh polasaí nua um ainmniú sráideanna a tugadh isteach i 2018 go gcaithfidh an Chomhairle "aird a bheith aici ar thuairimí ar bith ar an cheist a chuireann na cónaitheoirí i dtithe ar an tsráid sin in iúl." Deir sé fosta gur chóir do shráidainmneacha "ainm an bhaile fearainn ait úil nó gné áitiúil threolaíoch/thopagrafach, shóisialta nó stairiúil a léiriú."	Scope	A new street-naming policy introduced in 2018 stated that the Council "must have regard to any views on the matter expressed by the occupiers of premises in that street." It also states that street-names should "reflect the local townland name, or a local geographical/topographical, social or historical feature."
Comhairle	An tIúr, Múrna agus An Dún	Council	Newry, Mcume & Down
Polasaí	Ag forbairt Polasaí agus Nósanna Imeachta um Ainmniú, Uimhriú Poist agus Crochadh Ainmchláir (Meitheamh 2015)	Policy	Development Naming, Postal Numbering and Erection of Nameplates Policy and Procedures (June 2015)
Scóip	Éascaíonn an Chomhairle iarratais ó chónaitheoirí na sráide/an bhóthair le comharthaí sráide dátheangacha, nó ainmchláir tháirgtheacha i dteanga a chrochadh. I ndiaidh an chomhairliúcháin cinneann mórán simplí de na freagróirí toradh an iarratais a chuirtear síos ansin chun go ndéanfaidh an Chomhairle marthanbh air agus cinneadh faoi. Leagann an polasaí béim fosta ar cheartúsáid leaganacha traidisiúnta de logainmneacha agus cuirfear ainmneacha bailte fearainn san áireamh fosta.	Scope	Council facilitates requests from resident(s) of the road/street for the erection of dual language street signs or secondary nameplates in a language. Further to consultation, a simple majority of respondents determines the outcome of the request which is tabled for Council consideration and decision. The policy also promotes the use of traditional correct forms of placenames, and will also include townland names.

COMHARTHAÍOCHT SRÁIDE STREET SIGNAGE

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Sa chuid is mó de na comhairlí a bhfuil polasaithe acu is é achainí ó chónaitheoirí na sráide a chuireann tús leis an phróiseas comhartha dátheangach a chrochadh; go minic caithfidh trian de chónaitheoirí na sráide achainí a chur isteach. Níl ach dhá chomhairle ann a chuireann comharthaí dátheangacha ar fáil as a stuaím féin, mar atá, Comhairle Chathair Dhoire agus Ceantar an tSraitha Báin agus Comhairle An Iúir, Mhúrn agus an Dúin. Nascann na comhairlí seo a soláthar le ceartúsáid leaganacha traidisiúnta cruinne de logainmneacha agus topagrafaíocht agus is féidir bailte fearainn a bheith luaite ar a gcomharthaí fosta.

Meastar téarmaí polasaithe comharthaíochta sráide in éadan Beartas 5 den Chreat Comhlíonta a bhaineann le cosc a chur ar leithcheal, ar chúlchéimniú agus ar bhaic le húsáid na teanga. Is beag polasaí i dtaca le comharthaíocht sráide a chomhlíonann forálacha an CETRM atá leagtha amach ag an Chreat. Is cosúil nach réitíonn aon cheann de na forálacha le foráil 'idirdhealaithe gan ábhar' an CETRM.

- Tá an tairseach de mhóramh de dhá dtrian i bhfabhar comharthaí dátheangacha a leagadh síos fíor-ard agus ábhar a bhaineann le cearta mionteanga i gceist. Mheas COMEX go bhfuil tairseach de 50% ró-ard le bheith ag réiteach le CETRM agus mheas sé go raibh tairseach de 20% d'úsáideoirí mionteanga, nuair a amharctar orthu mar ghrúpa ar leith, ró-ard. Is é polasaí Chomhairle Ceantair an Iúir, Mhúrn agus an Dúin an ceann is solúbtha agus ní éilíonn sé go mbainfí cuóta ard amach, ach ní fhágann sé go bhfuil cairteoirí Gaeilge i dteideal comharthaí i gceantair ina bhfuil éileamh, toisc go bhfuil an polasaí féin lánroghnach.

- Is í Comhairle Chathair Dhoire agus Cheantar an tSraitha Báin an t-aon chomhairle a chuireann gníomh dearfach chun cinn chun déileáil le gearáin trí iarracht a dhéanamh beartaí dhea-chaidrimh a chur i bhfeidhm, is dócha chun caoinfhulaingt a chur chun cinn agus dul i ngleic le leatrom i dtaca leis an Ghaeilge.

In most councils with policies, the trigger for a bilingual sign is a petition of residents in the street; there is often a requirement for one third of the residents to submit a petition. Only two councils appear to provide for bilingual street signs at their own initiative, namely Derry City & Strabane District Council and Newry, Mourne and Down District Council. These councils link their provision to the use of traditional correct forms of placenames and local topography and their signs can also include townland names.

The terms of street sign policies are assessed against Measure 5 of the Compliance Framework which relates to preventing discrimination, retrogression and barriers to using the language. Few policies in relation to street signage are compatible with the provisions of the ECRML as determined by the Framework. All of these above provisions would appear incompatible with the 'unjustified distinctions' provision of the ECRML.

- The threshold set of a two-thirds majority in favour of bilingual signs is extremely high for a minority rights issue. COMEX has regarded a 50% threshold as too high to be compatible with the ECRML, and even regarded a threshold of 20% of minority language users, when taken alone, as too high. The policy of Newry, Mourne and Down District Council is the most flexible and does not require a high quota to be met, it still does not create an entitlement for Irish speakers to have signs in areas where there is demand, as essentially the policy is discretionary.

- Only Derry City & Strabane District Council explicitly promotes positive action to deal with objections, by seeking to trigger good relations measures, presumably to promote tolerance and tackle prejudice in relation to the Irish language.

COMHARTHAÍOCHT SRÁIDE STREET SIGNAGE

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- Tá roinnt de na comhairlí ann nach bhfuil polasaí ar bith acu, nó a bhfuil polasaí acu a phléann le comharthaíocht sráide ach ní comharthaíocht dhátheangach, rud a chiallaíonn go bhfuil comharthaíocht dhátheangach eisíata
- Ní fhreastalaíonn an chuid is mó de na comhairlí ar chomharthaíocht dhátheangach as a stuaím féin, agus anuas air sin éilíonn siad achainí ó thrian de na cónaitheoirí chun tús a chur leis an phróiseas: leagann seo sprioc síos atá ard chun éileamh ar sholáthar ceart mionteanga a thosú
- Áireoidh roinnt comhairlí suirbhéanna ar bith nach seoltar an ais mar dhiúltú agus iad ag meas móraimh de dhá dtrian, rud a dhéanann an tairseach ard níos airde go fóill. Is léir gur idirdhealú gan chúis é seo;
- Má theipeann ar iarratas cuireann roinnt comhairlí cosc ar chónaitheoirí a bheith ag cur isteach iarratas eile: i gCústa an Tóchair agus na Clinte maireann an cosc cúig bliana;
- Gearrann Comhairle Chathrach Lios na gCearrbhach agus an Chaisleáin Riabhaigh táille ar chónaitheoirí as aistriúchán an tsráidainm a chinntiú, agus éilíonn sé gur 'aistriúchán díreach' ar an ainm Bhéarla a bheadh ann, rud a thagann salach ar fhoráil an CETRM go n-úsáidí logainmneacha traidisiúnta cruinne. Níl i gcuid mhór logainmneacha ach traslitriú Béarla ó na bunainmneacha Gaeilge, mar sin de, ní bheadh feidhm le 'haistriúchán díreach'. Tá sráidainmneacha ann, áfach, a bhfuil ainm dífriúil Béarla acu i gcomparáid leis an bhunleagan Gaeilge. Mar shampla, ainmníoch roinnte sráideanna i mBéal Feirste i ndiaidh 'Cave Hill' sa chathair. Is é Beann Mhadagáin ainm traidisiúnta bunaidh an tsleibhe seo, a chiallaíonn 'the peak of [king] Madagán'. Dá gcuirfi polasaí Lios na gCearrbhach agus an Chaisleáin Riabhaigh i bhfeidhm chaithfí aistriúchán ar na focail 'cave' (uaimh) agus 'hill' (cnoc) a chur ar shráidainmneacha, rud a d'fhágfadh go raibh sráidainmneacha bréagacha Gaeilge ann a thagródh i dtéarmaí ginearálta do ghné thíreolaíoch a bhfuil ainm fíor, sainiúil agus traidisiúnta Gaeilge uirthi.
- Several of the councils have no policy at all, or have a policy that provides for street signage but not bilingual signage, meaning bilingual signage is excluded;
- Most councils do not provide for bilingual signage at their own initiative, but rather require a petition of one-third of residents to initiate the process: this sets a high bar for even initiating a claim to a minority rights provision;
- Several councils, in determining a two-thirds majority, will count any surveys not returned as a 'no', making the high threshold even higher. This is clearly an unjustified distinction;
- After an unsuccessful application some councils have a ban on residents submitting another request: in Causeway Coast & Glens this is five years;
- Lisburn and Castlereagh City Council charges residents for checking the translation of the street name, and requires that this be a "direct translation" of the English name, in conflict with the provision in the ECRML for the use of correct and traditional placenames. Many placenames are essentially English trans iterations from original names in Irish, so this issue would not arise. However there are street names that take a different English name to the original in Irish. For example, a number of Belfast streets are named after the city's 'Cave Hill'. The correct and traditional name for this mountain is Beann Mhadagáin, meaning 'the peak of [king] Madagán'. The application of Lisburn & Castlereagh's policy, however, would involve a literal translation of the words 'cave' (uaimh) and 'hill' (cnoc) onto street signs, leading to artificial Irish-language street names referring in generic terms to a physical feature with a specific, authentic and traditional Irish-language name.

COMHARTHAÍOCHT SRÁIDE STREET SIGNAGE

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Chun go mbeadh na comhairlí ag comhlíonadh a ndualgas i dtaca le sráidainmneacha Gaeilge go hiomlán, b'fhearr cur chuige coitianta a bheith ann sa dóigh is go mbeadh cónaitheoirí soiléir faoi cad is féidir leo a dhéanamh i gceantar ar bith. Ba chóir go mbeadh móramh simplí (50% + 1) ina thairseach sásúil chun an t-éileamh ar chomharthaíocht i gceantar a léiriú, agus níor chóir go mbeadh ar na cónaitheoirí a chuireann tús leis an iarratas cur suas le haon mhoill, costas nó obair iomarcach mar gheall ar aon chomhairliúchán a reáchtáiltear chun a dhéanamh amach cé acu ar baineadh an tairseach amach nó nár baineadh.

For the local councils to fully realise their commitments in relation to the Irish language in terms of street signage, a simple, uniform approach would be most suitable so that residents are clear about what they are entitled to in any area. A simple majority of residents (50 + 1) should be a sufficient threshold to show desire for signage in any given area, and any consultation which takes place in order to determine whether this threshold has been met should not lead to any delay, cost or undue work being placed on residents who initiate the process.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA IMPLEMENTATION BY LOCAL COUNCILS

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Leis na beartais atá curtha i bhfeidhm ag comhairlí áitiúla atá ag teacht nó gan a bheith ag teacht leis an chaighdeán atá leagtha amach sa chreat a mhéas, rinne Conradh na Gaeilge agus an CAJ suirbhéanna leis comhairlí áitiúla ag deireadh 2016 chun eolas a bhailiú ar na beartais atá curtha i bhfeidhm acu i dtaca leis an Ghaeilge de le blianta beaga anuas. Úsáideadh torthaí na suirbhéanna seo chun léargas a fháil ar stádas na Gaeilge i ngach ceann de na ceantair chomhairle, a measadh ansin in éadan na mbeartas atá de dhíth chun na dualgais a leagann an CETRM orthu a chur i bhfeidhm go hiomlán.

Is dócha go bhfuil gníomhaíochtaí eile déanta ag roinnt comhairlí leis na dualgais atá orthu faoin CETML a chomhlíonadh ó a rinneadh an taighde seo i 2016. Tá roinnt samplaí de na gníomhaíochtaí seo curtha san áireamh, ach is léiriú ar stad reatha na gcomhairlí ag am áirithe é seo ná cur síos leanúnach ar ghach gníomh atá á dhéanamh ag comhairlí.

In order to assess the actions that local councils have taken that have or have not met the standard set out in the framework, Conradh na Gaeilge and the CAJ conducted surveys with local councils at the end of 2016 to gather information on the actions they've taken in relation to the Irish language in recent years. The responses to these surveys have been used to build a picture of the position of the Irish language in each of the council areas, which has been measured against the actions required to fully implement duties under the ECRML.

Some councils may have taken further measures to fulfil their duties under the ECRML since this research was carried out in 2016. Some examples of further actions s have been included, although the information outlined below acts as more of a snapshot of a moment in time than as a continuously evolving description of councils' every action.

COMHAIRLE AONTROMA AGUS BAILE NUA NA MAINISTREACH ANTRIM AND NEWTONABBAY BOROUGH COUNCIL

BEARTAS 1

- D'fhreagair Comhairle Bhuirg Aontroma agus Bhaile na Mainistreach nach bhfuil aon pholasáí Gaeilge i bhfeidhm acu, nó forálacha ar bith don Ghaeilge in aon pholasáí ginearálta eile.
- Níl an Ghaeilge le feiceáil ar chor ar bith i mbrandáil, i gcomharthaíocht nó i lógó na comhairle.

BEARTAS 2

- D'fhreagair Comhairle Bhuirg Aontroma agus Bhaile na Mainistreach nár chaith sí aon airgead ar áiseanna chun an Ghaeilge a chur chun cinn nó a chaomhnú, nár fhostaigh sí Oifigeach Gaeilge riamh agus nár chuir sí isteach riamh ar mhaoiniú atá ar fáil ó Fhoras na Gaeilge chun oifigeach a fhostú.

MEASURE 1

- Antrim and Newtonabbey Borough Council responded that they have no Irish Language policy in place, or provisions for the Irish language within any other wider policy.
- No Irish language appears in the branding, signage or logo of the council.

MEASURE 2

- Antrim and Newtonabbey Borough Council responded that it has spent no money on resourcing the promotion and safeguarding of the Irish language, has never employed an Irish Language Officer and has never applied for funding, available from Foras na Gaeilge, in order to employ one.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA IMPLEMENTATION BY LOCAL COUNCILS

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BEARTAS 3

- D'fhreagair Comhairle Bhuirg Aontroma agus Bhaile na Mainistreach nár chuir sí beartas ar bith i bhfeidhm riamh chun dul i ngleic le leithcheal in éadan na Gaeilge, nó nár ghlac sí céimeanna ar bith riamh chun caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn.

BEARTAS 4

- Níor sholáthair Comhairle Bhuirg Aontroma agus Bhaile na Mainistreach aon eolas faoi cheann ar bith dá seirbhísí atá ar fáil trí mheán na Gaeilge nó faoi sheirbhísí a bhaineann leis an Ghaeilge.

BEARTAS 5

- D'fhreagair Comhairle Bhuirg Aontroma agus Bhaile na Mainistreach go bhfuil seirbhís acu ar iarratas le freagraí a thabhairt ar cumarsáid scríofa nó iarratais teilcáfóin nó iarratais i bpearsa i nGaeilge.
- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha.
- Dúradh gurb ionann an soláthar reatha agus an soláthar a bhí ag na seanchomhairlí.
- Níl polasaí reatha i bhfeidhm toisc gur tarraingíodh siar an polasaí a bhí ann a chuir cosc ar aon teanga seachas Béarla tar éis caingean dlí a thóg cónaitheoir de chuid na comhairle.

CONCLÚID

Níl an Chomhairle ag comhlíonadh a dualgais faoin CETRM.

MEASURE 3

- Antrim and Newtonabbey Borough Council responded that they have never taken any measures to tackle prejudice against the Irish language, nor has it taken any measures to promote tolerance and understanding of the Irish language.

MEASURE 4

- Antrim and Newtonabbey Borough Council did not provide any information on any services available through Irish or related to the Irish language.

MEASURE 5

- Antrim & Newtownabbey Borough Council responded that they delivered, on request, the service of responding to correspondence, or telephone or in-person requests in Irish.
- No audit of Irish language skills among current staff has been undertaken.
- The level of protection for the Irish language was described as the same level as there was in the predecessor councils.
- Previous street signage policy which prohibited any language other than English was withdrawn following legal action taken by a resident of the council (September 2018)

CONCLUSION

The Council is not fulfilling its obligations under the ECRML.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA IMPLEMENTATION BY LOCAL COUNCILS

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COMHAIRLE NA HARDA AGUS TUAISCEART AN DÚIN ARDS AND NORTH DOWN BOROUGH COUNCIL

BEARTAS 1

- D'fhreagair Comhairle Bhuirg na hArda agus an Dúin Thuaidh nach bhfuil aon pholasaí Gaeilge i bhfeidhm acu, nó forálacha ar bith don Ghaeilge in aon pholasaí ginearálta eile.
- Níl an Ghaeilge le feiceáil ar chor ar bith i mbrandáil, i gcomharthaíocht nó i lógó na comhairle.

BEARTAS 2

- D'fhreagair Comhairle Bhuirg na hArda agus An Dúin Thuaidh nár chaith sí aon airgead ar áiscanna chun an Ghaeilge a chur chun cinn nó a chaomhnú, nár fhostaigh sí Oifigeach Gaeilge riamh agus nár chuir sí isteach riamh ar mhaoiniú atá ar fáil ó Fhoras na Gaeilge chun oifigeach a fhostú.

BEARTAS 3

- D'fhreagair Comhairle Bhuirg na hArda agus an Dúin Thuaidh nár chuir sí beartas ar bith i bhfeidhm riamh chun dul i ngleic le leithcheal in éadan na Gaeilge.
- Nuair a fiafraíodh den chomhairle ar ghlac sí céimeanna ar bith riamh chun caoinfhulaingt agus feachtas faoin Ghaeilge a chur chun cinn, d'fhreagair sí go bhfuil filíocht agus scéalaíocht i nGaeilge mar chuid d'fhéile Aspects.

MEASURE 1

- Ards and North Down Borough Council responded that they have no Irish Language policy in place, or provisions for the Irish language within any other wider policy.
- No Irish language appears in the branding, signage or logo of the council.

MEASURE 2

- Ards and North Down Borough Council responded that they have spent no money on resourcing the promotion and safeguarding of the Irish language, have never employed an Irish Language Officer and has never applied for funding, available from Foras na Gaeilge, in order to employ one.

MEASURE 3

- Ards and North Down Borough Council responded that they have never taken any measures to tackle prejudice against the Irish language.
- When asked whether the council has taken any measures to promote tolerance and understanding of the Irish language, the responded that Irish poetry and storytelling was included as part of Aspects festival.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA

IMPLEMENTATION BY LOCAL COUNCILS

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BEARTAS 4

- Níor sholáthair Comhairle Bhuirg na hArda agus an Dúin Thuaidh aon eolas faoi cheann ar bith dá seirbhísí atá ar fáil trí mheán na Gaeilge nó faoi sheirbhísí a bhaineann leis an Ghaeilge.
- D'fhreagair Comhairle Bhuirg na hArda agus an Dúin Thuaidh go bhfuil seirbhís acu ar iarratas le freagraí a thabhairt ar cumarsáid scríofa nó iarratais teileafóin nó iarratais i bpearsa i nGaeilge.

BEARTAS 5

- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha.
- Dúradh gurb ionann an soláthar reatha agus an soláthar a bhí ag na seanchomhairlí.
- Ní chomhlíonann an polasaí ar chomharthaíocht dhátheangach na dualgais atá leagtha amach sa CETRM.

CONCLÚID

Níl an Chomhairle ag comhlíonadh a dualgais faoin CETRM.

MEASURE 4

- Ards and North Down Borough Council did not provide any information on any services available through Irish or related to the Irish language.
- Ards and North Down Council responded that they delivered, on request, the service of responding to correspondence, or telephone or in-person requests in Irish.

MEASURE 5

- No audit of Irish language skills among current staff has been undertaken.
- The level of protection for the Irish language was described as the same level as there was in the predecessor councils.
- The policy on bilingual street signage does not fulfil the obligations as set out in the ECRML.

CONCLUSION

The Council is not fulfilling its obligations under the ECRML.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA IMPLEMENTATION BY LOCAL COUNCILS

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COMHAIRLE CHATHAIR ARD MHACHA AGUS BHUIRG DHROICHEAD NA BANNA AGUS CRAIGAVON ARMAGH, BANBRIDGE AND CRAIGAVON BOROUGH COUNCIL

BEARTAS 1

- D'fhreagair Comhairle Chathair Ard Mhacha agus Bhuirg Dhroichead na Banna agus Craigavon nach bhfuil aon pholasaí Gaeilge i bhfeidhm acu, nó forálacha ar bith don Ghaeilge in aon pholasaí ginearálta eile.
- Níl an Ghaeilge le feiceáil ar chor ar bith i mbrandáil, i gcomharthaíocht nó i lógó na comhairle.

BEARTAS 2

- Mar fhreagra ar an cheist faoi áiseanna chun an Ghaeilge a chur chun cinn nó a chaomhnú, dúirt an Chomhairle gur chaith siad £1,000.00 i 2015 ar Naíscóil na Banna, naíscóil lán-Ghaeilge.
- D'fhreagair an Chomhairle nár fhostaigh sí Oifigeach Gaeilge riamh agus nár chuir sí isteach riamh ar mhaoiniú atá ar fáil ó Fhoras na Gaeilge chun oifigeach a fhostú.

BEARTAS 3

- D'fhreagair Comhairle Chathair Ard Mhacha agus Bhuirg Dhroichead na Banna agus Craigavon nár chuir sí beartas ar bith i bhfeidhm riamh chun dul i ngleic le leithcheal in éadan na Gaeilge, nó nár ghlac sí aon chéimeanna riamh chun caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn.

MEASURE 1

- Armagh City, Banbridge and Craigavon Council responded that they have no Irish Language policy in place, or provisions for the Irish language within any other wider policy.
- No Irish language appears in the branding, signage or logo of the council.

MEASURE 2

- In response to a question on resourcing the promotion and safeguarding of the Irish language, the Council reported a spend of £1,000.00 in 2015 to Naíscóil na Banna, an Irish-medium nursery school.
- The Council has never employed an Irish Language Officer and has never applied for funding, available from Foras na Gaeilge, in order to employ one.

MEASURE 3

- Armagh City, Banbridge and Craigavon Council responded that they have never taken any measures to tackle prejudice against the Irish language, nor has it taken any measures to promote tolerance and understanding of the Irish language.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA

IMPLEMENTATION BY LOCAL COUNCILS

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BEARTAS 4

- Níor sholáthair Comhairle Chathair Ard Mhacha agus Bhuirg Dhroichead na Banna agus Craigavon aon eolas faoi cheann ar bith dá seirbhísí atá ar fáil trí mheán na Gaeilge nó faoi sheirbhísí a bhaineann leis an Ghaeilge.

BEARTAS 5

- Nuair a fiafraíodh di cén seirbhísí a chuireann sí ar fáil i nGaeilge laistigh de chreat na ndualgas idirnáisiúnta, d'fhreagair Comhairle Chathair Ard Mhacha agus Bhuirg Dhroichead na Banna agus Craigavon nár bhain seo leo, is dócha toisc nach bhfuil polasaí ar bith acu agus dúirt siad i bhfreagraí roimhe seo nach bhfuil céimeanna ar bith glactha acu i dtaca leis an Ghaeilge.
- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha.
- D'fhreagair Comhairle Chathair Ard Mhacha agus Bhuirg Dhroichead na Banna agus Craigavon nach raibh a fhios ag duine ar bith cé acu an raibh soláthar níos lú ann anois i gcomparáid leis na forais a bhí ann roimhe. Is dócha go bhfuil sé níos lú toisc go raibh leibheál áirithe soláthair ag cearn de na comhairlí, Ard Mhacha, nach bhfuil ag an fhoras a tháinig ina dhiaidh sin.
- Ní chomhlíonann an polasaí ar chomharthaíocht dhátheangach na dualgais atá leagtha amach san CETRM.

CONCLÚID

Níl an Chomhairle ag comhlíonadh a dualgais faoin CETRM.

MEASURE 4

- Armagh City, Banbridge and Craigavon Council did not provide any information on any services available through Irish or related to the Irish language.

MEASURE 5

- On being asked what services were provided in Irish within the framework of international obligations, Armagh City, Banbridge & Craigavon Council responded that this was not applicable to them, presumably as they have no policy and have stated in previous answers that they have taken no action in relation to the language.
- No audit of Irish language skills among current staff has been undertaken.
- Armagh City, Banbridge & Craigavon Council responded it was "unknown" whether current provision was less than its predecessor bodies. It is likely to be less as one predecessor Council, Armagh, did have a level of provision that its successor body does not.
- The policy on bilingual street signage does not fulfil the obligations as set out in the ECRML.

CONCLUSION

The Council is not fulfilling its obligations under the ECRML.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA IMPLEMENTATION BY LOCAL COUNCILS

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COMHAIRLE CATHRACH BHÉAL FEIRSTE BELFAST CITY COUNCIL

BEARTAS 1

- I 2018, ghlac Comhairle Cathrach Bhéal Feirste le Straitéis Teanga, le forálacha a bhaineann le caomhnú agus le cur chun cinn na Gailge san áireamh
- Cé nach gcuireann Comhairle Chathair Bhéal Feirste an Ghaeilge ar bhrandáil, ar chomharthaíocht nó ar lógó s'aici, cuirfidh sí páipéarachas dátheangach ar fáil dá baill thofa ar iarratas ar mhaithe lena ngnó pearsanta.
- Deir an Straitéis Teanga "Go nglacfaidh an Chomhairle gach céim atá réasúnta chun freastal ar na riachtanais seo agus chun iarratais a chomhlíonadh ag brath ar na háiseanna atá ar fáil agus go mbeidh aird aici ar chearta agus ar dhualgais reachtúla"

BEARTAS 2

- Mar fhreagra ar an cheist faoi áiseanna a chur ar fáil chun an Ghaeilge a chur chun cinn agus a chaomhnú, dúirt an Chomhairle gur chaith sí £3,095 go hinmheánach, costais a bhaineann leis an chomhairle féin, agus gur chaith sí £277,058 go seachtrach, is é sin, caiteachas ar dheontais do thograí Gaeilge.
- Chruthaigh Straitéis Teanga 2018 ról an Oifigigh Ghaeilge, an chéad uair a raibh an ról sin ag an Chomhairle.

BEARTAS 3

- Nuair a fiafraíodh di faoi na céimeanna a glacadh chun caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn, dúirt an Chomhairle go bhfuil leagan Gaeilge de lógó na comhairle ar fáil, go bhfuil fáil ag comhairleoirí ar pháipéarachas Gaeilge ar iarratas, go gcrochtar comharthaíocht Ghaeilge, agus go bhfuil imeachtaí iarscoile don óige agus tograí cultúrtha agus bideachais ann.

MEASURE 1

- In 2018 Belfast City Council adopted a Languages Strategy which includes provisions in relation to the protection and promotion of the Irish language.
- Although Belfast City Council does not include the Irish language on its branding or signage, it will provide elected members with bilingual stationary for their own use on request.
- The Language Strategy states that "The Council will take all reasonable steps to address these needs and to meet requests within available resources and mindful of statutory rights and obligations"

MEASURE 2

- In response to a question on resourcing the promotion and safeguarding of the Irish language, the Council reported an internal expenditure of £3,095 which relates to costs within the council itself, and an external expenditure of £277,058, which refers to expenditure through grant aid for Irish language projects.
- The 2018 Language Strategy created the role of Irish Language Officer, the first time that the Council has had such a role.

MEASURE 3

- When asked about measures taken to tackle prejudice against the Irish language, Belfast City Council has responded that they do so through events, erecting Irish language street signage, youth afterschools, cultural and educational projects

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- Nuair a fiafraíodh di faoi na céimeanna a glacadh chun caoinfhulaingt agus feasacht faoin Chaeilge a chur chun cinn, dúirt an Chomhairle go bhfuil leagan Chaeilge de lógó na comhairle ar fáil, go bhfuil fáil ag comhairleoirí ar pháipéarachas Gaeilge ar iarratas, go gcrochtar comharthaíocht Chaeilge, agus go bhfuil imeachtaí iarscoile don óige agus tograí cultúrtha agus oideachais ann.

BEARTAS 4

- Comhfhreagras, idir scríofa agus labhartha, ar fáil trí mheán na Gaeilge
- Eolas le bheith curtha ar fáil trí mheán na Gaeilge ag gach ionad de chuid na comhairle a dtéann scoileanna ar cuairt ann m.sh. Zú Bhéal Feirste

BEARTAS 5

- Ligeann an polasaí don chomhairle traenáil teanga a thabhairt dá foireann, agus tacú le imeachtaí a úsáideann an Chaeilge; geallann sé go gcuirfead eolas ar fáil i nGaeilge do chaltaí Gaelscoile a úsáideann an zú, halla na cathrach nó aon ionad eile.
- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha ach thig le Rannóga ranganna bunchomhrá a eagrú don fhoireann más maith leo.
- Ó tharla nár cónascadh Comhairle Chathair Bhéal Feirste le comhairle ar bith eile, mothaíodh nár bhain ceist an chúlchéimnithe léi.
- Ní chomhlíonann an polasaí ar chomharthaíocht dhátheangach na dualgais atá leagtha amach san CETRM.

CONCLÚID

Ní chomhlíonann an Straitéis Teanga ar glacadh léi i 2018 gach dualgas faoin CETRM ach is céim mhór chun cinn í maidir le soláthar Gaeilge i gcomparáid leis na seanchomhairlí. Táthar ag súil gurb í seo an chéad chéim eile in iarrachtaí na Comhairle gach dualgas faoin CETRM a chomhlíonadh.

- When asked about measures taken to promote tolerance and understanding of the Irish language, the Council replied that an Irish language version of the council logo is available, councillors have access to Irish language stationary on request, the erecting Irish language street signage, youth afterschools, cultural and educational projects.

MEASURE 4

- Correspondence, both written and oral, available in Irish
- Information to be provided in Irish at all council-run destinations for schools e.g. Belfast Zoo

MEASURE 5

- The policy permits the Council to offer language training to staff, and to support cultural activities that use Irish; it commits to providing information in Irish to Irish-medium school pupils using the zoo, city hall or other facilities.
- No audit of Irish language skills among current staff has been undertaken although Departments may choose to organise basic conversational level language classes for staff.
- As Belfast City Council was never merged with another council, it felt that the issue of retrogression did not apply to it.
- The policy on bilingual street signage does not fulfil the obligations as set out in the ECRML

CONCLUSION

The Language Strategy adopted in 2018 does not fulfil all obligations under the ECRML but is an improvement on the provision made for the Irish language under previous councils. It is hoped that this is the next step in the Council's progressive realisation of all commitments under the ECRML.

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COMHAIRLE BHUIRG CHÓSTA AN CLOCHAIR AGUS NA NGLINTE CAUSEWAY COAST AND GLENS BOROUGH COUNCIL

BEARTAS 1

- D'fhreagair Comhairle Bhuirg Chósta an Clochair agus na nGlinnte nach bhfuil aon pholasaí Gaeilge i bhfeidhm acu, nó forálacha ar bith don Ghaeilge in aon pholasaí ginearálta eile.
- Níl an Ghaeilge le feiceáil ar chor ar bith i mbrandáil, i gcomharthaíocht nó i lógó na comhairle.

BEARTAS 2

- Mar fhreagra ar cheist faoi áiseanna a chur ar fáil chun an Ghaeilge a chur chun cinn agus a chaomhnú, dúirt an Chomhairle gur chaith siad £21,000 go himheánach a bhain le costais laistigh den chomhairle féin, agus gan aon chaiteachas seachtrach. Ceann de na seanchomhairlí, Comhairle Ceantair Léim an Mhadaigh, a chaith an maoiniú.

BEARTAS 3

- Nuair a cuireadh ceist faoi bheartas a rinneadh chun dul i ngleic le leithcheal in éadan na Gaeilge, dúirt Comhairle Bhuirg Chósta an Clochair agus na nGlinnte go ndéanann siad sin trí Chláir, gníomhaíochtaí ardaithe feasachta agus trí feiceálacht na teanga a mhéadú.
- Nuair a cuireadh ceist faoi bheartas a rinneadh chun caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn, dúirt an Chomhairle go ndéantar seo trí feiceálacht na Gaeilge a ardú, ach níor tugadh aon sampla ar cén dóigh a rinneadh é seo.

MEASURE 1

- Causeway Coast and Glens Borough Council responded that they have no Irish Language policy in place, or provisions for the Irish language within any other wider policy.
- No Irish language appears in the branding, signage or logo of the council.

MEASURE 2

- In response to a question on resourcing the promotion and safeguarding of the Irish language, the Council reported an internal spend of £21,000 which relates to costs within the council itself, and no external expenditure. This funding was spent by one of the legacy Councils, Limavady District Council.

MEASURE 3

- When asked about measures taken to tackle prejudice against the Irish language, Causeway Coast and Glens Council has responded that they do so through Programmes, awareness raising activities, increasing visibility of the language
- When asked about measures taken to promote tolerance and understanding of the Irish language, the Council replied that this is done through increasing the visibility of the Irish language, although no examples were given as to how this was done.

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BEARTAS 4

- Iorgaíodh an t-eolas seo chun a dhéanamh amach cén seirbhísí go díreach ar féidir le duine a bheith ag súil leo in aon cheantar comhairle. Cé go raibh difríochtaí móra ann ó cheantar go ceantar, rud a d'fhág nach raibh cainteoirí Gaeilge cinnte faoi na seirbhísí a chuireann a gcomhairlí féin ar fáil, bhí an soláthar sa chuid is mó de na comhairlí i bhfad faoi leibhéal seirbhíse a mbeifeá ag súil léi 15 bliana i ndiaidh gur daingníodh an CETRM.
- Maidir leis an Chaeilge a neadú i n-imeachtaí cultúrtha agus imeachtaí níos leithne na comhairle is beag eolas atá ar fáil seachas ó na comhairlí sin a bhfuil polasaithe agus oifigigh Chaeilge.

BEARTAS 5

- Dúirt Comhairle Bhuirg Chósta an Clochair agus na nGlinnte go gcuireann siad seirbhís chomhfhreagrais, nó iarratais teileafóin nó i bpcarsa ar fáil i nGaeilge ar iarratas.
- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha.
- Níor chomhlíon an polasaí ar chomharthaíocht dhátheangach na dualgais a leagadh amach sa CETRM.
- D'admhaigh Comhairle Bhuirg Chósta an Clochair agus na nGlinnte go raibh an leibhéal cosanta a thugtar don Chaeilge níos ísle ná an chosaint a thug na seanchomhairlí. Bhí polasaí dátheangach ag Comhairle Cheantair Léim an Mhadaigh chomh maith le hoifigeach Gaeilge páirtaimseartha. Níl ceachtar acu, an polasaí dátheangach nó an ról, ann anois.
- Ina theannta sin, bhí lógónna dátheangacha ag trí chinn de na ceithre sheanchomhairle agus tá lógó Comhairle Bhuirg Chósta an Clochair agus na nGlinnte aonteangach, in ainneoin na logainmneacha ina teideal.

MEASURE 4

- The purpose of seeking this information was to determine exactly what services an individual can or cannot expect to avail of in any council area. Although the results from each council varied greatly, so that Irish speakers are left unsure as to what services are provided by their own council, most of the councils fell far short of the standard of service provision which might be expected 15 years after the ratification of the ECRML.
- In relation to incorporation of Irish into the cultural and broader activities of the council, there is little information available save from those councils that have policies and Irish language officers.

MEASURE 5

- Causeway Coast and Glens Borough Council responded that they delivered, on request, the service of responding to correspondence, or telephone or in-person requests in Irish.
- No audit of Irish language skills among current staff has been undertaken.
- The policy on bilingual street signage did not fulfil the obligations as set out in the ECRML.
- Causeway Coast and Glens Borough Council admitted that the level of protection now given to the Irish language is less than that of the predecessor councils. Limavady Borough Council had a bilingualism policy and a part-time Irish Language Officer. Neither the bilingual policy nor the role of now exist.
- In addition, three of the four predecessor councils had bilingual logos and the current Causeway Coast & Glens Council logo is monolingual, despite the placenames in its title.

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- Níl todhchaí na gcomharthaí dátheangacha ar an bhealach isteach chuig an na bailte/sráicbhailte i seancheantar na Maoile slán. Rinneadh iarracht fiú ainm an Roe Valley Arts Centre/Ionad Ealaíon agus Cultúir Chleann na Ró i Léim an Mhadaidh a ainmníodh go dátheangach, a bhfuil logainm ina theideal agus a mheallann thar 50,000 cuairteoir sa bhliain a athrú. Vótáil an Chomhairle ar son rúin an t-ionad a ainmniú go haonteangach, i ndiaidh seantiarna talaimh, ar chostas a de £12,000 ar a laghad de réir na dtuairiscí. Thóg an pobal raic faoi agus cuireadh an cinneadh ar ceal.
- Níor chomhlíon an polasaí ar chomharthaíocht sráide dhátheangach na dualgais a leagadh amach sa CETRM.
- The future of bilingual town-village entrance signs in the former Moyle Council area is not secure. There was even an attempt to rename the bilingually named Roe Valley Arts Centre/Ionad Ealaíon agus Cultúir Chleann na Ró, in Limavady, which includes a placename in its name, and draws over 50,000 visitors a year. The Council passed a vote to rename the centre monolingually, after a former landowner, at a reported cost of at least £12,000. A subsequent outcry led to the reversal of the decision.
- The policy on bilingual street signage did not fulfil the obligations as set out in the ECRML.

CONCLÚID

Níl an Chomhairle ag comhlíonadh a dualgais faoin CETRM.

CONCLUSION

The Council is not fulfilling its obligations under the ECRML.

COMHAIRLE CATHRACH DOIRE AGUS AN TSRÁTHA BÁIN DERRY CITY AND STRABANE DISTRICT COUNCIL

BEARTAS 1

- Thug Comhairle Chathair Dhoire agus an tSrátha Báin Polasaí Gaeilge isteach i 2015. Fuair an taighde amach gur chomhlíon dréachtú an pholasaí an creat, sa mhéid is gur forbraíodh an polasaí i gcomhar le cainteoirí Gaeilge, forais réigiúnacha, agus grúpaí abhcóideachta.
- Is cosúil go bhfuil an polasaí fréamhaithe san CETRM agus go gcloíonn sé lena phrionsabail ghinearálta meas a léiriú ar ainmneacha agus seoltaí i nGaeilge, agus an ceart atá ag cainteoirí Gaeilge, an fhoireann san áireamh, Gaeilge a úsáid leis an Chomhairle; cuirfidh an Chomhairle in éadan bac ar an cheart an Ghaeilge a úsáid sa saol poiblí.

MEASURE 1

- Derry City and Strabane District Council introduced an Irish Language Policy in 2015. The research found the the formulation of the policy complied with the framework, in that the policy was developed in consultation with Irish speakers, regional bodies, and advocacy groups.
- The policy appears to be grounded in the ECRML and adheres to its general principles to include respecting Irish names and addresses, and the right of Irish speakers, including staff, to use Irish with the Council; the Council will also counter restrictions on the right to use Irish in public life.

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- Tá lógó trí-theangach ag an Chomhairle leis an Chaeilge, Béarla agus Ultais san áireamh. Tá tús-áite ag an Bhéarla ar an lógó.
- The Council has a trilingual logo including English, Irish and Ulster Scots. On the logo the English language is placed first.

BEARTAS 2

- Mar fhreagra ar cheist faoi áiseanna a chur ar fáil chun an Chaeilge a chur chun cinn agus a chaomhnú, dúirt an Chomhairle gur chaith siad £5,000 go himmheánach a bhain le costais laistigh den chomhairle féin, agus £17,000 go seachtrach, a bhain le maoiniú agus tacaíocht a chur ar fáil do ghrúpaí eile. Fosta, tá an Chomhairle mar chuid de Scéim na nOifigeach Gaeilge i gcomhar le Foras na Gaeilge.

BEARTAS 3

- Spreagann an Chomhairle úsáid na Gaeilge ag ócáidí foirmeálta agus ag cruinnithe poiblí, agus cuirfidh sí an teanga chun cinn mar chuid de gach ceiliúradh cathartha, agus beidh leithscéal de dhíth má thógtar cinneadh ar bith gan amhlaidh a dhéanamh; beidh cabhair dheontais ar fáil le haghaidh gníomhaíochtaí a bhaineann le tograí Gaeilge.
- I measc na ndualgas atá ar an Oifigeach Gaeilge i gComhairle Chathair Dhoire agus an tSraitha Báin bhí traenáil feasachta faoin teanga a chur ar fáil don fhoireann agus do pháirtithe leasmhara seachtracha. Bhí ar an oifigeach fosta "tograí/cláir agus imeachtaí a fhorbairt agus a sholáthar a bhfuil sé mar aidhm acu feasacht faoi chultúir agus oidhreacht na Gaeilge agus na hUltaise a chur chun cinn agus meas a léiriú orthu, agus a bheith rannpháirteach sna gníomhaíochtaí sin". Is féidir leis an méid seo dul i ngleic le leithcheal agus caoinfhulaingt agus tuiscint ar an teanga a chur chun cinn.

MEASURE 2

- In reply to a question on providing resources to promote and protect the Irish language, the Council said that they have spent £5,000 internally, due to costs incurred by the Council itself, and £17,000 externally, which relates to funding and support provided to other groups. Also, the Council is part of the Irish Language Officer Scheme in partnership with Foras na Gaeilge.

MEASURE 3

- The Council encourages the use of Irish at formal occasions and public meetings, and will promote the language as a component of all civic celebrations, with any decision not to do so having to be justified; there is to be grant-aid of activity for Irish language initiatives.
- Among the duties of the Irish Language Officer in Derry City & Strabane Council was the delivery of language awareness training to staff and external stakeholders. The officer was also to "develop, deliver and participate in initiatives/programmes and events designed to promote awareness of and respect for Irish and Ulster Scots languages, cultures and heritages". This has the potential to tackle prejudice and promote tolerance and understanding of the language.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA IMPLEMENTATION BY LOCAL COUNCILS

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BEARTAS 4

- Tá réimse leathan dualgas agus freagrachtaí ar Oifigeach Gaeilge Chomhairle Dhoire agus an tSraitha Báin, lena n-áirítear:
- Beartais speisialta foghlama agus traenála chun cumas sa Ghaeilge agus úsáid na Gaeilge a chur chun cinn i measc fostaithe agus baill na Comhairle a fhorbairt agus a chomhordú;
- Obair i gcomhar le soláthróirí seachtracha seirbhísí faoi chun soláthar seirbhís aistriúcháin agus ateangaireachta ar chaighdeán dearbhaithé don Chaeilge agus don Ultais a bhainistiú;
- Traenáil leanúnach a bhunú agus a bhainistiú le haghaidh painéal fostaithe a bhfuil Gaeilge acu agus atá in ann rochtain a thabhairt i nGaeilge ar eolas faoin Chomhairle agus faoi sheirbhísí i nGaeilge i ngach réimse seirbhís de chuid na Comhairle.
- Clár leanúnach gníomhaíochtaí a sholáthar a ardaíonn feachtas agus a chuireann an teanga chun cinn chun daoine a chur ar an eolas oiread agus is féidir faoi sheirbhísí agus imeachtaí Gaeilge agus Ultaise na Comhairle;
- Cuidiú le láithreacht idirlín ar leith i nGaeilge agus in Ultais a fhorbairt agus a chothú don Chomhairle; córas aiseolais ríomhphoist i nGaeilge a bhainistiú agus a chothú;
- Dea-chaidreamh le pobal na Gaeilge a fhorbairt agus a chothú agus oibriú i gcomhar leis na meáin Ghaeilge, ag feidhmiú mar ionadaí don chomhairle nuair is gá;
- A bheith rannpháirteach i bpolasaithe agus i nósanna imeachta go léir na Comhairle ag déanamh cinnte go gcomhlíontar iad.

MEASURE 4

- The Irish Language Officer is Derry and Strabane Council has a wide range of duties and responsibilities, among them are to:
- Develop, co-ordinate and deliver specialist learning and training initiatives to enhance Irish language proficiency and usage among Council employees and members;
- Liaise with approved external service providers to oversee the delivery of a quality assured translation and interpretation service for Irish and Ulster Scots;
- Establish and manage the ongoing training of a panel of Irish-speaking employees capable of providing access to Council information and services in Irish across all service areas;
- Deliver an ongoing programme of promotional and awareness-raising activities in order to maximise awareness of the Council's Irish and Ulster Scots language services and initiatives;
- Assist in the maintenance and development of a dedicated Irish and Ulster Scots web presence for the Council; manage and maintain an Irish language e-mail feedback system;
- Develop and maintain relations with the Irish language community and liaise with the Irish language media, representing the Council as required;
- Participate in and ensure compliance with all Council policies and procedures.

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BEARTAS 5

- Maidir leis an cheist faoi iniúchadh a dhéanamh chun cumas Gaeilge na foirne a mheas, dúirt an Chomhairle go bhfuil Oifig na Gaeilge le traenáil painéal foirne le Gaeilge a bhainistiú.
- Ba í Comhairle Chathair Dhoire agus an tSraitha Báin an t-aon chomhairle a dúirt go raibh an soláthar atá ann don Chaeilge anois níos fearr ná an soláthar a bhí ann sular atheagraíodh na ceantair chomhairle. Bhí seo amhlaidh toisc go raibh an soláthar a bhí i bhfeidhm i gComhairle Chathair Dhoire scaipthe ar fud cheantar Dhoire agus an tSraitha Báin, rud a chiallaíonn gur scaipeadh na seirbhísí agus na háiseanna reatha chuig cheantar tíreolaíoch nach raibh siad ar fáil ann roimhe.
- Tá polasaí ag an chomhairle úsáid na Gaeilge a spreagadh ag ócáidí foirmeálta agus ag cruinnithe poiblí agus cuirfidh sí ateangairí ar fáil.
- Is féidir leis an chomhairle nó le cónaitheoirí tús a chur le hiarratas ar chomharthaíocht dhátheangach. I ndiaidh an iarratais leagfar "an-tábhacht" ar mhóramh de dhá dtrian de na cónaitheoirí, bealach amháin nó bealach eile. Mar a bhfaigheann an Chomhairle agóidí i gcoinne comharthaíochta dátheangai, smaoinoidh an Chomhairle faoi bhealaí le caidrimh a fheabhsú sa cheantar;

CONCLÚID

Cé go bhfuil bearnaí sa soláthar go fóill, tá tiomantas léirithe ag an chomhairle chun a freagrachtaí faoin CETRM a chur i bhfeidhm de réir a chéile.

MEASURE 5

- The Council responded to the question regarding an audit of staff to establish proficiency in Irish amongst employees that the Irish Language Office is to manage the training of a panel of Irish speaking staff.
- Derry City and Strabane District Council was the only Council to respond that the provisions now available to the Irish language were more favourable than the provision that was available prior to the reorganisation of the council areas. This was because the provisions in place in the former Derry City Council were applied across the entire Derry and Strabane area, meaning that the existing resources and services were extended to a geographical area where they had not previously been.
- The council has a policy of encouraging the use of Irish at formal occasions and public meetings, and will provide interpreters.
- Requests for bilingual street signage can be initiated either by the council or by residents. Following an application "considerable weight" will be attached to a two-thirds majority of respondents either way. Where objections to bilingual signage received Council will consider how to improve good relations in the area;

CONCLUSION

Although gaps in provision remain, the council has shown a commitment to progressively realise their obligations under the ECRML.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA IMPLEMENTATION BY LOCAL COUNCILS

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COMHAIRLE CEANTAIR FHEAR MANACH AGUS NA HÓMAÍ FERMANAGH AND OMAGH DISTRICT COUNCIL

BEARTAS 1

- Chlac Comhairle Ceantair Fhear Manach agus na hÓmaí le Polasaí um Éagsúlacht Teanga in 2014. Fuair an taighde amach gur chomhlíon dréachtú an pholasaí an creat, sa mhéid is gur forbraíodh an polasaí i gcomhar le cainteoirí Gaeilge, forais réigiúnacha, agus grúpaí abhcóideachta.
- Tá Béarla agus Gaeilge ar lógó Chomhairle Ceantair Fhear Manach agus na hÓmaí toisc go dtéann an polasaí brandála níos faide ná lógó foirméalta agus go bhfuil ainmneacha dátheangacha ar fheithiclí, ar pháipéarachas agus ar chomharthaíocht na comhairle – ach nach bhfuil ar éide na comhairle.
- Tá réimse Pholasaí um Éagsúlacht Teanga Chomhairle Contae Fhear Manach agus na hÓmaí níos teoranta ná polasaithe eile ina bhfuil aidhmeanna agus cuspóirí lena n-áirítear tiomantais chun éagsúlacht teanga ann, chun “freagra iomchuí” a dhéanamh ar Ghaeilgeoirí ar mhian leo seirbhísí na comhairle a úsáid i nGaeilge agus chun an teanga a chur chun cinn go ginearálta.

BEARTAS 2

- Mar fhreagra ar cheist faoi áiseanna a chur ar fáil chun an Chaeilge a chur chun cinn agus a chaomhnú, dúirt an Chomhairle gur chaith siad £58,000 go hinmheánach a bhain le costais laistigh den chomhairle féin, agus £223 go seachtrach, a bhaineann le maoiniú agus tacaíocht a cuireadh ar fáil do ghrúpaí eile.

MEASURE 1

- Fermanagh and Omagh District Council adopted a Linguistic Diversity Policy in 2014. The research found the the formulation of the policy complied with the framework, in that the policy was developed in consultation with Irish speakers, regional bodies, and advocacy groups.
- The Fermanagh and Omagh District Council logo includes both the English and Irish language as the branding policy extends beyond a formal logo and includes bilingual names on council vehicles, stationery and signage – but not on council uniforms.
- The Fermanagh and Omagh District Council Policy on Linguistic Diversity is more limited in scope than other policies with aims and objectives that include commitments to promote linguistic diversity, to “respond appropriately” to Irish speakers wanting to use council services through the medium of Irish and generally to promote the language.

MEASURE 2

- In response to a question on resourcing the promotion and safeguarding of the Irish language, the Council reported an internal spend of £58,000 which relates to costs within the council itself, and £233 as external expenditure, which relates to funding and support made available to other groups.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA IMPLEMENTATION BY LOCAL COUNCILS

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BEARTAS 3

- Nuair a cuireadh ceist faoi bheartas a rinneadh chun dul i ngleic le leithcheal in éadan na Gaeilge, d'fhreagair an chomhairle go n-eagraíonn siad cláir, ranganna, imeachta ardaithfe feasachta agus ócáidí.
- Nuair a cuireadh ceist faoi bheartais a rinneadh chun caoinfhulaingt agus feasacht faoin Chaeilge a chur chun cinn, dúirt an Chomhairle go mbaintear úsáid as an Chaeilge ar ábhar agus ar bhrandaíl na comhairle agus sna cláir, ranganna, imeachtaí agus ócáidí ardaithfe feasachta a eagraíonn sí.

BEARTAS 4

- I gComhairle Ceantair Fhear Manach agus na hOmaí tá feidhmeanna mar a chéile ag an Oifigeach Gaeilge agus atá ag Comhairle Chathair Dhoire agus an tSrátha Báin, agus na dualgais faoi leith seo a leanas ina measc:
- a dheimhniú go gcloíonn an Chomhairle lena ndualgais reachtúla maidir le seirbhísí na Comhairle a sholáthar trí mheán na Gaeilge
- chun córas inmheánach aistriúcháin a choinneáil chun ceisteanna ón phobal a láimhseáil
- chun iniúchadh a dhéanamh ar litríocht dhátheangach na comhairle agus chun tuilleadh di a sholáthar
- chun a bheith chun tosaigh maidir le hacmhainneacht inmheánach na Gaeilge a sholáthar.
- chun forbairt chultúrtha na Gaeilge agus na hUltaise a chur chun cinn agus chun cur chuige comhpháirtíochta a fhorbairt ar chomhthionscadail agus ar thionscadail chomhroinnte
- chun tacú leis an Chomhairle chun a gcláir forbartha cultúir a sholáthar agus chun cuidiú a chur ar fáil do ghrúpaí atá ag teacht faoi imeachtaí ealaíona agus cultúrtha

MEASURE 3

- When asked what steps were taken to tackle prejudice towards the Irish language, the council replied that they run programmes, classes, awareness raising activities and events.
- When asked what steps were taken to promote tolerance and understanding of the Irish language, the council replied that it makes use of Irish in council materials and branding, programmes, classes, awareness raising activities and events.

MEASURE 4

- In Fermanagh and Omagh District Council the Irish Language Officer has similar functions to that of the Derry City and Strabane District Council, with specific duties to:
- ensure that the Council adheres to its statutory responsibilities regarding the provision of Council services through Irish
- to maintain an internal translation system to deal with public queries
- to audit and increase production of bilingual council literature
- to spearhead the provision of internal Irish language capacity.
- to promote the cultural development of the Irish language and Ulster Scots and develop partnership approaches on joint and shared initiatives
- to support the Council in the delivery of its cultural development programmes and provide assistance to groups undertaking arts and cultural events

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA IMPLEMENTATION BY LOCAL COUNCILS

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BEARTAS 5

- De réir an pholasaí, is féidir le hionadaithe an Ghaeilge a úsáid "nuair is cuí ach meas a léiriú ar fhéiniúlacht daoine eile." I Lúnasa 2015 rinne an Chomhairle comhairliúchán ar dhréacht-pholasaí Gaeilge agus tá dul chun cinn déanta ar bhrandáil dhátheangach, ach ní féidir a rá go bhfuil 'gníomh díogbháilte' ann chun an Ghaeilge a chosaint sa chreat CETMR.
- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha.
- Chuir an Chomhairle in iúl gurb ionann an soláthar agus a bhíodh i gComhairle Ceantair Fhear Manach agus na hÓmaí toisc go bhfuil an líon céanna foirne ag obair leis an teanga agus a bhíodh sna comhairlí roimhe seo.
- Ní chomhlíonann an polasaí ar chomharthaíocht dhátheangach na dualgais atá leagtha amach sa CETMR.

CONCLÚID

Cé go bhfuil céimeanna áirithe chun tosaigh ag an chomhairle chun an Ghaeilge a chosaint agus a chur chun cinn, níl Polasaí um Éagsúlacht Teanga na Comhairle 2014 ag comhlíonadh a dualgais faoin CETMR.

MEASURE 5

- The policy allows elected representatives to use Irish "whenever appropriate, while respecting others' identities." In August 2015 the Council consulted on a draft Irish language policy and it has taken steps on bilingual branding, but the present policy cannot be said to constitute 'resolute action' to safeguard the Irish language in the ECRML framework.
- No audit of Irish language skills among current staff has been undertaken.
- The council maintained that provision was the same as in Fermanagh and Omagh District Council as it had the same number of staff working on the language as there were in predecessor councils.
- The policy on bilingual street signage did not fulfil the obligations as set out in the ECRML.

CONCLUSION

Although some positive steps have been taken by the council in relation to protection and promotion of the Irish language, the Linguistic Diversity Policy 2014 does not fulfil the council's obligations under the ECRML.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA

IMPLEMENTATION BY LOCAL COUNCILS

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COMHAIRLE CATHRACH LIOS NA GCEARRBHACH AGUS AN CHAISLEÁN RIABHACH

LISBURN AND CASTLEREAGH CITY COUNCIL

BEARTAS 1

- D'fhreagair Comhairle Cathach Lios na gCearrbhach agus an Chaisleán Riabhach nach bhfuil aon pholasaí Gaeilge i bhfeidhm acu, nó forálacha ar bith don Ghaeilge in aon pholasaí ginearálta eile.
- Níl an Ghaeilge le feiceáil ar chor ar bith i mbrandáil, i gcomharthaíocht nó i lógó na comhairle, cé go gcuirfidh an Chomhairle ar fáil dá n-ionadaithe tofa páipéarachas dhátheangach dá n-úsáid féin agus é a iarraidh.

BEARTAS 2

- D'fhreagair Comhairle Lios na gCearrbhach agus an Chaisleán Riabhach nár chaith sí aon airgead ar áiseanna chun an Ghaeilge a chur chun cinn nó a chaomhnú, nár fhostaigh sí Oifigeach Gaeilge riamh agus nár chuir sí isteach riamh ar mhaoiniú atá ar fáil ó Fhoras na Gaeilge chun oifigeach a fhosú.

BEARTAS 3

- D'fhreagair Comhairle Cathrach Lios na gCearrbhach agus an Chaisleán Riabhach nár chuir sí beartas ar bith i bhfeidhm riamh chun dul i ngleic le leithcheal in éadan na Gaeilge, nó nár ghlac sí céimeanna ar bith riamh chun caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn.

MEASURE 1

- Lisburn and Castlereagh City Council responded that they have no Irish Language policy in place, or provisions for the Irish language within any other wider policy.
- No Irish language appears in the branding, signage or logo of the council, although the Council will provide elected members with bilingual stationery for their own use on request.

MEASURE 2

- Lisburn and Castlereagh City Council responded that they have spent no money on resourcing the promotion and safeguarding of the Irish language, have never employed an Irish Language Officer and has never applied for funding, available from Foras na Gaeilge, in order to employ one.

MEASURE 3

- Lisburn and Castlereagh City Council responded that they have never taken any measures to tackle prejudice against the Irish language, nor has it taken any measures to promote tolerance and understanding of the Irish language.

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BEARTAS 4

- Níor sholáthair Comhairle Chathair Lios na gCearrbhach agus an Chaisleán Riabhach aon eolas faoi cheann ar bith dá seirbhísí atá ar fáil trí mheán na Gaeilge nó faoi sheirbhísí a bhaineann leis an Ghaeilge.

BEARTAS 5

- Nuair a iarradh maidir leis na seirbhísí a bhí á soláthar i nGaeilge laistigh de chreat na n-óibleagáidí idirnáisiúnta, d'fhreagair Comhairle Chathair Lios na gCearrbhach agus An Chaisleán Riabhaigh nár bhain sé seo leo, ar an ábhar, is dócha, nach bhfuil aon pholasaí acu agus nach bhfuil aon ghníomh curtha i bhfeidhm acu maidir leis an Ghaeilge.
- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha.
- Ní chomhlíonann an polasaí ar chomharthaíocht dhátheangach na dualgais atá leagtha amach sa CETRM.

CONCLÚID

Níl an Chomhairle ag comhlíonadh a dualgais faoin CETRM.

MEASURE 4

- Lisburn and Castlereagh City Council did not provide any information on any services available through Irish or related to the Irish language.

MEASURE 5

- On being asked what services were provided in Irish within the framework of international obligations, Lisburn and Castlereagh City Council responded that this was not applicable to them, presumably as they have no policy and have stated in previous answers that they have taken no action in relation to the language.
- No audit of Irish language skills among current staff has been undertaken.
- The policy on bilingual street signage did not fulfil the obligations as set out in the ECRML.

CONCLUSION

The Council is not fulfilling its obligations under the ECRML.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA IMPLEMENTATION BY LOCAL COUNCILS

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COMHAIRLE BHUIRG LÁR AGUS OIRTHEAR AONTROMA MID AND EAST ANTRIM BOROUGH COUNCIL

BEARTAS 1

- D'fhreagair Comhairle Bhuirg Lár agus Oirthear Aontroma nach bhfuil aon pholasaí Gaeilge i bhfeidhm acu, nó forálacha ar bith don Ghaeilge in aon pholasaí ginearálta eile.
- Níl an Ghaeilge le feiceáil ar chor ar bith i mbrandáil, i gcomharthaíocht nó i lógó na comhairle.

BEARTAS 2

- D'fhreagair Comhairle Bhuirg Lár agus Oirthear Aontroma nár chaith si aon airgead ar áiseanna chun an Ghaeilge a chur chun cinn nó a chaomhnú, nár fhostaigh sí Oifigeach Gaeilge riamh agus nár chuir sí isteach riamh ar mhaoiniú atá ar fáil ó Foras na Gaeilge chun oifigeach a fhostú.

BEARTAS 3

- Nuair a cuireadh ceist faoi bheartas a rinneadh chun dul i ngleic le leithcheal in éadan na Gaeilge, d'fhreagair an chomhairle go bhfuil Scéim Comhionannais agus Dínit ar obair acu
- Nuair a cuireadh ceist faoi bheartais a rinneadh chun caoinfhulaingt agus feachtas faoin Ghaeilge a chur chun cinn, dúirt an Chomhairle go bhfuil Scéim Comhionannais agus Dínit ar obair acu agus go gcuireann sé chun cinn rang Gaeilge i bhfoilseacháin a bhaineann le himeachtaí.

MEASURE 1

- Mid and East Antrim Borough Council responded that they have no Irish Language policy in place, or provisions for the Irish language within any other wider policy.
- No Irish language appears in the branding, signage or logo of the Council.

MEASURE 2

- Mid and East Antrim Borough Council responded that they have spent no money on resourcing the promotion and safeguarding of the Irish language, have never employed an Irish Language Officer and has never applied for funding, available from Foras na Gaeilge, in order to employ one.

MEASURE 3

- When asked what steps were taken to tackle prejudice towards the Irish language, the council replied that they have an Equality Scheme and a Dignity at Work policy
- When asked what steps were taken to promote tolerance and understanding of the Irish language, the council replied that has an Equality Scheme and a Dignity at work policy and promotes an Irish language class in events publications.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA IMPLEMENTATION BY LOCAL COUNCILS

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BEARTAS 4

- Níor sholáthair Comhairle Bhuirg Lár agus Oirthear Aontroma aon eolas faoi cheann ar bith dá seirbhísí atá ar fáil trí mheán na Gaeilge nó faoi sheirbhísí a bhaineann leis an Ghaeilge.

BEARTAS 5

- Nuair a iarradh maidir leis na seirbhísí a bhí á soláthar i nGaeilge laistigh de chreat na n-oidleagáidí idirnáisiúnta, d'fhreagair Comhairle Bhuirg Lár agus Oirthear Aontroma nár bhain sé seo leo, ar an ábhar, is dócha, nach bhfuil aon pholasaí acu agus nach bhfuil aon ghníomh curtha i bhfeidhm acu maidir leis an Ghaeilge.
- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha.
- D'fhreagair Comhairle Bhuirg Lár agus Oirthear Aontroma gur sholáthair siad, ar iarratas, seirbhís trína dtugtar freagra ar chomhfhreagas, nó ar iarratais ghutháin nó ó dhaoine i nGaeilge.
- Níl aon pholasaí reatha acu ar chomharthaíocht dhátheangach agus dá bhrí sin ní chomhlíonann an polasaí ar chomharthaíocht dhátheangach na dualgais atá leagtha amach sa CETRM.

CONCLÚID

Níl an Chomhairle ag comhlíonadh a dualgais faoin CETRM.

MEASURE 4

- Mid and East Antrim Borough Council did not provide any information on any services available through Irish or related to the Irish language.

MEASURE 5

- On being asked what services were provided in Irish within the framework of international obligations, Mid and East Antrim Borough Council responded that this was not applicable to them, presumably as they have no policy and have stated in previous answers that they have taken no action in relation to the language.
- No audit of Irish language skills among current staff has been undertaken.
- Mid and East Antrim Borough Council responded that they delivered, on request, the service of responding to correspondence, or telephone or in-person requests in Irish.
- The have no current policy on bilingual street signage and therefore do not fulfil the obligations as set out in the ECRML.

CONCLUSION

The Council is not fulfilling its obligations under the ECRML.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA IMPLEMENTATION BY LOCAL COUNCILS

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COMHAIRLE CEANTAIR LÁR ULADH MID ULSTER DISTRICT COUNCIL

BEARTAS 1

- Chlac Comhairle Lár Uladh le Polasaí Gaeilge i Nollaig 2015.
- Fuair an taighde amach gur chomhlíon forbairt an pholasaí an creat, sa mhéid is gur forbraíodh an polasaí i gcomhar le cainteoirí Gaeilge, forais réigiúnacha, agus grúpaí abhcóideachta.

BEARTAS 2

- Mar fhreagra ar cheist faoi áiseanna a chur ar fáil chun an Ghaeilge a chur chun cinn agus a chaomhnú, dúirt an Chomhairle gur chaith siad £118,580 go himmheánach a bhain le costais laistigh den chomhairle féin. Ní raibh eolas ar fáil maidir leis an chaiteachas seachtrach ag am scríobh na tuairisce.
- Tharraing an Chomhairle síos £20,000 maoiniú mar chuid den Scéim Oifigeach Gaeilge atá á reachtáil ag Foras na Gaeilge.

BEARTAS 3

- D'fhreagair Comhairle Ceantair Lár Uladh gurbh iad na beartais chun dul i ngleic le leithcheal in éadan na Gaeilge agus chun caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn ná dáir, ranganna, imeachtaí chun feasacht a ardú, feiceálacht na teanga a mhéadú, agus comharthaíocht sráide i nGaeilge a chur in airde.

MEASURE 1

- Mid Ulster Council adopted an Irish Language Policy in December 2015.
- Research found that the development of the policy complied with the framework, in that it included consultation with Irish speakers, regional bodies, and advocacy groups.

MEASURE 2

- In response to a question on resourcing the promotion and safeguarding of the Irish language, the Council reported an internal spend of £118,580 which relates to costs within the council itself. Information relating to external spend was not available at the time of writing the report.
- The Council drew down £20,000 of funding as part of the Irish Language Officer Scheme which is run by Foras na Gaeilge.

MEASURE 3

- Mid Ulster District Council responded that among the actions taken to tackle prejudice and aid the promotion, tolerance and understanding of the language include programmes, classes, awareness raising activities events, increasing visibility of the language, erecting Irish street signage.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA IMPLEMENTATION BY LOCAL COUNCILS

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BEARTAS 4

- Feidhmíonn an Polasaí Gaeilge laistigh den chreat CETRM agus tá sé lonnaithe ar sheacht bprionsabal threoracha, agus plean gníomh ina bhfuil liosta de bheartais faoi leith le cur i bhfeidhm. Áirítear leis seo fhorbairt plean do cheantar na comhairle chun Gaeilge a chur chun cinn agus a fhorbairt, féiniúlacht chorparáideach dhátheangach, foilseacháin, poiblíocht, comhfhreagras, an Ghaeilge a chur chun cinn i gcur i láthair, in oiliúint foirne, in úsáid na Gaeilge a spreagadh agus i mbeartais chun feiceálacht na Gaeilge a mhéadú. Tá beartais sa pholasaí seo go soiléir arb ionann iad agus gníomh diongbháilte mar atá leagtha amach sa CETRM.

BEARTAS 5

- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha.
- Tá sé ráite i bpolasaí nua maidir le hainmniú sráideanna a tugadh isteach in 2018 go gcaithfidh "aird a bheith ag an Chomhairle ar cheist ar bith a bhaineann leis an ábhar a chuireann na daoine a bhfuil cónaí orthu sa tsráid sin in iúl." Luaitear ann fosta go gcaithfidh an méid seo a leanas in ainmneacha sráide: "ainm baile fearainn, nó gné áitiúil tíreolaíochta, topagrafaíochta, sóisialta nó stairiúil."

CONCLÚID

Cé go bhfuil bearnaí sa soláthar, léirigh an chomhairle tiomantas chun a gcuid dualgas de réir an CETRM a aithint.

MEASURE 4

- The Irish Language Policy explicitly operates within the framework of the ECRML and is centred on seven guiding principles, with an action plan enumerating specific measures for implementation. This includes the development of a plan for the council area for promoting and developing Irish, a bilingual corporate identity, publications, publicity, correspondence, promoting the use of Irish in presentations and events, staff training, encouragement of use of Irish and measures to enhance the visibility of Irish. This policy clearly contains measures constituting resolute action as set out in the ECRML.

MEASURE 5

- No audit of Irish language skills among current staff has been undertaken.
- A new street-naming policy introduced in 2018 stated that the Council "must have regard to any views on the matter expressed by the occupiers of premises in that street." It also states that street-names should "reflect the local townland name, or a local geographical/topographical, social or historical feature."

CONCLUSION

Although gaps in provision remain, the council has shown a commitment to progressively realise their obligations under the ECRML.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA IMPLEMENTATION BY LOCAL COUNCILS

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COMHAIRLE CEANTAIR AN IÚIR, MHÚRNA AGUS AN DÚIN NEWRY, MOURNE AND DOWN DISTRICT COUNCIL

BEARTAS 1

- Chlac Comhairle Ceantair an Iúir, Mhúrna agus an Dúin Polasaí Dátheangach i Nollaig 2015.
- Fuair an taighde amach gur chomhlíon forbairt an pholasaí an creat, sa mhéid is gur forbraíodh an polasaí i gcomhar le cainteoirí Gaeilge, forais réigiúnacha, agus grúpaí abhcóideachta.
- Is í Comhairle Ceantair an Iúir, Mhúrna agus an Dúin an chomhairle is comhlíontaí. Is cosúil, áfach, go bhfuil an polasaí go fóill lánroghnach: ní aithnítear teidlíocht, agus níl aon toimhde ann i bhfách le dátheangachas a chur chun cinn, comhsheasmhacht leis an CETRM agus ionstraimí eile, muna gcomhlíontar coinníollacha faoi leith.
- Tá sraith de ghnásanna a thacaíonn leis an pholasaí lena n-áirítear féiniúlacht dhátheangach chorparáideach, láithreán gréasáin dhátheangach, cead d'ionadaithe na comhairle ag ócáidí cathracha Gaeilge a úsáid, cinnte a dhéanamh de go léirítear meas don Chaeilge in imeachtaí de chuid na Comhairle, agus tacú le himeachtaí a bhaineann le teanga agus cultúr na Gaeilge. Is éard atá sna gníomhaireachtaí seo le chéile gníomh díonbháilte chun an teanga a chosaint.

BEARTAS 2

- Mar fhreagra ar cheist faoi áiseanna a chur ar fáil chun an Ghaeilge a chur chun cinn agus a chaomhnú, dúirt an Chomhairle gur chaith siad £161,143 go himheánach a bhain le costais laistigh den chomhairle féin. Caitheamh £18,427 go seachtrach, a bhaineann le tacaíocht agus maoiniú a chur ar fáil do ghrúpaí eile.
- Tá trí ball foirne fostaithe ag an Chomhairle in Aonad na Gaeilge.

MEASURE 1

- Newry, Mourne and Down District Council adopted a Bilingualism Policy in December 2015.
- Research found that the development of the policy complied with the framework, in that it included consultation with Irish speakers, regional bodies, and advocacy groups.
- The council that is most compliant is Newry, Mourne & Down. However the policy still appears discretionary: no entitlement is recognised, and there is no presumption in favour of promoting bilingualism unless certain conditions, consistent with the ECRML and other instruments, are met.
- The policy is supplemented by a set of procedures which include a bilingual corporate identity, a bilingual website, permitting council representatives at civic events to use Irish, ensuring consideration is given to including Irish in council events, and supporting Irish language and cultural activities. All of these activities collectively constitute resolute action to safeguard the language.

MEASURE 2

- In response to a question on resourcing the promotion and safeguarding of the Irish language, the Council reported an internal spend of £161,143 which relates to costs within the council itself. £18,427 was spent externally, which relates to support and funding provided to other groups.
- 3 staff members are employed by the Council in an Irish Language Unit.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA IMPLEMENTATION BY LOCAL COUNCILS

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BEARTAS 3

- D'fhreagair Comhairle Ceantair an Lúir, Mhúrna agus an Dúin gurbh iad na beartais chun dul i ngleic le leithcheal in éadan na Gaeilge agus chun caoinfhulaingt agus feasacht faoin Chaeilge a chur chun cinn ná imeachtaí chun feasacht a ardú, ócáidí, feiceálacht na teanga a mhéadú, comharthaíocht sráide i nGaeilge a chur in airde, gnéithe maidir le comharthaíocht i nGaeilge a thógáil, brandáil chorpóraideach, srl, i ngrúpa tagartha comhionannais traspháirtí.
- I measc na mbeartas chun cur chun cinn, caoinfhulaingt agus feasacht faoin Chaeilge a chur chun cinn bhí úsáid na Gaeilge ar ábhar na comhairle, agus brandáil, agus imeachtaí chun feasacht a ardú, feiceálacht na teanga a mhéadú, comharthaíocht sráide a chur in airde, agus comharthaí dátheangacha chun fáilte a fhearadh chuig an cheantar a chur in airde.

BEARTAS 4

- Cuireann An tLúir, an Dún agus Múrna aistriúchán comhuaineach ar fáil ar imeachtaí (lena n-áirítear cruinnithe comhairle) ina bhfuil an Ghaeilge in úsáid.
- I measc na gcuspóirí polasaí atá ag an chomhairle is féidir le duine ar bith a bhaineann feidhm as seirbhísí na comhairle iad a fháil i mBéarla agus i nGaeilge sa Chomhairle agus chun constaicí ar bith a bheadh in éadan fhorbairt na teanga a bhaint ar shiúl.

MEASURE 3

- Newry, Moume and Down District Council responded that among the actions taken to tackle prejudice of the language include awareness raising activities, events, increasing visibility of the language, erecting Irish language street signage, raising matters relating to Irish language signage, corporate branding etc. in a cross party equality reference group.
- Among the measures taken to aid promotion, tolerance and understanding of the language include the use of Irish in council materials and branding, awareness raising activities, events, increasing the visibility of the language, erecting street signage, erecting bilingual welcome signs to the district

MEASURE 4

- Newry, Down and Mourne provides simultaneous translation at events (including council meetings) where Irish is used.
- The council's policy objectives include enabling anyone who receives council services to do so through English or Irish, to promote the use of Irish within the Council and to remove any restrictions which would work against the development of the language

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA IMPLEMENTATION BY LOCAL COUNCILS

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BEARTAS 5

- Nuair a bunaíodh Comhairle an Iúir, Mhúrna agus Dúin in 2015 bhí an soláthar a rinneadh i gComhairle Ceantair an Iúir agus Mhúrna faoi bhrú chun an limistéar níos leithne a chlúdach, limistéar a raibh Comhairle Ceantair an Dúin mar chuid de. Mar sin de, cé go raibh limistéar níos leithne clúdaithe ag cosaíntí Gaeilge nuair a tháinig limistéir na gComhairlí le chéile, d'aithin an Chomhairle nárbh ionann é seo agus tuilleadh cosaíntí a bheith ar fáil toisc nár cuireadh tuilleadh ar fáil chun an t-ualach breise oibre a aithint.
- I measc na gcuispóirí polasaí atá ag an chomhairle tá sé i gceist go mbainfear ar shiúl constaicí ar bith a rachaidh in éadan fhorbairt na teanga.
- In 2018 tugadh faoi iniúchadh ar scileanna teanga fhoireann na comhairle mar chuid de chlár oiliúna le Gaelchultúr.
- Chun comharthaíocht dhátheangach a chur in airde, tá tacaíocht de dhíth, go simplí, ó mhóramh cónaitheoirí a luaithe agus a dhéanann cónaitheoir iarratas, de réir an chleachtais atá molta.

CONCLÚID

Cé go bhfuil bearnaí sa soláthar, léirigh an chomhairle tiomantas chun a gcuid dualgas de réir CETRM a aithint.

MEASURE 5

- When Newry, Mourne & Down Council came into being in 2015 the provision that was made in the Newry and Mourne District Council was then stretched in order to cover the larger geographical area which now included Down District Council. Therefore, although a larger geographical area was covered by Irish language protections once the councils areas had merged, the Council acknowledged that this did not mean that there was more protection available as no additional resources were made available to reflect the increased workload.
- The council's policy objectives include removing any restrictions which would work against the development of the language
- In 2018 an audit of the language skills of council staff was undertaken as part of a training programme with Gaelchultúr.
- In order to erect bilingual signage, a simple majority of residents' support is required once an application has been made by a resident, in line with recommended practice.

CONCLUSION

Although gaps in provision remain, the council has shown a commitment to progressively realise their obligations under the ECRML.

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NEWRY, MOURNE AND DOWN DISTRICT COUNCIL

Minutes of the Local Development Plan Steering Group Meeting

12 October 2018 at 10am

In the Council Chamber, Downshire Civic Centre, Downpatrick

Attendees:

Members: Cllr M Larkin (Chair)

Cllr G Craig

Cllr M Ruane

Cllr W Clarke

Cllr D McAteer

Officials: Mr A Hay Principal Planning Officer
Mrs M McIlhone Business Support Manager (Secretariat)

Apologies: Cllrs M Murnin; A McKay; M Ward; L Hannaway

1. Minutes of last meeting on 8 May 2018

The minutes of the last meeting were agreed on the proposal of Cllr Craig and seconded by Cllr Ruane.

2. Update on Preferred Options Paper (POP) - Public Consultation Exercise

Mr Hay provided an update on the public consultation exercise for the POP. Following launch of the POP on 29 May 2018, he advised that the POP was made publicly available for inspection and comment for a 12 week period from 1 June 2018 to 24 August 2018. He further advised that in terms of publicity, statutory public notices were published in local newspapers for 2 consecutive weeks during May 2018. In addition, notification letters were sent out to all statutory consultation bodies as well as a host of other parties, including groups and organisations using the DEA, Community Planning and Economic Forum databases; letters were also sent out to all post primary schools and the two regional colleges in the district. Over 800 notification letters were issued. An article was also included in the Council's NMD Business Support E-zine which is distributed to over 2600 local businesses and stakeholders. Details were also put up on the Council's website, and posted on the Council's social media. The various notices, letters and articles introduced the POP and gave details of the public engagement exercise which took place over the first three weeks of June, with the Development Plan Team hosting 14 'Drop In' sessions across the district, two for each DEA, with one session in the afternoon and one in the evening. During the consultation period other meetings were facilitated on request.

In total 222 representations were received in response to the POP within the public consultation period. A further 6 representations were received after the consultation period closed and have been recorded as late responses. The level of response was considered good in comparison to other Councils. The representations ranged from addressing single issues, to more comprehensive responses.

An analysis of the representations is being carried out and a Public Consultation Report will be produced for consideration by the Steering Group before submission to the SPR committee.

Cllr Clarke indicated that overall there had been a good response and enquired if there was a breakdown regards the rural aspect of the district. Mr Hay advised that it was too early at this stage to give a breakdown of the representations, however given the spread of responses as received from various statutory bodies, community groups and organisation, political representations, agents, and individuals from across the district it was anticipated that many will have addressed matters relating to the rural area.

Cllr Clarke asked if any responses had been received in respect of social housing. Mr Hay advised that some responses had made reference to social housing, and added that a response had been received from the Housing Executive but they had not received a response from any Housing Association.

Cllr McAteer asked if there had been any responses deviating from POP content. Mr Hay advised that a number of responses had raised site specific matters including requests for sites to be considered for development. He also advised that a number of representations had been received in respect of specific planning and environmental issues, adding that all responses would be carefully considered and assessed against the POP. On initial assessment, most responses made directed reference to the content of the POP and the preferred options.

Cllr Craig indicated that he considered the public consultation exercise and level of engagement had been good and the number of responses was pleasing. He asked if any weight could be attributed to the late responses. Mr Hay advised that in reference to the LDP regulations the late responses could not be accepted as valid representations to the POP as they had not been made within the specified consultation period. However, he acknowledged that some of the late responses may contain information which would be of value to the LDP, and it would be in the Council's interest to consider them. Mr Hay advised that as part of the on-going preparation of the LDP there was scope to consider the late responses as general correspondence.

Cllr Ruane suggested that it would be better to make an early decision on how we should treat the late responses, otherwise responses could continue to be submitted, there needs to be a cut off. Mr Hay agreed, advising that the cut off in respect of valid representations should be the close of the consultation period. He advised some discretion had been applied to responses received after the consultation period had closed, for those where it could not be demonstrated that the representation had been posted or emailed before the close were recorded as late responses. He added that to accept responses as representations to the POP after the close would risk setting a precedent in the handling of representations received in response to the more critical public consultation stages of the LDP. Mr Hay recommended that all representations in response to the POP received after the close be treated as late responses and as such be handled as general correspondence to

the LDP; this would still allow their content to be considered in progressing the preparation of the LDP.

3. Next Steps

Mr Hay informed members that a Public Consultation Report will be drafted after all responses have been analysed. This report will be taken to the next Steering Group meeting for member's consideration. The next stage of the LDP is the preparation of the first of the development plans documents, the Draft Plan Strategy which would be subject to Independent Examination. Mr Hay added that other councils have found this stage to be more challenging and resource intensive than originally envisaged. Consequently, in taking account, and learning from the experiences, of the other councils who are further into the LDP process than ourselves, the Development Plan Team are reviewing the work programme. As part of this process there will be a need to revise the Plan Timetable.

4. Date of Next meeting

A date for the next meeting will be arranged – to be held in Newry.

Report to:	Strategy, Policy and Resources Committee
Date of Meeting:	14 February 2019
Subject:	Local Development Plan – Timetable Revision
Reporting Officer:	Anthony McKay, Chief Planning Officer
Contact Officer:	Andrew Hay, Principal Planning Officer

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

For decision	X	For noting only	
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1.0	Purpose and Background
1.1	To update members on progress with the Local Development Plan (LDP) and to review the Timetable for the preparation, production and adoption of the LDP. The Timetable details the key stages, actions, and an indicative timeframe in the plan preparation process.
1.2	The current Timetable was approved by the Council in July 2017; following consultation with the Planning Appeals Commission (PAC), it was agreed by the Department for Infrastructure (DfI) in October 2017. A summary of the current Timetable is attached at Appendix 1.
1.3	The Timetable is a statutory requirement which requires to be kept up to date. The Planning Act (Northern Ireland) 2011 requires the Council to prepare, and keep under review a timetable for the preparation and adoption of the LDP. It has also been agreed with DfI that the Timetable will be kept under review and to formally revise and update the Timetable to reflect progress and projected timeframes.
1.4	In reviewing the current Timetable and in taking account of progress to date and projected timeframes, it is now considered necessary to revise the Timetable.
1.5	A revised Timetable has been drafted for members consideration and agreement. A summary of the draft revised Timetable is attached at Appendix 2.
1.6	The revised Timetable was considered and agreed at the LDP Steering Group meeting on 11 th February 2019.
2.0	Key issues
2.1	The Timetable is a public statement of the Council's programme for the production of the LDP, it helps to ensure that the plan process is efficiently managed and that the key stakeholders such as the statutory consultation bodies and the PAC are

	<p>kept informed and can manage their own resources to facilitate their involvement in the LDP process. The Timetable sets out the Council's indicative programme for the production of the LDP and details the key stages of the plan preparation process from the initial stages of the POP through the preparation and adoption of the Plan Strategy and subsequent Local Policies Plan.</p>
2.2	<p>The Council has completed the Preferred Options Paper (POP) stage and work is currently progressing the preparation of the next formal stage of the LDP, the draft Plan Strategy.</p>
2.3	<p>The current Timetable refers to the POP being published in the 4th Quarter of 2017/18 (i.e. by end of March 2018). Some slippage in finalising the POP was experienced and it was not published until 1st June 2018 (i.e. 1st Quarter of 2018/19). This slippage was discussed with DfI at the time, which advised that a slippage of up to 3 months was generally acceptable before consideration needed to be given to revising the Timetable.</p>
2.4	<p>The current Timetable indicates the publication of the draft Plan Strategy in 4th Quarter 2018/19. Given the slippage to date, and as informed by experience and updated knowledge of the time, resources, logistics and overall processes involved, it will not be possible to publish the draft Plan Strategy by the end of March 2019, an indicative target date that was informed by DfI guidance and has now proven to be unrealistic. As such the current Timetable requires to be revised.</p>
2.5	<p>The draft Plan Strategy will be the first of two Development Plan Documents that will be subject to Independent Examination (the other being the draft Local Policies Plan). Informed by the POP process and our preparatory work to date we have reviewed our work programme for the draft Plan Strategy.</p>
2.6	<p>On assessment of the work required for the draft Plan Strategy, this stage is proving to be more complex, resource intensive and a lengthier process than envisaged at the outset of this new development plan process.</p>
2.7	<p>The preparatory work for the draft Plan Strategy requires a number of work strands, some of which will require the commissioning of detailed studies, not anticipated at the outset of the process, to support the evidence base. These will include a Retail and Leisure Study, a Landscape Character Assessment, Urban Capacity Study, Employment Needs Assessment, and an Open Space Study.</p>
2.8	<p>These detailed studies are essential in seeking to ensure that the draft Plan Strategy meets the soundness tests. This evidence will also inform the later Local Policies Plan and, therefore, time spent now should help frontload the later stage of plan development.</p>
2.9	<p>In addition to some slippage in the Timetable to date, DfI and the PAC have now advised councils to programme at least a year for the Independent Examination (IE) process at both the draft Plan Strategy and draft Local Policies Plan stages. It</p>

2.10	<p>should be noted that whilst the Timetable generally remains within the Council's control until all documents are submitted to DfI for the IE, after this point the timeframes are largely within the control of DfI and the PAC.</p> <p>The completion of the POP stage presents a timely opportunity to consider progress to date and the next stages in the process. The above matters have implications for the Timetable and it is now considered necessary to revise the Timetable at this time. As one of the procedural tests of soundness is adherence to the agreed Timetable, it is important to ensure that the Timetable remains as up to date as possible. In response to changes in the anticipated timeline for LDP preparation, there is provision within the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 to allow the Council to revise the Timetable. As for the current Timetable, any revised Timetable requires to be approved by the Council prior to submission to DfI for its agreement.</p>
2.11	<p>A revised Timetable has been drafted. A summary of the draft revised Timetable is attached at Appendix 2. In respect of the next stage of the LDP process, members will note that the indicative timeframe for the publication of the draft Plan Strategy is now 2nd – 3rd Quarter 2020/21.</p>
2.12	<p>The draft revised Timetable was considered and agreed at the LDP Steering Group meeting on 11th February 2019 and recommended to the SPR Committee for its agreement. Subject to the agreement of the SPR Committee and approval thereafter by the Council, the Planning Department will liaise with the PAC and other key stakeholders prior to submitting the revised Timetable to DfI for its agreement.</p>
3.0	Recommendations
3.1	<p>It is recommended that the Committee note the content of this report, and agrees:</p> <ul style="list-style-type: none"> • The draft revised Timetable as set out in Appendix 2; • That following Council approval, the Planning Department liaises with the PAC and other key stakeholders prior to submitting the revised Timetable to DfI for its agreement; • That following agreement of the revised Timetable by the Department for Infrastructure, that it be made available and published in accordance with Regulation 8 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015
4.0	Resource implications
4.1	N/A
5.0	Equality and good relations implications
5.1	N/A
6.0	Rural Proofing implications

6.1	N/A
7.0	Appendices
	<ol style="list-style-type: none"> 1. Agreed Current LDP: Timetable – Summary (Oct’17) 2. Draft Revised LDP: Timetable - Summary (Feb’19)
8.0	Background Documents
8.1	<ul style="list-style-type: none"> • The Planning Act (Northern Ireland) 2011 • The Planning (Local Development Plan) Regulations (Northern Ireland) 2015 • Local Development Plan: Timetable (Oct’17)

Appendix 1: Current Agreed LDP Timetable (Oct'17)

Newry, Mourne and Down District Council Local Development Plan: Timetable			
Local Development Plan process: key stages		Sustainability appraisal & other assessments	Indicative Timeframe
Stage 1 – Plan Preparation	Statement of Community Involvement (SCI) & LDP Timetable		
	Publication of Draft SCI Public consultation (4 weeks)		4th Quarter 2016/17
	Publication of SCI and LDP Timetable Following agreement by Central Government		3rd Quarter 2017/18
	Preferred Options Paper (POP)		
	Stakeholder engagement	Invite comments from Consultation Body (NIEA) on draft SA (Inc SEA) Scoping Report	3rd – 4th Quarter 2017/18
	Publication of Preferred Options Paper Statutory public consultation (12 weeks)	Publication of SA Interim Report comprising Scoping Report and appraisal of alternative options Screening for HRA, EQIA and Rural Proofing	4th Quarter 2017/18 (public consultation 4 th Quarter 2017/18 – 1 st Quarter 2018/19)
Stage 2 – Plan Strategy	Plan Strategy		
	Publication of draft Plan Strategy (PS) Statutory public consultation (8 weeks for representation & 8 weeks for counter-representations)	Publication of SA Appraisal Report (Incorporating SEA) Publication of drafts of HRA, EQIA and RPA where relevant	4th Quarter 2018/19 (public consultation 4 th Quarter 2018/19 – 1 st Quarter 2019/20)
	Independent Examination (PAC Dependant)		
	IE of draft Plan Strategy From submission of draft PS for IE, IE hearing, submission of IE Advisory Report to Central Government, to receipt of Binding Report/Direction from Central Government to the Council.		2nd – 4th Quarter 2019/20
	Council considers Binding Report/Direction and incorporates any changes into the final PS	May require further consultation with statutory bodies	1st Quarter 2020/2021
	Adoption of Plan Strategy	Publication of SA Adoption Report (incorporating SEA) Publication of HRA, EQIA and RPA where relevant.	2nd Quarter 2020/2021

Stage 3 – Local Policies Plan	Local Policies Plan		
	Statutory Stakeholder engagement.	Invite comments from Consultation Body (NIEA) on draft SA (incorporating SEA) Scoping Report. Publication of SA Interim Report comprising Scoping Report and appraisal of alternative options.	3rd – 4th Quarter 2020/21
	Publication of draft Local Policies Plan Statutory public consultation (8 weeks for representation & 8 weeks for counter-representations)	Publication of SA Appraisal Report (Incorporating SEA) Publication of drafts of HRA, EQIA and RPA where relevant.	1st Quarter 2021/22 (public consultation 1 st -2 nd Quarter 2021/22)
	Independent Examination (PAC Dependant)		
	IE of draft Local Policies Plan From submission of draft LPP for IE, IE hearing, submission of IE Advisory Report to Central Government, to receipt of Binding Report/Direction from Central Government to the Council.		3rd Quarter 2021/22 – 1st Quarter 2022/23
	Council considers Binding Report/Direction and incorporates any changes into the final LPP.		2nd Quarter 2022/23
	Adoption of Local Policies Plan	Publication of SA Adoption Report (Incorporating SEA)	3rd Quarter 2022/23
Stage 4 – Monitor &	Monitoring and Review of LDP		
	Prepare new timetable		3rd Quarter 2022/23
	Monitoring and Review of LDP Annual Monitoring Report Review every 5 years	Monitoring of SA and other assessments.	Ongoing

Note:

- This is an indicative Timetable and may be subject to change due to factors outside the Council's control.
- The indicative timescales refer to quarters of the financial year.

Appendix 2: Draft Revised LDP Timetable (Feb'19)

Newry, Mourne and Down District Council Local Development Plan: Timetable			
Local Development Plan process: Key Stages		Sustainability appraisal & other assessments	Indicative Timeframe
Stage 1 – Plan Preparation	Statement of Community Involvement (SCI) & LDP Timetable		
	Publication of Draft SCI Public consultation (4 weeks)		4th Quarter 2016/17
	Publication of SCI and LDP Timetable Following agreement by Central Government		3rd Quarter 2017/18
	Preferred Options Paper (POP)		
	Stakeholder engagement	Invite comments from Consultation Body (NIEA) on draft SA (Inc SEA) Scoping Report	3rd – 4th Quarter 2017/18
	Publication of Preferred Options Paper (POP) Statutory public consultation (12 weeks)	Publication of SA Interim Report comprising Scoping Report and appraisal of alternative options Screening for HRA, EQIA and Rural Proofing	1st Quarter 2018/19 (public consultation 1 st – 2 nd Quarter 2018/19)
Stage 2 – Plan Strategy	Plan Strategy (PS)		
	Publication of draft Plan Strategy (PS) Statutory public consultation (8 weeks for representation & 8 weeks for counter-representations)	Publication of SA Appraisal Report (Incorporating SEA) Publication of drafts of HRA, EQIA and RPA where relevant	2nd – 3rd Quarter 2020/21 (public consultation 3 rd – 4 th Quarter 2020/21)
	Independent Examination (PAC Dependant)		
	IE of draft Plan Strategy From submission of draft PS for IE, IE hearing, submission of IE Advisory Report to Central Government, to receipt of Binding Report/Direction from Central Government to the Council.		1st Quarter 2021/22 – 1st Quarter 2022/23
	Council considers Binding Report/Direction and incorporates any changes into the final PS	May require further consultation with statutory bodies	2nd Quarter 2022/23
	Adoption of Plan Strategy	Publication of SA Adoption Report (incorporating SEA) Publication of HRA, EQIA and RPA where relevant.	3rd Quarter 2022/23

Stage 3 – Local Policies Plan	Local Policies Plan (LPP)		
	Statutory Stakeholder engagement.	Invite comments from Consultation Body (NIEA) on draft SA (incorporating SEA) Scoping Report. Publication of SA Interim Report comprising Scoping Report and appraisal of alternative options.	4 th Quarter 2022/23 – 1 st Quarter 2023/24
	Publication of draft Local Policies Plan (LPP) Statutory public consultation (8 weeks for representation & 8 weeks for counter-representations)	Publication of SA Appraisal Report (Incorporating SEA) Publication of drafts of HRA, EQIA and RPA where relevant.	2 nd – 4 th Quarter 2023/24 (public consultation 4 th Quarter 2023/24 – 1 st Quarter 2024/25)
	Independent Examination (PAC Dependant)		
	IE of draft Local Policies Plan From submission of draft LPP for IE, IE hearing, submission of IE Advisory Report to Central Government, to receipt of Binding Report/Direction from Central Government to the Council.		2 nd Quarter 2024/25 – 2 nd Quarter 2025/26
	Council considers Binding Report/Direction and incorporates any changes into the final LPP.		3 rd Quarter 2025/26
	Adoption of Local Policies Plan	Publication of SA Adoption Report (Incorporating SEA)	4 th Quarter 2025/26
Stage 4 – Monitor & Review	Monitoring and Review of LDP		
	Prepare new timetable		4 th Quarter 2025/26
	Monitoring and Review of LDP Annual Monitoring Report Review every 5 years	Monitoring of SA and other assessments.	Ongoing

Note:

- This is an indicative Timetable and may be subject to change due to factors outside the Council's control.
- The indicative timescales refer to quarters of the financial year.

Report to:	NMDDC Strategic Policy and Resources Committee
Date of Meeting:	14 February 2019
Subject:	Review of Community Planning Governance
Reporting Officer:	Jonathan McGilly, Assistant Director Community Planning and Performance (Acting)
Contact Officers:	David Patterson, Head of Community Planning

For Decision		X	For Noting Only	
1.0	Purpose			
1.1	<p>The purpose of this report is to:</p> <ul style="list-style-type: none"> summarise work to date on reviewing the current Community Planning governance structures in Newry, Mourne and Down seek Committee approval of a timetable of work with Community Planning partners to re-focus the work of Thematic Groups on a smaller number of more strategic and shared priorities seek Committee approval for amendment to elected Members representation on Thematic Groups 			
2.0	Background			
2.1	<p>Council Officials secured a mandate from the Community Planning Partnership (CPP) Board in October 2018 to undertake a review of current governance structures and to consider options for improvement. At the CPP Board meeting in January 2019 members agreed to a set of Guiding Principles to assist prioritisation of Community Planning actions an outline timetable for more detailed work with Community Planning partners designed to re-focus the work of Thematic Groups and to amend Terms of Reference as appropriate.</p> <p>At the Party Representatives' Forum (PRF) meeting in December 2018, Members were presented with a number of options for Elected Members' involvement in future Thematic Groups.</p>			
2.2	<p>Appendix I provides background information in relation to the current structures used for the purposes of Community Planning.</p>			
3.0	Guiding Principles			
3.1	<p>In developing a new governance model and potential options for membership, Council Officials have used the lessons-learned from practice elsewhere, including Scotland where Community Planning is much more established, to develop a number of guiding principles.</p>			

3.2	<p>These are as follows:</p> <ul style="list-style-type: none"> i. Shared Priorities – there should be a greater focus on a fewer number of priorities, which are shared by all Community Planning Partners; ii. Addressing Inequality - all shared priorities, and supporting activities should address inequalities and enable the inclusion of more disadvantaged groups in their design and delivery. iii. Collaboration – progress towards the achievement of key Community Planning outcomes must be the result Partner organisations working together; iv. Innovation – Community Planning approaches to a shared issue or problem, including any actions that follow, must be new or new to the locality; v. Additionality – actions must be additional, rather than a repeat existing Partner activity (either individually or collectively with others) in supporting the achievement of Community Planning outcomes; vi. Transformative – actions should be transformative in nature and challenge Partners to change the way they operate in supporting the achievement of Community Planning outcomes. This can be manifest via new actions, new funding initiatives, new partnerships etc.; and vii. Avoid Duplication – Community Planning should avoid simply duplicating the work of other partnerships. The primary focus of Community Planning structures should be to better connect and join-up existing partnership structures in supporting the achievement of shared priorities, and thereby shared outcomes.
	<p><u>New Governance Model</u></p>
3.3	<p>Appendix II provides a summary diagram, as well as the anticipated roles and responsibilities, of how the new governance model will work in practice.</p>
	<p><u>Membership Arrangements</u></p>
3.4	<p>Potential implications for the future membership of these structures were considered at the Party Representatives Forum (PRF) in December 2018, with the following outcomes:</p> <ul style="list-style-type: none"> i. Community Planning Partnership Board – PRF members agreed the option of rotating the Chair of the Board with other Community Planning partners; and ii. Thematic Groups - PRF Members agreed the option of reduction of current membership (10 Elected members) to 1, on the basis that the appointed Elected Member take the Chair of the Thematic Group. Subject to final agreement, Thematic Groups are expected to meet no more than 2 times per year. <p><u>Note:</u> This proposed change would not affect the Policing and Community Safety Partnership (PCSP), currently identified as the Safety and Good Relations Thematic Group.</p>
3.0	<p>Next Steps</p>
3.1	<p>As this review forms part of a wider engagement with Community Planning Partners, as well as the relevant Council Departments, a final preferred option for Community Planning governance structures covering agreed focus, shared priorities, and revised Terms of Reference will be prepared for CPP Board and new Council approval in June 2019.</p> <p>Changes to Elected Member representation on Community Planning structures need to be agreed with the Council before the Local Government elections. This is because of the implications for the Annual General Meeting (AGM) and the appointment of Councillors to external structures.</p>

Timetable agreed with CPP Board			
3.2	Approach to Review	Seek agreement of CPP Board	29 January 2019
		Seek agreement of SP& R Committee	14 February 2019
	Consult with CP Partners / Thematic Group members on Key Priorities		February - March 2019
	Develop collaborative projects / amended Thematic Group Terms of Reference		April - May 2019
	Agree new arrangements – CPP Board		18 June 2019
	Implement new arrangements – CPP Partners		19 June 2019 onwards
4.0 Recommendation			
4.1	Members are asked to: <ul style="list-style-type: none">• Approve amendment to elected Members representation on Thematic Groups• Approve the timetable of work with Community Planning partners to re-focus Thematic Groups on a smaller number of more strategic and shared priorities		
5.0 Resource Implications			
4.1	Changes to the structure are likely to result in a reduced financial burden to the Council (i.e. organising Thematic Group meetings etc.) The identification of one Elected Member as Chair for each Thematic Group will reduce demand on other Elected Members' time.		
5.0 Equality & Good Relations Implications			
5.1	There are no equality and good relations arising from this report, however it would be prudent to subject the changes to equality screening.		
6.0 Rural Proofing Implications			
6.1	There are no rural proofing implications arising from this report, however due regard will require to be given to the potential rural implications of the new structure.		
7.0 Appendices			
	<ul style="list-style-type: none">▪ Appendix I – current structures for Community Planning;▪ Appendix II – summary diagram, as well as anticipated roles and responsibilities for each tier of the new structure		

APPENDIX I

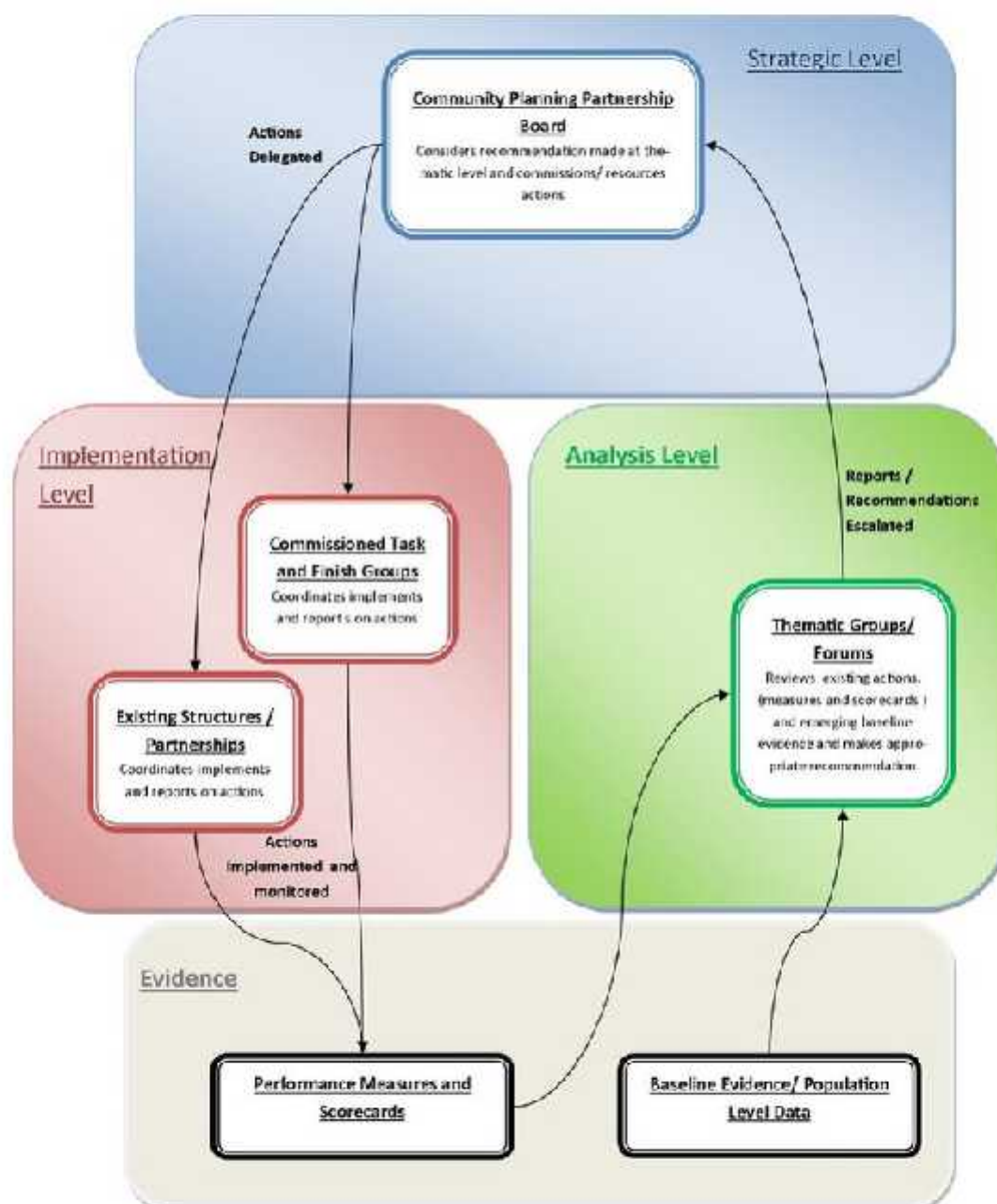
The Community Planning Partnership Board (CPP Board) was established in 2015 to develop and oversee delivery of the Community Plan for Newry, Mourne and Down. Working with named Statutory Partners, the Council leads the process and in Newry, Mourne and Down holds the Chair of the CPP Board, via the current Chair of Council. CPP Board membership also includes 7 Elected Members on the following basis: 2 SF; 2 SDLP; 1 DUP; 1 UUP; 1 Other.

At an operational level, four Thematic Groups were identified with the role of agreeing content across the themes of: Health and Wellbeing; Environment and Spatial Development; Economic Development, Regeneration and Tourism; Safety and Good Relations (theme covered by existing PCSP). The PCSP model of 10 Elected Members in membership was adopted across these Thematic groups such that all Elected Members are each appointed to one Thematic Group.

At the local level, seven (7) DEA Forums were established as community engagement and local delivery mechanisms, with all Elected Members part of their DEA Forum.

APPENDIX II

Proposed Community Planning Structure: Action Lifecycle



Structure Roles & Responsibilities	
Community Planning Partnership Board (meeting 3 times per year)	<ul style="list-style-type: none"> • Overview of Community Plan and delivery against Outcomes • Agree lead partners for Outcome-focused delivery groups • Recognition of existing delivery Partnerships vis-à-vis key Community Planning • Considers recommendations made at Thematic level and commissions/ resources actions • Outcomes • Commissioning of Task and Finish delivery groups where required
Thematic Group/ Forum (four groups meeting 2 times per year; 1 Progress meeting; 1 Summit meeting)	<ul style="list-style-type: none"> • Review evidence relevant to identification of needs and to improving / amending approach • Provide opportunity for existing Outcomes / Task and Finish groups to present their scorecards • Review progress of collaborative projects established by the CPP Board • Review overarching scorecard / performance for key themes / Community Planning Outcomes • Challenge Community Planning partners on further action contributing to Outcomes • Make appropriate recommendations for future action to CCP Board
Existing Structures / Partnerships (meeting as determined)	<ul style="list-style-type: none"> • Identifies / coordinates detail of joint action, implements and reports on actions
Commissioned Task and Finish Groups (meeting as required)	<ul style="list-style-type: none"> • Identifies / coordinates detail of joint action, implements and reports on actions
District Electoral Area (DEA) Forums (meeting as determined)	<ul style="list-style-type: none"> • Identification of evidence and local community priorities • Identification of actions • Local delivery and proposals to Thematic Groups

Report to:	Strategy Policy and Resources Committee
Date of Meeting:	14 February 2019
Subject:	Governance Arrangements 2019 - 2023
Reporting Officer (Including Job Title):	Liam Hannaway CEO
Contact Officer (Including Job Title):	J McGilly Assistant Director Community Planning and Performance (Acting)

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

For decision	*	For noting only	
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1.0	Purpose and Background
1.1	To agree the recommendations as laid out in this report at section 3.0
2.0	Key issues
2.1	<p>Following the Local Government Elections in May 2019 a number of Governance arrangements need to be formalised to allow the Council to prepare for</p> <ol style="list-style-type: none"> 1. the interim period between Election and Annual General Meeting of Council, 2. the Annual General Meeting 3. new term of Council
2.2	<p><u>Delegated Authority:</u></p> <p>During the period from last Council meeting on 24 April 2019 to the first Full Council Meeting after Annual General Meeting on 3 June 2019 in the absence of a fully functioning Council decision making structure, critical issues may arise where delaying a decision until the AGM or after may not be a prudent approach. In such instances Council should give delegated authority to Mr Liam Hannaway, CEO, to make these decisions in the absence of a formal mechanism. Should such decisions have to be made the Council will be informed retrospectively at AGM or subsequent relevant Committee.</p>
2.3	<p><u>Committee Structure and Size:</u></p> <p>By virtue of the Local Government Act (NI) 2014, Council has a formally agreed Constitution. Councils Governance arrangements are detailed in the Constitution. The Constitution remains in place until such times as Council agrees to amend. As a result Council should note Committee Structures for the period post election.</p>
2.4	<p><u>Standing Orders:</u></p> <p>Following a review of Standing Orders it is recommended the following amendments are made – Current Standing Orders are appended at aap 1</p>

	<ol style="list-style-type: none"> SO 1(1) pg4 reads " In every year that is not a local election year the Council shall hold an Annual Meeting in the month of May or June" Based on the legislation it is recommended the this standing order reads as follows: " In every year that is not a local election year the Council shall hold an Annual Meeting in the month of May" SO 21.3(4) (iii) pg21 reads "Regulatory and Technical Services Committee" As a result of the Organisational restructure carried out during 2018 it it recommended this read "Neighbourhood Services Committee"
2.5	<p><u>Committee Terms Of Reference:</u></p> <p>During the life of this Council as a result of restructuring and issues arising within specific Committees around the efficiency of decision making Terms of reference for the 4 main Committees, planning and Audit have been revised and some adjustments have been proposed. Revised terms of reference have been attached as follows;</p> <p>App 2 Strategy, Policy & Resources Committee App 3 Audit Committee App 4 Enterprise Regeneration & Tourism Committee App 5 Planning Committee</p> <p>It should be noted that terms of reference for Active and Healthy Communities Committee and Neighbourhood Services Committee will be tabled at March meeting of this Committee.</p>
2.6	<p><u>Decision Making in respect of Planning</u></p> <p>During current Council term some of the decision making processes in respect of planning caused some confusion and frustration for members, these related to ;</p> <ol style="list-style-type: none"> Planning consultations by Department on regionally significant projects currently go to Council for consideration and then to Planning Committee for response to Department. As a result Council decisions and views could be overturned by Committee. It is recommended that in Planning Committee prepare a response and this goes to Council for consideration, approval and communication to Department. Changes to Planning committee protocols currently go to SP&R before Council. This has proved cumbersome. It is recommended any future changes to the protocol of Planning Committee go to Council directly for decision. In 2017 as a result of Organisation Structure Changes, Planning and Building Control Functions moved to ERT Directorate,. It is recommended that Planning and Building Control performance will be reported to ERT. Local Development plan matters report to Council via Planning Committee, (To date these functions reported via RTS and SPR respectively)

	Recommendations
3.1	<p>1. Council approve the Annual Meeting of Council will take place at 6pm on 20 May 2019 in Downshire Civic Centre, Downpatrick in accordance with the Local Government Act (NI) 2014 which states that in an election year the Annual Meeting of Council must take place within 21 days of the election.</p> <p>2.Delegated authority be given to CEO to make essential urgent decisions as required during period from 24 April 2019 to the first Full Council Meeting (3 June 2019) after the Annual Meeting.</p> <p>3.Council agree that Task and Finish groups will not meet during Purdah period and will be reviewed by respective Committees post AGM</p> <p>4.Council adopt the recommended changes to Standing Orders as detailed above</p> <p>5.Council consider limiting the numbers of Notice of Motions to be tabled at a Council meeting</p> <p>6. Council adopt the changes proposed to Committee Terms of Reference as detailed in App3- of this report</p> <p>7. Council adopt the recommendations outlined at 2.5 above in respect to Planning decision making processes and that these changes are reflected in the relevant Committee Terms of Reference for term of new Council</p>
4.0	Resource implications
4.1	None
5.0	Equality and good relations implications
5.1	All implications considered
6.0	Rural Proofing implications
6.1	All implications considered
7.0	Appendices
	<p>App 1 Standing Orders</p> <p>App 2 Strategy, Policy & Resources Committee term of reference</p> <p>App 3 Audit Committee terms of reference</p> <p>App 4 Enterprise Regeneration & Tourism Committee terms of reference</p>
8.0	Background Documents
	NA

Comhairle Ceantair an Iúir, Mhúrn agus an Dúin **Newry, Mourne and Down District Council** **2017**



Standing Orders

Approved by Council 9th January 2017

Newry, Mourne and Down District Council

STANDING ORDERS

Definitions

"2014 Act" means the Local Government Act (Northern Ireland) 2014;

"budget" means the expenditure authorised by a Council under section 3 of the Local Government Finance Act (Northern Ireland) 2011;

"call-in" means a requisition for the reconsideration of a decision as provided for in section 41(1) of the 2014 Act;

"Clerk" means the Clerk of a Council appointed under section 41 of the Local Government Act (Northern Ireland) 1972;

"Committee" means a Committee appointed under section 7 of the 2014 Act;

"delegated authority" means the discharge of a function under authority fixed by a Council under section 7 of the 2014 Act;

"decision maker" means the body or person making an executive decision, a decision under delegated authority or a key decision;

"Member" means a Councillor on that Council;

"nominating officer" means

- (a) the person registered under the Political Parties, Elections and Referendums Act 2000 as the party's nominating officer; or
- (b) a Member of the Council nominated by that person for the purposes of Schedule 1 to the 2014 Act;

"party" means a party registered under the Political Parties, Elections and Referendums Act 2000 in the Northern Ireland register (within the meaning of that Act);

"policy framework" means the policies and procedures agreed by the council in relation to the delivery of a function or functions of the Council;

"published" means made available for inspection by Members of the Council;

"Register of Decisions" means a register of decisions maintained by the Council of those decisions agreed by the council;

"section of the inhabitants of the district" means any section of the inhabitants that is clearly identifiable by location, interest or other category;

"special resolution" means a resolution of a Council as defined in section 148 of the Local Government Act (Northern Ireland) 1972; and

"Standing Orders Regulations" means the Local Government (Standing Orders) Regulations (Northern Ireland) 2015.

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1. Annual and Monthly Meetings

- (1) In every year that is not a local election year the Council shall hold an Annual Meeting in the month of May or June.
- (2) In any year which is a local election year, the Annual Meeting shall be held within twenty-one days immediately following the election, at such time as the Council may fix, at the offices of the Council or at such other place as the Department may direct.
- (3) A meeting of the Council for the transaction of general business of the Council shall, subject to any deviation which special circumstances may render desirable, be held on the first Monday of every month, except a summer month as determined by the Council. Other meetings of the Council for the transaction of general business shall be held as the Council considers necessary.
- (4) Meetings of the Council shall not take place on a Public or Bank Holiday, a Saturday or a Sunday. Where the day of a meeting falls on one of these days, the meeting shall instead be held on the next following weekday, or such other day as might be agreed by the Council for that meeting.

2. Time and place of meetings

The Annual Meeting and other meetings of the Council shall be held at 6pm in the Council Chamber, except where otherwise fixed by statute or by special summons.

3. Convening Special Meetings

- (1) The Chairperson of the Council may call a meeting of the Council at any time.
- (2) The Chairperson of the Council must call a meeting of the Council if a requisition for such a meeting, signed by not less than five Members of the Council is presented to him/her; and, if he/she refuses to call a meeting on such a requisition or if, without so refusing, he/she does not call such a meeting within the period of seven days from the date of service of the requisition on him/her, not less than five Members may, on that refusal or on the expiration of that period, forthwith call a meeting of the Council.

4. Notice and Summons of Meetings

- (1) Five days at least before a meeting of the Council, a Committee or Sub-Committee, notice of the time and place of the intended meeting shall be published at the offices of the Council. Where the meeting is called by Members, the notice shall be signed by them and shall specify the business proposed to be transacted thereat.
- (2) A summons to attend the meeting, specifying the business proposed to be transacted thereat and signed by the Clerk shall be served on every Member at

least three days before the meeting. Failure to serve this summons within the correct time shall not affect the validity of a meeting.

- (3) Except in the case of business required by statute or, where in the opinion of the Chairperson at the meeting the business should be considered by the meeting as a matter of urgency, no business shall be transacted at a meeting of the Council, a Committee or Sub-Committee other than that specified in the summons relating thereto.

5. Chair to be taken

At each meeting of the Council, the Chair shall be taken at the time for which the meeting is convened, and business immediately proceeded with.

6. Chairperson of Meeting

- (1) At a Meeting of the Council, the Chairperson of the Council, if present, must preside.
- (2) If the Chairperson of the Council is absent from a Meeting of the Council, the Deputy Chairperson of the Council, if present, shall preside.
- (3) If neither the Chairperson nor Deputy Chairperson are present at a Meeting of the Council, a Member of the Council chosen by the Members who are present must preside.
- (4) If discussion arises on the allocation of the position of Chairperson, the Clerk shall exercise the powers of the Chairperson to assist in the regulation of that discussion.
- (5) Any power of the Chairperson of the Council in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

7. Quorum

- (1) Subject to sub- paragraph (7), no business shall be transacted at a Meeting of the Council unless at least one-quarter of the whole number of Members are present.
- (2) No business shall be transacted at a Committee Meeting of the Council unless at least one-quarter of the whole number of Members of the specific Committee are present, subject to paragraph (3) and paragraph (4).
- (3) No business shall be transacted at an Audit Committee Meeting unless at least one-third of the elected Members of the Committee are present.
- (4) No business shall be transacted at a Planning Committee Meeting unless at least one half of the Members of the Committee are present.

- (5) If during a meeting, the person presiding, after the number of Members present is counted, declares that a meeting is inquorate and it is unlikely that there will be a quorum present within a reasonable time, he/she shall declare the meeting adjourned.
- (6) Any uncompleted business on the agenda of a meeting adjourned under Standing Order 7(5) above, shall be tabled for discussion at the reconvened meeting. No business, other than the uncompleted business on the agenda of the meeting adjourned, may be discussed at the reconvened meeting.
- (7) Where more than one-quarter of the Members become disqualified at the same time then, until the number of Members in office is increased to not less than three-quarters of the whole number of Members, the quorum of the Council shall be determined by reference to the number of Members remaining qualified instead of by reference to the whole number of Members.

8. Admission to meetings

- (1) Subject to the provisions of this Standing Order, every Meeting of the Council shall be open to the public, in accordance with section 42 of the 2014 Act.
- (2) The public and press may attend only in those parts of the Council Chamber provided for their accommodation at meetings of the Council, unless specifically excluded in accordance with the provisions of Standing Order 10; or as required by the Council to comply with provisions in relation to Fire Safety and Health & Safety.
- (3) The admission of the public is upon the understanding that they must continue at all times to be seated, and that no expression of opinion or noise of any kind be allowed from them.
- (4) At all times during which a Meeting of the Council is open to the public, the Council must, so far as is practicable, cause to be made available to duly accredited representatives of newspapers, attending for the purpose of reporting proceedings at the meeting, reasonable facilities for taking reports of these proceedings and, on payment by those representatives or their newspapers of any expenses which may be incurred, for transmitting such reports to their newspapers.
- (5) Taking photographs of proceedings or the use of any other means by members of the public to enable persons not present to see or hear any proceedings (whether at that time or later) or making of any oral report of any proceedings as they take place shall be prohibited unless expressly permitted by the Council.
- (6) The use of social media by Members of the Council, members of the public or journalists shall be permitted during those proceedings that are open to the public, to the extent that its use does not disrupt proceedings.

9. Record of attendances at meetings

The names of the Members present at a Meeting of the Council must be recorded.

10. Exclusion of the public

- (1) The public shall be excluded from a Meeting of the Council whenever it is likely that, during the transaction of an item of business, confidential information would be disclosed to them in breach of an obligation of confidence.
- (2) The Council may by resolution exclude the public from a Meeting of the Council (whether during the whole or part of the proceedings at the meeting) for such special reasons as may be specified in the resolution being reasons arising from the nature of the business to be transacted or of the proceedings at the Meeting.
- (3) The Chairperson may at any time during the proceedings, if he/she thinks it necessary to secure order, direct the removal of any individual or group of individuals from the Council Chamber, or order the Council Chamber to be wholly cleared of members of the public.
- (4) The Council, having excluded the public, shall only consider the matter referred to it by the resolution. If it should be deemed necessary to consider any matter not included in the resolution, the public shall be re-admitted and the Chairperson may ask leave of the Council to take up the consideration of such additional matters as may be deemed desirable.
- (5) The Council, having excluded the public, shall not have the power to adjourn its own sittings or to adjourn a debate to a future sitting. If the business referred to in the resolution is not transacted, the Council may be resumed and a Member of the Council may move that the Council again exclude the public on a future day to deal with the business specified in the resolution which was not transacted.
- (6) If the Council, with the public excluded, has transacted part of the business referred to it, without being able to reach a decision on all the business so referred, a Member of the Council may, with leave of the Council, report on the progress to that point and ask the Council's permission to sit again.
- (7) When the Council, having transacted business with the public excluded, submits its report to the Council, a motion for its adoption shall then be moved and put. No questions or discussion shall be permitted on the report or the motion for its adoption.

11. Deputations

- (1) Deputations, from any source, shall only be considered to address the Council or Committee of Council provided the Clerk has received ten clear days notice of the intended deputation and a statement of its objective. The Chairperson shall have the discretion, in cases of emergency, to reduce this period of notice.
- (2) The deputation shall be confined to the presentation of a statement, or copy of resolutions, and shall not make more than two short addresses by any two members of the deputation. The totality of the address shall not exceed ten minutes for the total presentation.
- (3) Deputations should not be repetitive and, where possible, issues of a similar or linked nature should be contained in one deputation. Where a deputation has made a presentation to the Council, the Council may decline to accept another deputation on the same issue from the same individual or group for a period of six months.
- (4) Arrangements for Deputations to Planning Committee are detailed in the Council's Planning Committee Operating Protocol.

12. Order of Business

Subject to any statutory requirements to the contrary, the order of business at every meeting of the Council shall be as follows:

- a) apologies;
- b) declaration of Members' interests;
- c) confirmation of the Minutes of the last stated Meeting and of all adjourned meetings and special meetings held since the last stated Meeting;
- d) deputations;
- e) business required by statute to be transacted at the Meeting;
- f) adoption of the Minutes of the proceedings of any Committees and consideration of reports, if any, from such Committees;
- g) reports of officers, public bodies, agencies etc. if any, may be considered and such orders given thereon as may be deemed necessary;
- h) reports on decisions/recommendations subject to the reconsideration process;
- i) other reports;
- j) correspondence and matters not already dealt with;
- k) sealing of documents;
- l) consideration of motions of which due notice has been given, in the order in which they have been received.

13. Minutes of the Council

13.1 Keeping of; as evidence; etc

- (1) Minutes of the proceedings of a Meeting of the Council, or of a Committee or Sub-Committee, shall be drawn up and entered in a bound book kept for that purpose.
- (2) No discussion shall take place upon the Minutes except upon their accuracy.
- (3) Any minute purporting to be signed as mentioned in sub- paragraph (1) shall be received in evidence without further proof.
- (4) Until the contrary is proved, a Meeting of the Council or of a Committee or Sub-Committee thereof in respect of the proceedings of which a minute has been so made and signed shall be deemed to have been duly convened and held, and all the Members present at the meeting shall be deemed to have been duly qualified, and where the proceedings are proceedings of a Committee or Sub-Committee, the Committee or Sub-Committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the Minutes.

13.2 Signing of

The Minutes of a Meeting of the Council shall be signed at the next ensuing Meeting of the Council by the Chairperson presiding, if approved by the meeting at which they fall to be signed.

14. Submission of Minutes

- (1) In order to give sufficient time for the printing of the Minutes and for their perusal by the Members of the Council, Minutes of meetings of a Committee held later than seven clear days before the meeting of the Council shall not be submitted to that meeting for approval. This may be disapplied where a Committee considers the matter to be of extreme urgency and records such a decision in its Minutes.
- (2) It shall be the duty of a Committee, through the Chairperson or his/her representative, when its Minutes are submitted for approval, to call the attention of the Council to any resolution or matter of an unusual or special character contained therein.

15. Minutes of Committees

- (1) A motion or amendment shall not be made or proposed, or any discussion allowed on the proceedings of Committees with reference to any matter within the remit of a Committee which does not appear on the Minutes submitted to the Meeting of the Council.
- (2) Any Member wishing to raise an issue regarding any matters appearing in the Minutes submitted to the Council for approval and who states his/her request in writing to the Chairperson of the Committee twenty-four hours before the

commencement of the Meeting of the Council shall be entitled to a reply when the proceedings of the particular Committee are submitted for approval.

- (3) A reply to an issue raised at the Meeting regarding any matter in the Minutes, without written notice, shall be at the discretion of the Chairperson of the Committee.
- (4) Any matter in the Minutes of a Committee on which a request for reconsideration, under section 41 of the 2014 Act, has been lodged with the Clerk of the Council shall be identified, and may not be the subject of discussion at that Meeting.

16. Motions

- (1) Every motion shall be relevant to some matter:
 - i) in relation to which the Council:
 - a) has power or duties;
 - b) is not prevented from taking action on by other legislation;
 - ii) which directly affects the local government district or its residents; and
 - iii) for which the Council is legally competent.

16.1 On notice

- (1) Notice of every motion, other than a motion which under Standing Order 16.2 may be moved without notice, shall be given in writing, signed by the Member or Members of the Council giving the notice, to the Clerk not later than at least ten clear days before the next Meeting of the Council. The motion must be clear in meaning otherwise it shall be rejected until such time as it is resubmitted in clear language, and not later than ten clear days before the meeting. Motions shall be accepted by email and a hard copy shall then require to be signed prior to the Meeting taking place.
- (2) A motion shall be rejected if the wording or nature of the motion is considered unlawful or improper.
- (3) All notices shall be dated and numbered as received, and entered in a register to be kept for that purpose. This register shall be open to inspection by every Member of the Council.
- (4) Notices of motion shall be entered by the Clerk in their proper place on the summons paper in the order in which they are received.
- (5) If a motion set out in the summons is not moved either by a Member who gave notice, or by some other Member on his behalf, it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (6) If the subject matter of any motion of which notice has been properly given comes within the remit of any Committee it shall, upon being moved and

seconded, stand referred without discussion to that Committee, or to such other Committee, working group or forum as the Council may determine, for consideration and report. The Chairperson presiding may, if he/she considers it urgent and necessary to the dispatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.

- (7) If a notice of motion fails to be considered at a Meeting of the Council, such notice of motion will only be included on the agenda for the following meeting if submitted in writing to the Clerk by the Member concerned not later than ten clear days, at least, before the Council meeting.
- (8) Any notice of motion which fails to be considered at two consecutive meetings will not be accepted for inclusion on the summons paper for a period of six months from the date of the second meeting at which the matter has failed to be considered.

16.2 Without notice

The following motions may be moved without notice:

- a) to appoint a Chairperson of the meeting at which the motion is moved;
- b) in relation to the accuracy of the Minutes;
- c) to change the order of business in the agenda;
- d) to refer something to an appropriate body or individual;
- e) to appoint a Committee or Members thereof arising from an item on the summons for the meeting;
- f) to receive reports or adoption of recommendations of Committees or officers and any resolutions flowing from them;
- g) to withdraw a motion;
- h) to amend a motion;
- i) to proceed to the next business;
- j) that the question be now put;
- k) to adjourn a debate;
- l) to adjourn a meeting;
- m) to suspend Standing Orders, in accordance with Standing Order 29.1;
- n) to exclude the public and press in accordance with section 42 of the 2014 Act;
- o) to not hear further a Member named under Standing Order 25.3 or to exclude them from the meeting under Standing Order 25.4.

17. Amendments

- (1) When a motion is under debate at any meeting of the Council, an amendment or further motion shall not be received, with the exception of the following:
 - a) to amend the proposal; or
 - b) that the Council do now adjourn; or
 - c) that the debate be adjourned; or

- d) that the question be now put; or
- e) that the Council do proceed to the next business.

17.1 To amend the Proposal

- (1) An amendment must be legitimate and within the scope of the notice convening the meeting. It must not be a direct negative; must be relevant to the proposal which it seeks to amend, and not inconsistent with anything already agreed upon at the same meeting. An amendment must relate solely to the proposal which it seeks to amend, and not be, in effect, a new proposition on a different matter, and must not place a greater responsibility on the meeting than the original proposal.
- (2) An amendment to a motion shall be either:
 - a) to refer a subject of debate to a Committee or to an officer for consideration or re-consideration;
 - b) to leave out words;
 - c) to leave out words and insert or add others; or
 - d) to insert or add words

but such omission, insertion or addition of words shall not have the effect of directly negating the motion before the Council.
- (3) When an amendment upon an original proposal has been moved, the question to be put shall be "That the amendment be made". Where any amendment is agreed, the question to be put shall be "That the proposal, as amended, be agreed". Where any amendment is rejected the question of the substantive proposal shall be put.

17.2 That the Council Do Now Adjourn

- (1) Any Member of the Council who has not already spoken to the proposal or amendment then under debate may move "that the Council do now adjourn". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal, which shall be put to the vote without debate.
- (2) In the event of the proposal for the adjournment being carried, the Chairperson shall (unless stated in the proposal) fix the date for the adjourned meeting for the continuation of the debate on the proposal or amendment under discussion at the time of the adjournment, and for the transaction of the remaining business (if any) on the Agenda for the meeting so adjourned.
- (3) A second proposal "that the Council do now adjourn" shall not be made within half-an-hour unless, in the opinion of the Chairperson, the circumstances are materially altered.

17.3 That the Debate be Adjourned

- (1) Any Member of the Council who has not already spoken to the proposal or amendment then under debate may move "that the debate be adjourned". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.
- (2) Before putting to the meeting a proposal "that the debate be adjourned", the Chairperson presiding shall call on the mover of the proposal or amendment under discussion to reply on the question of adjournment and, after such reply, which will not prejudice the right of the mover of a proposal to reply on the original question, shall put the proposal for adjournment of the debate to the vote without further debate.
- (3) If the proposal be carried, the Council shall proceed to the next business on the agenda, and the discussion of the adjourned debate shall be resumed at the next meeting of the Council unless a special meeting of the Council shall be called for the purpose.
- (4) On resuming an adjourned debate, the Member who moved its adjournment shall be entitled to speak first. A second proposal "that the debate be adjourned" shall not be made within half-an-hour. A Member shall not move or second more than one proposal for the adjournment of the same debate.

17.4 That the Question Be Now Put

- (1) Any Member who has not already spoken to the proposal or amendment then under debate may move "that the question be now put". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.
- (2) If the Chairperson is of the opinion that the subject before the Council has been sufficiently discussed, he/she shall put the proposal "that the question be now put" to the vote without debate and if same is carried, the proposal or amendment under discussion shall be put to the Council.
- (3) A second proposal "that the question be now put" shall not be made on the discussion of the same question within half-an-hour.
- (4) A Member shall not move or second more than one proposal "that the question be now put" on the discussion of the same question.

17.5 That the Council Do Now Proceed to the Next Business

- (1) Any Member of the Council who has not already spoken to any proposal or amendment then under debate may move, "that the Council do proceed to the next business". Such a proposal must be seconded, but it need not be reduced to

writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal which shall be put to the vote without debate.

- (2) If the Chairperson is of the opinion that the subject before the Council has been sufficiently discussed, he/she shall put the proposal "that the Council do proceed to the next business" to the vote without debate and if same is carried the proposal or amendment under discussion shall be put to the Council.
- (3) When a proposal is carried "that the Council do proceed to the next business", the question under discussion shall be considered as dropped.
- (4) A second proposal "that the Council do proceed to the next business" shall not be made on the same question within half-an-hour.
- (5) A Member shall not move or second more than one proposal "that the Council do proceed to the next business" on the discussion of the same question.

18. Amendments to Regulatory Decisions

- (1) No amendment may be moved to a minute which is a Regulatory Decision.
- (2) For the purposes of these Standing Orders, a Regulatory Decision is a determination of an application for planning permission or any decision, determination, action, direction, order, approval, refusal, or enforcement action in exercise of powers of the Council as the local planning authority or any application for which the Council is the licensing authority.

19. Rules of Debate

19.1 Motions and amendments to be reduced to writing and seconded

- (1) A motion or amendment shall not be discussed unless it has been proposed and seconded and, unless notice has already been given in accordance with Standing Order 16.1, it shall, if required by the Chairperson presiding, be put into writing and handed to the Chairperson presiding before it is further discussed or put to the meeting.
- (2) A Member when seconding a motion or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate.

19.2 Alteration of motion

- (1) A Member may alter a motion of which he/she has given notice as proposed with the consent of the meeting. The meeting's consent will be signified without discussion.

- (2) A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (3) Only alterations which could be made as an amendment may be made.

19.3 Withdrawal of motion

- (1) A Member may withdraw a motion of which he/she has given notice under Standing Order 16.1 at any time after the meeting has commenced provided that he/she has not moved the motion or spoken on it and has the consent of the meeting. The meeting's consent will be signified without discussion.
- (2) A Member may withdraw any other motions which he/she has moved with the consent of both the meeting and seconder. The meeting's consent will be signified without discussion.
- (3) No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

19.4 Mode of address

The established mode of address is through the Chairperson, by raising a hand or by use of electronic device, if available. While a Member is speaking, he/she shall not be interrupted by the other Members unless they are speaking to a point of order or in personal explanation. A Member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order.

19.5 Precedence in speaking

Whenever two or more Members indicate to speak at the same time, the Chairperson shall decide who has precedence.

19.6 Place of Member speaking

A Member, when addressing the Chairperson, shall remain in the place allocated to him/her in the Council Chamber.

19.7 Member called to order

If any Member, while speaking, be called to order, he/she shall cease speaking and shall not again address the Council until the Chairperson has disposed of the question of order.

19.8 Definition of point of order

A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the Member shall specify the Standing Order or provision and the way in which he/she considers it has been broken.

19.9 Member may raise a point of order

A Member may raise a point of order and shall be entitled to be heard immediately.

19.10 Ruling of Chairperson on point of order

The ruling of the Chairperson on a point of order shall not be open to discussion.

19.11 Member to speak to motion

A Member who speaks shall direct his/her speech strictly to the motion under discussion, or an amendment thereof.

19.12 Member shall not speak more than once

A Member who has spoken on any motion shall not speak again whilst it is the subject of debate until Members who have not previously spoken have done so.

19.13 Duration of speeches

Except with the permission of the Council, a Member, in introducing a motion, shall not speak for more than ten minutes and in replying, for more than five minutes.

19.14 Addressing the Council

The Council during its sitting, shall not, unless with the consent of the Council, be addressed by any person who is not a Member of the Council.

19.15 Only one motion / amendment may be moved and discussed at a time

- (1) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (2) If an amendment is not carried, other amendments to the original motion may be moved.
- (3) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

19.16 When a motion is under debate no other motion shall be moved

When a motion is under debate no other motion shall be moved except the following:

- a) to amend the motion;
- b) to adjourn the meeting;
- c) to adjourn the debate;
- d) to proceed to the next business;
- e) that the question be now put;
- f) that a Member be not further heard;
- g) by the Chairperson under Standing Order 25.4, that a Member do leave the meeting.

19.17 Chairperson rising during debate

Whenever the Chairperson rises or otherwise calls the meeting to order during a debate, a Member then speaking shall cease and the Council shall be silent.

19.18 Chairperson not to receive motion for direct negative

The Chairperson shall not receive a motion for a direct negative to a question but, on the conclusion of the debate, the question shall be put and resolved in the affirmative or negative.

19.19 Mover's right of reply

The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on his amendment.

19.20 Councillors attending Committee meetings of which they are not a Member

Where a Member attends a meeting of a Council Committee of which they are not a Member, that Member shall not have any right to speak at the meeting unless so permitted by the Chairperson.

20. Voting

20.1 Majority

Subject to any statutory provisions to the contrary, any matter will be decided by a simple majority of those Members present and voting.

20.2 Chairperson's casting vote

If there are equal numbers of votes for and against, the Chairperson will have a

second or casting vote.

20.3 External appointments

If agreement cannot be reached by Members when voting on external appointments where there is more than one post to be filled and the number of nominations exceeds the number of vacancies, there shall be a ballot of the Members present at the meeting in which each Member of the Council shall vote for as many candidates as there are vacancies to be filled. Vacancies shall then be filled using the single transferable vote system.

This arrangement does not apply to positions which must be filled in accordance with the 2014 Act.

20.4 Qualified majority [MANDATORY]

- [1] A qualified majority (not less than 80% of the Members present and voting) Shall be required in relation to Council's decision on—
 - (a) the adoption of executive arrangements or prescribed arrangements as the Council's form of governance, as provided for in section 19 of the 2014 Act;
 - (b) the adoption of paragraph 3(2) of Schedule 1 to the 2014 Act as the method for filling positions of responsibility;
 - (c) the adoption of Part 2 of Schedule 1 to the 2014 Act as the method for filling positions of responsibility;
 - (d) the adoption of paragraph 3(3) of Schedule 2 to the 2014 Act as the method for appointing councillors to Committees;
 - (e) a call-in made in accordance with section 41(1)(b) of the 2014 Act; and
 - (f) the suspension of standing orders, other than Standing Orders 20.4, 21, 22 and 23, which cannot be suspended.
- [2] Any vote on a matter where a qualified majority is required, shall be by way of a recorded vote where the names of the Members voting for and against the question or abstaining from voting shall be taken down in writing and recorded in the Minutes.

20.5 Show of hands

Unless a ballot or recorded vote is demanded under Standing Order 20.6, the Chairperson will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

20.6 Recorded vote

If, before a vote is called, any Member present at the meeting demands it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the Minutes. A demand for a recorded vote will override a demand for a ballot.

20.7 Voting at Planning Committee

Unless a Member has been present at a Planning Committee for an entire item, including officer/s' introduction and update they must not take part in the debate or vote on that item. However the Chairperson of the Planning Committee can use his/her discretion in exceptional circumstances.

21 'Call-in' Process [MANDATORY]

21.1 Decisions subject to call-in

- (1) The following decisions may be subject to call-in in such manner as is specified in these standing orders—
 - (a) a decision of the Council;
 - (b) a key decision taken by an officer of the Council
 - (c) a decision taken by a Committee under delegated authority in accordance with section 7 of the 2014 Act; and
 - (d) a decision taken by a Committee to make a recommendation for ratification by the Council.
- (2) The following decisions shall not be subject to call-in—
 - (a) a decision on a regulatory or quasi-judicial function which is subject to a separate appeal mechanism;
 - (b) a decision where an unreasonable delay could be prejudicial to the Council's or the public's interests;
 - (c) a decision taken by an officer which is not a key decision;
 - (d) a decision which is required to be taken by a special resolution.
- (3) No decision may be subject to call-in more than once for each of the grounds specified in section 41(1) of the 2014 Act.

21.2 Call-in procedure

- (1) A call-in must be submitted in writing to the Clerk by 10am on the fifth working day following:
 - (a) in the case of a decision of the Council, the date of the Council meeting at which the decision was taken; and
 - (b) in the case of a decision of a Committee, the date on which the decision to which the call-in relates was published.
- (2) If a call-in is received after the relevant period specified in paragraph (1), it must be deemed inadmissible.
- (3) A call-in shall—
 - (a) specify the reasons why a decision should be reconsidered; and

- (b) subject to paragraph (6), be deemed to be inadmissible if the reasons are not specified.
- (4) In the case of a call-in submitted under section 41(1)(b) of the 2014 Act, Members must in the reasons specified under paragraph (3)(a) specify—
 - (a) the section of the inhabitants of the district that would be affected by the decision; and
 - (b) the nature and extent of the disproportionate adverse impact.
- (5) Within one working day of receipt of a call-in, the Clerk must confirm that—
 - (a) it has the support of 15 per cent of the Members of the Council; and
 - (b) the reasons for the call-in have been specified.
- (6) Where the reasons have not been specified on the requisition, the Clerk must notify the Members making the requisition that it must be considered inadmissible if reasons are not specified in writing within the specified period.
- (7) Within two working days of receipt of an admissible call-in submitted under section 41(1)(b) of the 2014 Act, the Clerk must seek the opinion of a practising solicitor or barrister in accordance with section 41(2) of the 2014 Act.
- (8) Where the legal opinion obtained in accordance with section 41(2) of the 2014 Act confirms that the call-in has merit, the Clerk must—
 - (a) furnish the opinion to Members; and
 - (b) include the decision on the agenda for the next available meeting of the Council, at which it will be taken by a qualified majority.
- (9) Where the legal opinion obtained in accordance with section 41(2) of the 2014 Act indicates that the call-in does not have merit, the Clerk must—
 - (a) furnish the opinion to Members; and
 - (b) make arrangements for the decision to be implemented or tabled for ratification by the Council, as appropriate.

21.3 The call-in process: Committee arrangements

- (1) For the purposes of reconsideration of a decision pursuant to a call-in, the Minutes of a Committee which record a decision:
 - (a) taken under delegated authority; or
 - (b) for referral for ratification by the Council
 must be published within five working days of the conclusion of the meeting. The date on which the Minutes were published must be regarded as the relevant date for the purposes of a call-in.
- (2) If a call-in is not received within the period specified in Standing Order 21.2 paragraph (1):
 - (a) a decision to which paragraph (1)(a) applies must be implemented; or
 - (b) a decision to which paragraph (1)(b) applies must be tabled for ratification by the Council.

- (3) The tabling for ratification of a decision to which paragraph (1)(b) applies, or the implementation of a decision to which paragraph (1)(a) applies, must be postponed until the decision has been reconsidered. The decision maker may rescind the decision at any time prior to the decision being reconsidered.
- (4) If a call-in is made in accordance with Standing Order 21.2 paragraph (3) and section 41(1)(a) of the 2014 Act, the Council must appoint an ad hoc Committee of the Council, the membership of which will be:
the Chairpersons and Deputy Chairpersons of the following Council Committees:
 - (i) Enterprise, Regeneration and Tourism Committee
 - (ii) Active and Healthy Communities Committee
 - (iii) Regulatory and Technical Services Committee
 - (iv) Strategy, Policy and Resources Committee
 - (v) Planning Committeeto consider the process adopted by the decision-making Committee.
- (5) The Chairperson and Deputy Chairperson of the Committee which was responsible for the decision which is the subject of the call-in must not have voting rights at a meeting of the Committee appointed in accordance with paragraph (4).
- (6) The Members of the ad hoc Committee who are present shall choose a Member to preside at the meeting.
- (7) The Members who submitted the call-in, or a Member on their behalf, must be invited to attend the meeting at which the decision subject to the call-in is considered and may, upon the request of the Chairperson, address the meeting, but must not have voting rights, unless they are voting Members of the ad hoc Committee.
- (8) A Committee appointed in accordance with paragraph (4) may:
 - (a) refer the decision back to the decision maker;
 - (b) in the case of a decision taken under delegated authority, support the decision; or
 - (c) in the case of a decision for ratification by the Council, refer the decision to the Council.
- (9) Where a decision has been supported in accordance with paragraph (8), that decision must:
 - (a) be approved;
 - (b) be inserted in the Register of Decisions; and
 - (c) become operative from the date of the meeting at which the Committee appointed in accordance with paragraph (4) confirmed support for the decision.

21.4 The call-in process: Council decisions

- (1) If a call-in is not received within the period specified in Standing Order 21.2 paragraph (1) in respect of a decision, that decision may be implemented after that period expires.
- (2) The implementation of a decision must be postponed until the decision has been reconsidered.
- (3) If a call-in is made in accordance with Standing Order 21.2 paragraph (3) and section 41(1)(a) of the 2014 Act, the Clerk must place the call-in on the agenda for the next Meeting of the Council.
- (4) If a call-in is made in accordance with Standing Order 21.2 paragraph (4) and section 41(1)(b) of the 2014 Act, the Clerk must proceed in line with the procedures set out in Standing Orders 21.2 (4 – 9).

22 Positions of responsibility, etc. – Time Limits [MANDATORY]

- (1) Subject to paragraph (2), in relation to positions of responsibility selected in accordance with paragraphs 2(1) and 2(2) or paragraph 4(1) or paragraphs 6(1) and 6(2) of Schedule 1 to the 2014 Act, the period specified for:
 - (a) the nominating officer to select a position of responsibility and the term for which it shall be held; and
 - (b) the person nominated to accept the selected position is 15 minutes.
- (2) An extension to the period specified in paragraph (1) may be granted subject to the approval of the Council. Such an extension may be requested by:
 - (a) the nominating officer;
 - (b) the person nominated to hold the selected position; or
 - (c) another Member.

23 Appointment of more than one Committee [MANDATORY]

- (1) Where the Council appoints more than one Committee at the same meeting in accordance with paragraph 5 of Schedule 2 to the 2014 Act, for the purposes of determining the number of places that must be allocated across the parties and independent Members of the Council, it must agree:
 - (a) the number of Committees to be appointed; and
 - (b) the number of Councillors that shall constitute the membership of each Committee.
- (2) The total number of places to which a nominating officer of a party may nominate Members who stood in the name of that party when elected must be calculated in accordance with paragraphs 2 to 4 of Schedule 2 to the 2014 Act and any resolution of the Council made thereunder.

- (3) A nominating officer's function under paragraph 2(1)(b) of Schedule 2 to the 2014 Act must be exercised in such manner as to ensure that:
 - (a) all the Members of a Committee are not nominated by the same nominating officer;
 - (b) a nominating officer of a party may nominate Members who stood in the name of that party to fill the majority of places on a Committee, if the majority of Members stood in the name of that party; and
 - (c) subject to (a) and (b), the number of Members which each nominating officer of a party may nominate, in so far as is practicable, bears the same proportion to the number of places on that Committee as is borne by the number of Members on the Council who stood in the name of that party.
- (4) Nominations made in accordance with paragraph (3) must take into account any positions of responsibility on a Committee held by a Member who stood in the name of a party.

24 Rescission of a preceding resolution

- (1) No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed by a Member unless the notice thereof given in pursuance of Standing Order 16.1 bears the names of at least 15% of the Members of the Council.
- (2) When any such motion or amendment has been disposed of by the Council, it shall not be open to any Member to propose a similar motion within a further period of six months.
- (3) This Standing Order shall not apply to motions moved in pursuance of a recommendation of a Committee or a call-in.

25 Members conduct

25.1 Requesting to speak

When a Member speaks at the Council he/she must address the meeting through the Chairperson. If more than one Member requests to speak, the Chairperson will ask one to speak and the others must remain silent.

25.2 Chairperson addressing the meeting

When the Chairperson addresses the meeting, any Member speaking at the time must stop. The meeting must be silent.

25.3 Member not to be heard further

If at a meeting any Member of the Council, misconducts himself/herself by

persistently disregarding the ruling of the chair, or by behaving irregularly, improperly or offensively or by willfully obstructing the business of the Council, the Chairperson or any other Member may move "that the Member named be not further heard". The motion, if seconded, shall be put and determined without discussion.

25.4 Member to leave the meeting

If the Member named continues to behave improperly after such a motion is carried, the Chairperson or any other Member may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

25.5 General disturbance

When the Chairperson is of the opinion that the due and orderly dispatch of business is impossible, he/she in addition to any other powers vested in him/her may, without question put, adjourn the meeting of the Council for such period as he/she in his/her discretion shall consider expedient.

26 Disturbance by public

26.1 Removal of member of the public

If a member of the public interrupts proceedings, the Chairperson will warn the person concerned. If they continue to interrupt, the Chairperson will order their removal from the meeting room.

26.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Chairperson may call for that part to be cleared.

27 Common Seal

The Common Seal of the Council shall be kept in a safe place at all times when not in use.

- (a) Every document sealed shall be attested and a record kept in a book containing particulars of the documents sealed.
- (b) The Common Seal shall not be set to any document unless a resolution of the Council shall be passed in that behalf or unless the Council shall have passed a resolution authorising any particular Committee to affix the Common Seal to any particular documents; but a resolution of the Council (or of a Committee approved by the Council) authorising the acceptance of any tender, the purchase, sale, letting, or taking of any property, the issue of any stock, the presentation of any petition, memorial or address, the making of any contract, or any other matter or

thing, shall be sufficient authority for the Chairperson or his/her deputy or Clerk to affix the Common Seal to any document necessary to give effect to such resolution.

28 Contracts

In these Standing Orders –

- (a) The expression 'the Council' shall include where appropriate a Committee or person acting in accordance with delegated authority on behalf of the Council.
- (b) 'Chief Officer' shall mean the Director of any Department concerned with any particular contract
- (c) 'the statutory amount' shall mean £30,000 (exclusive of VAT) or such other amount as shall be determined from time to time by the Department of the Environment for Northern Ireland under Section 100 (1) of the Local Government Act (Northern Ireland) 1972.

28.1 Compliance

Every contract governed by these Standing Orders shall comply with the relevant requirements of national and European Community legislation and the Council's policy and procedures in relation to contracts.

28.2 Tendering

Every contract for the supply of services, goods or materials, or the execution of work, and which is likely to exceed the statutory amount in value shall, subject to permitted exceptions, be made subject to tender in accordance with the Council's policy and procedures in relation to procurement.

28.3 Sealing, Damages and Bonds

- (a) Every contract which exceeds the statutory amount in value shall be made under the Common Seal.
- (b) Every written contract shall specify –
 - (i) The work to be done, or the services to be provided, or the goods or materials to be supplied;
 - (ii) The price to be paid, with a statement of discounts or other deductions; and
 - (iii) The time or times within which the contract is to be carried out.
- (c) Every contract which exceeds the statutory amount in value and which is for the execution of works (or the supply of goods or materials by a particular date or series of dates) shall provide for liquidated damages or the making good by the contractor of any loss incurred by the Council in case the contract is not duly performed.
- (d) Where a contract is estimated to exceed a statutory amount in value and is for the execution of works (or for the supply of goods and materials by a particular date or series of dates), a Performance Bond or other adequate security shall not be required unless there are sound commercial reasons for their use.

29 Suspension and amendment of Standing Orders

29.1 Suspension

A Member may move a motion for the suspension of one or more of these Council Standing Orders excluding Standing Orders 20.4, 21, 22 and 23 which cannot be suspended. A motion under this Standing Order shall require the support of a qualified majority within the meaning of section 40 of the 2014 Act. Suspension can only be for the duration of the meeting. The Minutes of the Meeting must record the reason for the suspension. Mandatory standing orders, specified in the Standing Orders Regulations, may not be suspended by the Council.

29.2 Amendment

Any motion to, add to, vary or revoke these Standing Orders will, when proposed and seconded, stand adjourned without discussion to the next ordinary Meeting of the Council. The mandatory standing orders may not be added to, varied or revoked by the Council.

30 Interpretation of Standing Orders

The ruling of the Chairperson as to the interpretation, construction or application of any of these Standing Orders or as to any proceedings of the Council, shall not be challenged at any Meeting of the Council.

STRATEGY POLICY & RESOURCES COMMITTEE

-TERMS OF REFERENCE-

Scope

The **Strategy Policy & Resources Committee** ("the Committee") will be responsible for the effective and efficient operation of the Council, as well as setting its future strategic direction.

- Responsibilities for the development, and monitoring implementation, of the key strategic plans of the Council, including the Community Plan, Equality Scheme, Disability Action Plan, Corporate Plan, Performance Improvement Plan.
- Responsible for the effective planning and stewardship of the Council's entire resources and assets (financial, employees, information technology and land/property assets).
- Responsible for the management of the Council's policy development framework, including the statutory duties of equality and disability, and development of policy on matters including the Irish Language, disability and safe guarding strategies.
- Responsible for the development of an equality action measures plan to address corporate key inequalities identified under the audit of inequalities.
- Responsible for the Council's corporate performance management framework, including the setting and monitoring of performance targets and the oversight of performance across the organisation.
- Responsible for leading on the development and implementation of future organisational change in support of the Council's strategic objectives
- Responsible for the development and delivery of key corporate projects.
- Responsible for the Council's corporate communications and policy, including public consultation; public relations and media; marketing and publications.
- Leading on the development and implementation of suitable strategies, policies and programmes to assist with the effective and efficient operation of the Council, to include matters relating to finance and systems;; human resources; estates and capital projects; legal, administration and registration.

Membership

The Committee is comprised of the fifteen (15) Elected Members appointed to the Committee at the Council's Annual Meeting.

Quorum

No business shall be transacted unless at least 4 Members are present.

Chairperson

The Committee Chairperson and Deputy Chairperson shall be appointed at the Council's Annual Meeting in accordance with the Local Government Act (NI) 2014.

Meetings

All meetings of the Committee shall be governed by the Council's Standing Orders and the NI Local Government Code of Conduct for Councillors.

A timetable of meetings shall be agreed annually by the Council.

Sub-Committees and Working Groups

The Committee has the power to establish and appoint any number of Sub-Committees, Task and Finish Working Groups, Project Boards and Forums, as are necessary, to consider in more detail the work of the Committee, (see appendix 1).

Communication & Reporting

The Minutes of the Committee shall be tabled at each meeting of the Council in accordance with the Council's Standing Orders.

Declarations of Interest

A Declaration of Interests Register will be kept for all Committee Members. Each Member shall take responsibility to declare proactively any potential conflict of interest arising out of business undertaken by the Council.

APPENDIX 1

Council Task and Finish Working Groups/Project Boards/Forums Reporting Arrangements

	Task & Finish	Committees			
		AHC	ERT	RTS	SPR
Anti-Litter Working Group				√	
Camlough Lake Task and Finish Board	√		√		
Castlewellan Forest Park Task and Finish Project Board	√		√		
Chief Executive Appraisal Group					√
Councillors Website Reference Group	√				√
DEA Fora		√			
Decade of Centenaries Working Group					√
Economic Forum			√		
Efficiency Working Group					√
Elected Member Development Working Group					√
Equality and Good Relations Reference Group					
Health Forum	√	√			
Implementation of Irish Language Strategy Working Group	√				√
Marine Task Force				√	
Newry and Mourne Travellers Forum		√			
Strategic Waste Issues Working Group				√	
St Patrick's Day Cross Party Working Group	√				√
Strategic Projects Forum					√
Sustainability and Climate Change Task Force		√			
Tourism Strategy Task and Finish Project Board	√		√		

Community Planning Thematic Partnerships – report to Community Planning Partnership Board

Community Planning Partnership Board – report to Council

AUDIT COMMITTEE

-TERMS OF REFERENCE-

Scope

1. The Audit Committee ("the Committee") is a key component of Newry, Mourne and Down District Council's corporate governance arrangements. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.
2. The purpose of the Committee is to provide independent assurance to those charged with governance on the adequacy of the risk management framework and the internal control environment. It provides independent review of the council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.

Responsibilities

Governance, risk and control

3. To review the council's corporate governance arrangements against the good governance framework and consider annual governance reports and assurances.
4. To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control.
5. To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
6. To consider the council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.
7. To monitor the effective development and operation of risk management in the council.
8. To approve the council's risk management strategy and monitor progress in addressing risk-related issues reported to the Committee, including the corporate risk register and assurance information on the management of key corporate risks.
9. To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
10. To monitor the council's fraud and whistleblowing policies and monitor the implementation of these policies, including the counter-fraud strategy, actions and resources.
11. To be advised of the Council's structures, processes, systems and related arrangements for performance management.

Internal audit

12. To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.
13. To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
14. To approve significant interim changes to the risk-based internal audit plan and resource requirements.
15. To make appropriate enquiries of both management and the Internal Auditor to determine if there are any inappropriate scope or resource limitations.
16. To consider the Internal Audit annual report.

17. To consider summaries of all internal audit reports on the Internal Audit plan.

External audit

18. To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.
19. To consider specific reports as agreed with the external auditor.

Financial reporting

20. To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.

Membership

21. The Committee is comprised of ten (10) Elected Members appointed to the Committee at the Council's Annual Meeting, plus one independent suitably qualified person, who will be recruited for the 4 year term of Council.

Quorum

22. No business shall be transacted unless at least four (4) Members are present.

Chairperson

23. The Chairperson shall be the independent member of the Committee and they shall serve as Chairperson for the four year term of the Committee. The Head of Internal Audit and the representative from external audit will have free and confidential access to the Chair of the Committee.

Meetings

24. The frequency of the meetings will be driven by the scale and nature of the business with the Committee meeting at least four times per year to enable it to discharge its duties adequately and effectively. The Chair of the Audit Committee may convene additional meetings, as they deem necessary.
25. All meetings of the Committee will be governed by the Councils Standing Orders and the Northern Ireland Code of Conduct for Councillors.
26. The Chief Executive, Director of Corporate Services and the Audit Services Manager will attend all meetings. Internal and External Audit will also be in attendance. The committee may also ask any other officials of the Council to attend to assist it with its discussion on any particular matter.

Communication and Reporting

27. The Committee will provide the Council and the Chief Executive with an Annual Report, timed to support the finalisation of the Annual Statement of Accounts, summarising its conclusions from the work it has done during the year.

28. The Committee will report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions.
29. The minutes of the Committee will be reported at a meeting of Council by the Director of Corporate Services or, in their absence, by an alternative official (of Council).

Declarations of Interest

30. A Declaration of Interests Register will be kept for all Committee Members. Each member should take personal responsibility to declare proactively any potential conflict of interest arising out of business undertaken by the Council.

ENTERPRISE, REGENERATION & TOURISM COMMITTEE

-TERMS OF REFERENCE-

Scope

The **Enterprise, Regeneration & Tourism Committee** ("the Committee") will be responsible for clustering enterprise, regeneration and tourism activity across the District and for protecting both the natural and built environment of the District in accordance with the discharge of specified statutory functions and services, including planning development management and control in order to drive and support the local economy

Responsibilities

- Developing and implementing an integrated enterprise, regeneration and tourism product for the District.
- Maximising and securing opportunities for regional, national and international investment for enterprise, regeneration and tourism.
- Leading on the promotion and marketing of the District, and the engagement of key stakeholders for enterprise, regeneration and tourism.
- Contributing to the delivery of both Corporate and Community Plan objectives as advocate of the economic strand.
- Developing the District as a notable premier tourism destination on the island of Ireland.
- Leading on the renewal, regeneration and development of the District's city, towns, villages and rural settlements, and maximising and securing opportunities for job creation and retention throughout the District.
- Developing and implementing a vibrant cultural, arts and events programme for the District.
- Responsible for the provision of the building control function, including building regulations; safety in the built environment; licensing; postal numbering.
- The effective stewardship of delegated responsibilities for the District's resources and assets (physical, financial, people and property based) for enterprise, regeneration and tourism.

Membership

- Approved by Council on 7 November 2016.
- Terms of Reference shall be kept under review to ensure they remain appropriate annually. A full review of Council's Committee structures, and the corresponding Terms of Reference will be undertaken within the first 3 months of a new Council. Review of Terms of Reference shall be undertaken by the Council.

The Committee is comprised of the fifteen (15) Elected Members appointed to the Committee at the Council's Annual Meeting.

Quorum

No business shall be transacted unless at least 4 Members are present.

Chairperson

The Committee Chairperson and Deputy Chairperson shall be appointed at the Council's Annual Meeting in accordance with the Local Government Act (NI) 2014.

Meetings

All meetings of the Committee shall be governed by the Council's Standing Orders and the Northern Ireland Code of Conduct for Councillors.

A timetable of meetings shall be agreed annually by the Council.

Sub-Committees and Working Groups

The Committee has the power to establish and appoint any number of Sub-Committees, Task and Finish Working Groups, Project Boards and Forums as are necessary, to consider in more detail the work of the Committee, (see appendix 1 attached).

Communication and Reporting

The Minutes of the Committee shall be tabled at each meeting of the Council in accordance with the Council Standing Orders.

Declarations of Interest

A Declaration of Interests Register will be kept for all Committee Members. Each Member shall take responsibility to declare proactively any potential conflict of interest arising out of business undertaken by the Council.

- Approved by Council on 7 November 2016.
- Terms of Reference shall be kept under review to ensure they remain appropriate annually. A full review of Council's Committee structures, and the corresponding Terms of Reference will be undertaken within the first 3 months of a new Council. Review of Terms of Reference shall be undertaken by the Council.

APPENDIX 1

Council Task and Finish Working Groups/Project Boards/Forums Reporting Arrangements

	Task & Finish	Committees			
		AHC	ERT	RTS	SPR
Anti-Litter Working Group				✓	
Camlough Lake Task and Finish Board	✓		✓		
Castlewellan Forest Park Task and Finish Project Board	✓		✓		
Chief Executive Appraisal Group					✓
Councillors Website Reference Group	✓				✓
DEA Fora		✓			
Decade of Centenaries Working Group					✓
Economic Forum			✓		
Efficiency Working Group					✓
Elected Member Development Working Group					✓
Equality and Good Relations Reference Group					
Health Forum	✓	✓			
Implementation of Irish Language Strategy Working Group	✓				✓
Marine Task Force				✓	
Newry and Mourne Travellers Forum		✓			
Strategic Waste Issues Working Group				✓	
St Patrick's Day Cross Party Working Group	✓				✓
Strategic Projects Forum					✓
Sustainability and Climate Change Task Force		✓			
Tourism Strategy Task and Finish Project Board	✓		✓		

Community Planning Thematic Partnerships – report to Community Planning Partnership Board

Community Planning Partnership Board – report to Council

- Approved by Council on 7 November 2016.
- Terms of Reference shall be kept under review to ensure they remain appropriate annually. A full review of Council's Committee structures, and the corresponding Terms of Reference will be undertaken within the first 3 months of a new Council. Review of Terms of Reference shall be undertaken by the Council.

Report to:	Strategy, Policy and Resources Committee
Date of Meeting:	14 February 2019
Subject:	Party Representatives Forum interim terms of reference 3May – 20 May 2019
Reporting Officer (Including Job Title):	Liam Hannaway CEO
Contact Officer (Including Job Title):	J McGilly Assistant Director Community Planning and Performance (Acting)

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

For decision	<input type="checkbox"/>	*	For noting only	<input type="checkbox"/>
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1.0	Purpose and Background
1.1	Following the Council Elections on 2 May a number of key pieces of work need to be carried out to prepare for the AGM. In order for officer to prepare papers for Annual General Meeting of Council it will be essential for political parties to input to agree Committees, allocations of Committee chairs etc
2.0	Key issues
2.1	<p>In order to address this need and ensure the necessary work is completed for the AGM as per legislation it is normal procedure to utilise the Party Representatives Forum to discuss these issues and develop recommendations to be tabled at the AGM</p> <p>In the current Governance structures Party Representatives Forum plays a key role in supporting the Councils formal decision making process and is a political "sounding board" for Officers on strategic policy issues, it does not have any decision making authority but plays a key role in ensuring effective and efficient decision making.</p> <p>The forum is currently made up of 2 reps from each of SF and SDLP, 1 rep from each of DUP, UUP and Independent/Alliance and Cllr Reilly. Chair of Council sits on Forum also but will account for one of the above depending on their Party.</p> <p>As a decision cannot be made on new Governance structures until AGM the current Council needs to formally agree an interim arrangement for the period post elections to the Annual General Meeting. Below are 3 options that the Party Representative have requested the Committee consider, these are not exhaustive and members can discuss and augment as they so desires in reaching an agreed way forward.</p> <p>Options 1 - Maintain the current membership and terms of reference as detailed above</p> <p>Option 2 – Maintain current terms of reference and limit membership to 1 member from each of the four largest Parties following elections on 2 May 2019</p>

	Option 3 – If agreement cannot be reached on an interim arrangement for Party Reps Council will revert to individual Party meetings with CEO to try to reach consensus ahead of AGM proposed for 20 May 2019.
3.0	Recommendations
3.1	<p>1. Council agree to utilise the principle of Party Representatives Forum make recommendations and assist Officers prepare for AGM, with a new structure being agreed after the AGM if the new Council so agrees</p> <p>2 Council agree representation on the Party Representatives Forum for the interim period between elections on 2 May 2019 and AGM on 20 May 2019 (provisional Date subject to Full Council approval at March Council Meeting)</p>
4.0	Resource implications
4.1	No additional resource implications
5.0	Equality and good relations implications
5.1	none
6.0	Rural Proofing implications
6.1	none
7.0	Appendices
	NA
8.0	Background Documents
	NA

Report to:	Strategic Policy & Resources Committee
Date of Meeting:	14 February 2019
Subject:	Proposed Changes to Registration Service (Births, Deaths and Marriages)
Reporting Officer:	Alison Robb - Assistant Director Corporate Services (Administration)
Contact Officers:	Alison Robb - Assistant Director Corporate Services (Administration) Gerry McBride - Head of Administration and Customer Services

		For decision	X	For noting only	
1.0	Purpose and Background				
1.1	On 1 April 2015 when the legacy Councils amalgamated, one Registrar was appointed for the new District in line with the relevant legislation. Council operates a Registration Service from the Town Hall, Newry and Downshire Civic Centre, Downpatrick.				
1.2	The General Registration Office ("GRO") funds the current staffing compliment of a Registrar and Deputy Registrar based in the Town Hall, Newry and 2 Deputy Registrars based in Downshire Civic Centre. There is also limited funding from GRO for additional resource which is used to draw from a relief panel of staff trained in Registration duties who can provide cover at the two offices as and when required. GRO bases its funding on a workload percentage allocated to the 2 Registration offices.				
1.3	Staffing of Council's 2 Registration offices has been challenging in recent times due to several factors including retaining staff to the relief panel and difficulties in having relief panel staff released from their substantive posts in Council to provide cover in Registration. There has also been an increase in the number of outside office commitments e.g. weddings in outside venues which will involve travel across a much larger geographical area.				
1.4	As a statutory function, the Registration Service must be delivered by staff sufficiently trained and approved by the GRO to use its software system. The service relies on information being recorded accurately with no margin for error. This means that it is not possible to draw staff from other parts of Council to cover periods of absence without significant training and experience.				

1.5	Consideration has therefore been given, in consultation with colleagues in other Councils, to how the service could be adapted to make better use of staff time and improve customer service.
1.6	The GRO, which governs the Registration Service delivered by local Councils and funds service delivery, has been encouraging Councils across Northern Ireland to introduce appointments systems, as it believes this is a more financially efficient way of delivering the service and a more effective use of Registration staff.
1.7	The 10 other Councils in Northern Ireland now either operate an appointment system only, or a hybrid service of appointments and walk-in registration. Those Councils have reported that the introduction of an appointment system has been well received by customers and most Registrars expect this to become the normal way of delivering the Registration service in the future. Council's own Registration staff frequently receive calls from members of the public seeking to make an appointment as it is anticipated that, similar to seeking to see a GP/Dentist etc, an appointment would be required.
2.0	Key issues
2.1	To improve the customer experience and enable the better management of human resources and workload across the 2 Offices it is proposed to introduce an appointment system and fixed times for Registration staff to conduct weddings and civil partnerships.
2.2	<p>There are several benefits to be achieved from operating an appointment system including: -</p> <ul style="list-style-type: none"> • Eradicates waiting time for customers (demonstrating that Council respects and values its customers time) • Reduces the likelihood of uncomfortable or distressing scenarios occurring where e.g. recently bereaved parents must wait alongside parents with a new-born baby • Improves ability for Registration staff to manage their time (it avoids peaks and troughs and reduces stress on staff members) • Improves the ability of the Registrar to allocate finite human resources to the service across a large geographical area and to generally manage the workload.
2.3	The proposal is also aimed at building a more cohesive team which is equipped to cover the whole of the District, removing geographical silos and providing a robust layer of governance.
2.4	Given the pressures on staff time it is also proposed to have fixed times for Registration staff to conduct weddings or civil partnerships. The proposed designated times would be 1pm and 3pm daily. Requests outside these times would only be accommodated in exceptional circumstances.

2.5	The performance of marriage and civil partnership ceremonies will be carried out by all Registration staff at approved venues throughout the District on a rota basis. This will ensure that each staff member has a fair allocation of all elements of Registration work.
2.6	However, by way of assurance members should note that a member of public calling in without an appointment will be attended to if a member of Registration staff is available. If no member of staff is available, he/she will be offered the next available appointment which they wish to avail of. Likewise, Registration staff will work with couples availing of the marriage and civil partnership service who, because of special circumstances, require their ceremony to be held at a specific time to try to accommodate their needs.
2.7	It is proposed to introduce the appointment system and fixed times for officiating at weddings and civil partnerships at both Registration offices on 1 May 2019 after which the practice will be monitored to ensure the quality of service delivery and customer satisfaction. It will bring the service into line with the approach adopted by most Councils in Northern Ireland and achieve greater consistency across this sector.
2.8	It is proposed the changes to service delivery will be promoted via advertisements in local newspapers, posters and leaflets in Council offices, on Council's Website and Facebook pages and via bespoke information cards distributed to Councillors, other elected representatives, funeral directors, local clergy, hospitals, hospices, nursing homes and wedding venues.
3.0	Recommendations
3.1	From 1 May 2019 introduction of a fixed appointment system for members of the public seeking to access the Registration service in person (births, deaths and marriages), with flexibility that a member of the public calling in without an appointment will be attended to if a member of Registration staff is available.
3.2	From 1 May 2019 introduction of fixed times for officiating at weddings and civil partnerships across the District of 1.00 pm and 3.00 pm, with flexibility for special circumstances.
4.0	Resource implications
4.1	Advertising and promotional costs will be met within existing budget.
4.2	More effective deployment of staff allowing for better management of workload and avoiding peaks and troughs in demand for service.
5.0	Equality and good relations implications
5.1	None identified.

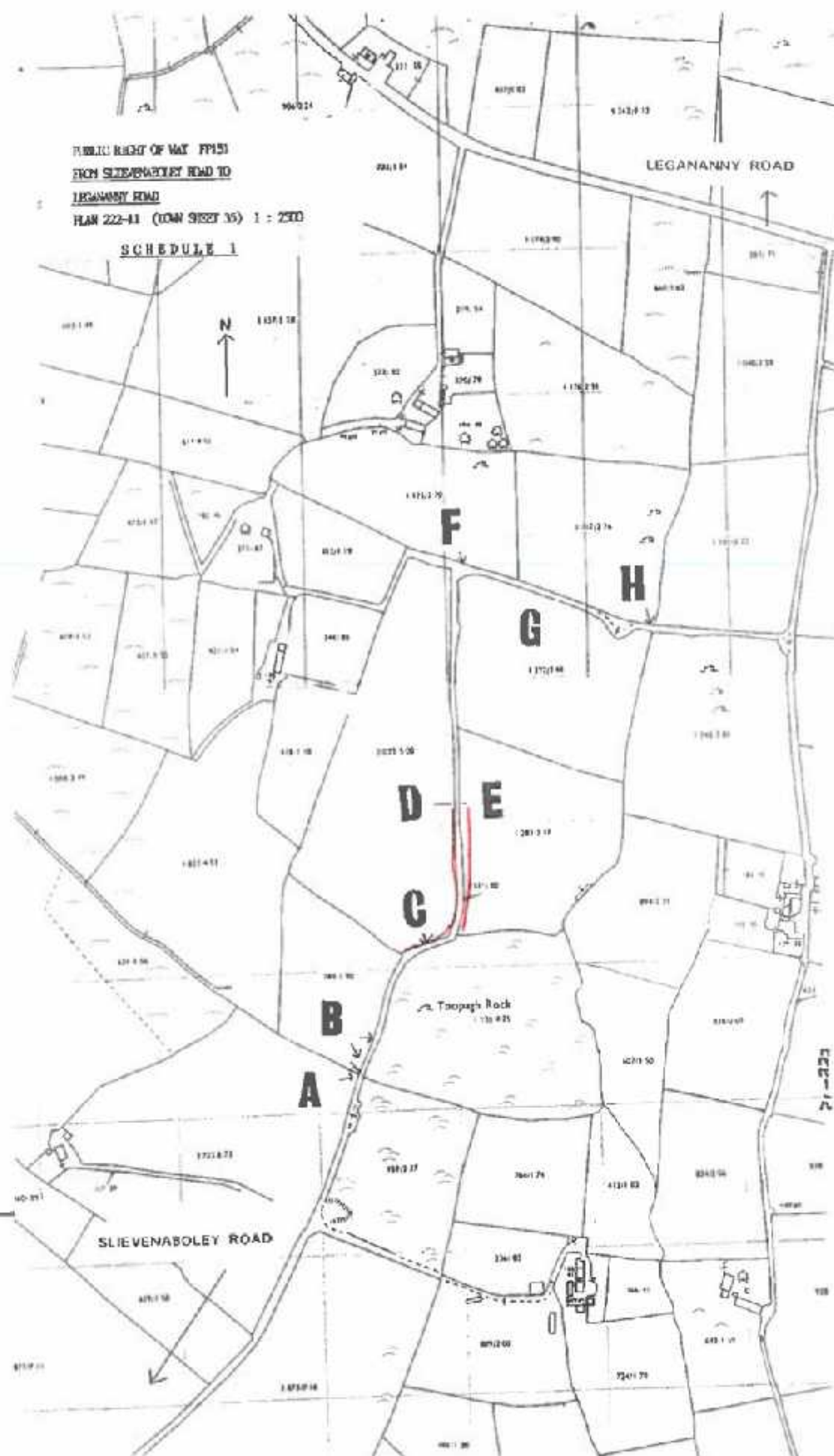
6.0	Rural Proofing implications
6.1	Fixed appointment system will guarantee those travelling from rural locations to Council's 2 Registration offices will encounter fewer delays and greater certainty in access to Registration services.
7.0	Appendices
	None.
8.0	Background Documents
	None.

Report to:	Strategic, Policy and Resources Committee
Date of Meeting:	14 February 2019
Subject:	Replacement fencing at Windy Gap Pad
Reporting Officer (Including Job Title):	Fearghal O'Connor, Head of Legal Administration (acting)
Contact Officer (Including Job Title):	Heather Wilson, Land Management Officer

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

For decision	x	For noting only	
1.0			Purpose and Background
1.1			<p>As part of the Review of Public Administration, Newry, Mourne and Down District Council became responsible for the Ballyward area of the former Banbridge District Council area which include five asserted public rights of way.</p> <p>One of these rights of way is the 'Windy Gap Pad' and which Banbridge District Council entered into a legal agreement with the landowners to carry out a range of works to open up the path and then to 'maintain, replace and repair all gates, stiles, fences and other works erected' under the agreement in perpetuity.</p> <p>A section of the fencing which was erected by Banbridge District Council has been burnt and requires replacement.</p>
2.0			Key issues
2.1			Newry, Mourne and Down District Council are bound to honour the agreement as Banbridge District Council was the predecessor in title.
3.0			Recommendations
3.1			That quotes for the work be obtained and the fencing be replaced.
4.0			Resource implications
4.1			It is estimated that the cost will not exceed £5,000. There is budget available within the 2018/19 Access Budget.
5.0			Equality and good relations implications
5.1			No equality or good relations implications have been identified.

6.0	Rural Proofing implications
6.1	Due regard to rural needs has been considered in making the recommendation.
7.0	Appendices
	Map of the path attached indicating the section which requires the replacement of fencing.
8.0	Background Documents
	None



— Area of fencing to be repaired.



@NI_LGA

Central – Local Government Political Partnership Forum

18th January 2019

KEY OUTCOMES & ACTIONS

The third meeting of the Central- Local Government Political Partnership Forum, took place on 18th January 2019. This Outcomes Note is provided by NILGA, the Northern Ireland Local Government Association, to provide a fast update to member councils, councillors and MLAs appointed to the Forum.

5 MLAs were in attendance on 18th January 2019:

- Mark H. Durkan MLA, SDLP,
- Peter Weir MLA, DUP,
- John Blair, MLA, Alliance,
- Fra McCann MLA, Sinn Féin,
- Roy Beggs MLA, UUP.

The following Local Government members were present:

- Ald Freda Donnelly, Armagh City, Banbridge and Craigavon Borough Council/NILGA Office Bearer,
- Cllr Sharon McAleer, Mid Ulster District Council,
- Cllr Scott Carson, Lisburn & Castlereagh City Council,
- Cllr Richard Smart, Ards and North Down Borough Council,
- Cllr Seán McPeake, Mid Ulster District Council/NILGA Office Bearer,
- Cllr Seamus Doyle, Armagh City, Banbridge and Craigavon Borough Council/NILGA Office Bearer Alternate,
- Cllr Maoliosa McHugh, Derry City and Strabane District Council,
- Ald Tom McKeown, Causeway Coast and Glens Borough Council,
- Ald Alan McDowell, Ards and North Down Borough Council/NILGA Office Bearer,
- Ald Arnold Hatch, Armagh City, Banbridge and Craigavon Borough Council/NILGA Office Bearer



KEY OUTCOMES & ACTIONS

Terms of Reference:

There was substantial roundtable discussion, building on the first draft of the Terms of Reference for the Central – Local Government Political Partnership Forum.

Agreed:

Revisions to the Terms of Reference will be finalised and the final draft distributed to Councils and appointed MLAs week commencing 28th January 2019.

Outcomes from previous meeting:

In respect of Paper B, correspondence and data received from the Chair of the Education Authority; John Blair MLA commented that the information provided represented only part of what was needed. He emphasised that information on smaller towns and villages with 2+ schools with low pupil numbers would be required. Whilst Mr Blair would be using his own endeavours, it was agreed that this would be further pursued by the Political Forum.

Miscellaneous Roads Order 2010:

It was confirmed that a meeting had been agreed to by the Department for Infrastructure on this issue, also to include PSNI, NILGA and a council Chief Executive.

Members engaged in policy and community impact discussion, and it was noted that in some cases the prohibitive costs of traffic management had led to the cessation of events such as the Ards Half Marathon.

Issues raised by Councils:

Agreed: Political Forum Members agreed to support and refer the letter from Fermanagh and Omagh District Council to The Executive Office (TEO).

Members, both MLAs and councillors, referenced the importance of devolved political scrutiny on matters of key policy and budget concern, supporting the attendance at future meetings of specific Permanent Secretaries and council Chief Executives.

Key note presentation – Department for Communities (DfC):

Responding to an overview of the year past and a preview of the year ahead, Political Forum members noted the support expressed by Tracy Meharg, the new DfC Permanent Secretary, in her letter, together with the sentiment and content expressed by Nichola Creagh, Local Government Division, DfC.

Both MLAs and Councillors sought the substantial input by Local Government in any proposed review of RPA. Members also supported the alignment of NILGA's proposed, more detailed review, to be commissioned by the end of March 2019, to the Department's proposals.

Code of Conduct and Councillors Guide:

Members discussed the issue of the local government election, 2nd May 2019, emphasising the importance of the Councillors Guide and a Code of Conduct which is easy to understand and implement, calling for greater consistency with the MLA code and improvements in the process.

It was further noted that the independent CODE OF CONDUCT REVIEW is awaiting Ministerial sign-off, whilst being in no way a politically contentious issue.

AONB:

Several councillors and an MLA highlighted the importance of the Central – Local Government Political Partnership Forum, encouraging both the strong communication of its existence and outcomes, together with reinforcing the message of restoring the Legislative Assembly as soon as possible.

Other members highlighted the importance of inviting the Permanent Secretary of Infrastructure to the next meeting, to engage on a variety of DfI matters, including but not restricted to road closures related to event traffic management.

NB: Please note that a fuller version of Outcomes and Actions will follow in Draft Minutes.



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THE LOCAL GOVERNMENT STAFF COMMISSION FOR NORTHERN IRELAND

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BH/Pa

30 January 2019

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

Dear Liam

Local Government Staff Commission for NI – Postponement of Dissolution Date

You will be aware from previous correspondence from the Chief Executive that due to the lack of a functioning Executive at Stormont it has not been possible to pass the necessary Dissolution Order to dissolve the Commission as previously planned.

As a consequence, the Department of Communities has advised that the Commission should plan to continue to operate, potentially for a further two year period (April 2019 – March 2021). On this basis it is necessary to put in place adequate staffing to continue to implement our strategic obligations following the departure of the current Chief Executive and Policy Officer on 31 July 2019,

I therefore write to advise you that following an Interchange Trawl, two secondees will be taking up post with the Commission w.e.f. 01 August 2019 to carry out the major duties performed by the two existing officers as follows:-

- **Mrs Helen Hall**, currently employed as Head of Performance and Transformation with Antrim and Newtownabbey Borough Council will take up post as Director of Corporate Services (3 days per week);
- **Ms Donna-Marie O'Prey**, currently employed as Senior Officer, Public Affairs – Corporate Communications with the Northern Ireland Housing Executive (4 days per week).

I, and all Commission members are confident that with the two secondees in place and the continuing employment of Mrs Lorna Parsons (Director of Recruitment and Diversity) together with appropriate administrative support the Commission can continue to work effectively up to our final dissolution date.

I would like to take this opportunity to thank you for your continuing support during this time of uncertainty and to seek your co-operation in ensuring that the new secondees are fully integrated within the local government and housing sectors.

Yours sincerely

Brian Hanna
Chairman

Report to:	SP&R Committee
Date of Meeting:	14th February 2019
Subject:	Albert Basin Park
Reporting Officer (Including Job Title):	Conor Mallon Assistant Director of Estates and Project Management
Contact Officer (Including Job Title):	Conor Mallon Assistant Director of Estates and Project Management

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

For decision	For noting only	X
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1.0	Purpose and Background
1.1	Purpose of this report is to provide an update to members on progress with the delivery of the Albert Basin Park.
2.0	Key issues
2.1	<p>The Albert Basin Park Working Group has been established to assist the Council with the identification, as well as the development and delivery of a 15 acre Park for Newry City.</p> <p>Following the June 2018 meeting of the Working Group it was recommended that council officers procure the services of a specialist consultant to review the existing contamination report prepared by Marenco in 2006.</p> <p>Council Committee approval was obtained to carryout the review, the report was completed by WYG in December 2018, and concluded the following;</p> <ul style="list-style-type: none"> • The previous assessment was undertaken using assessment criteria based on a mixed use scheme comprising residential and commercial developments. Based on the current proposed end use, the assessment criteria, the use of residential assessment criteria would be considered overly conservative • The assessment criteria used for the assessment of human health have been superseded by contemporary Suitable for Use Levels (S4ULs) and Category 4 Screening Levels (C4SLs) where applicable. • Assessment of vapour risk to future buildings was undertaken using maximum concentrations of more volatile fractions of petroleum hydrocarbons and PAHs in soils and groundwater. Contemporary assessment criteria have since been developed for assessing vapour risk from soil and groundwater sources.

- Hydrogeological modelling has been undertaken to determine the sites groundwater regime and continuity with the adjacent river and canal. However, the majority of groundwater monitoring wells have been installed through both made ground and natural strata. Consequently, there is an uncertainty regarding the continuity between the two groundwater bodies.
- The installation of monitoring wells across made and natural grounds, including into the organic rich underlying alluvial soils, will also influence of the recording of ground gas concentrations. In addition to the potential influence of hydrocarbon contamination hotspots, there is an uncertainty as to the source of the localised elevated CO₂ and CH₄ concentrations.
- Pentland Macdonald reference a historic electricity substation in the north of the site. However, analysis of soil and groundwater samples obtained from adjacent investigation locations did not include PCBs.

In addition to the conceptual uncertainties identified above, there is the potential for organic contaminants to degrade over time, or to migrate from site. Consequently, the conclusions drawn by Pentland Macdonald may no longer represent contemporary site conditions

In summary, considering the age of the historic data and nature of the proposed end use as a city park, WYG has identified a number of conceptual uncertainties and information gaps that will need to be addressed to assess environmental risks associated with the site and proposed development.

Following receipt of the WYG report Council officers will proceed with the delivery of the further site assessments as recommended by WYG, including intrusive investigations to provide an updated Land Contamination Risk Assessment for the Site.

Works will be delivered from the within the current approved budget for the scheme and will commence in February 2019 and be completed within 6 months.

A Programme outlining the proposed delivery of the Albert Basin Park project is appended for information

3.0	Recommendations
3.1	That SPR notes the progress of the Working Group and the proposed Delivery Programme attached at Appendix 1
4.0	Resource implications
4.1	£85k revenue funding for Albert Basin Park studies was included within the rates estimation for 2018-2019
5.0	Equality and good relations implications
5.1	This report is not subject to an equality impact assessment (with no mitigating measures required)
6.0	Rural Proofing implications

6.1	I confirm due regard to rural needs has been considered, and the proposal has not been subject to a rural needs impact assessment
7.0	Appendices
	Appendix 1 – Programme
8.0	Background Documents
	None

[illegible]