

October 12th, 2021

Notice Of Meeting

You are requested to attend the Strategy, Policy and Resources Committee Meeting to be held on **Thursday, 14th October 2021 at 6:00 pm** in **Mourne Room, Downshire Civic Centre.**

Chairperson - Councillor O Hanlon

Deputy Chairperson - Councillor P Brown

Councillor P Byrne

Councillor S Doran

Councillor H Gallagher

Councillor R Howell

Councillor O Magennis

Councillor D Murphy

Councillor B O'Muirí

Councillor H Reilly

Councillor M Savage

Councillor G Sharvin

Councillor D Taylor

Councillor J Tinnelly

Councillor W Walker

Agenda

1.0 Introduction and Apologies

2.0 Declarations of Interest

3.0 Action Sheet arising from SPR Committee Meeting held on Thursday 16 September 2021 & Special SPR Meeting 27 September 2021

📎 *SPR-Action Sheet arising from 16 September 2021.pdf*

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📎 *Special SPR - Action Sheet arising from 27 September 2021.pdf*

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For Discussion/Decision

4.0 Department of Health Consultation on Proposed Amendments to the Safeguarding Board for Northern Ireland

For Decision

📎 *Department of Health Consultation on proposed amendments to the Safeguarding Board for Northern Ireland.pdf*

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📎 *Appendix - Proposed Changes to 2012 SBNI Regulations - Consultation Document.pdf*

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Items deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (NI) 2014

5.0 Proposed Licence of a strip of land to Buttercrane Shopping Centre

This item is deemed to be exempt under 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) and the public may, by resolution, be excluded during this item of business.

📎 *Proposed Licence of a strip of land to Buttercrane Shopping Centre.pdf*

Not included

📎 *DRD021-G-1-20 Buttercrane Licence agreement map.pdf*

Not included

6.0 Return of Remote Hearing Regulations

This item is deemed to be exempt under 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) and the public may, by resolution, be excluded during this

item of business.

 ***Remote hearing regulations.pdf***


Not included

7.0 DTNI proposal - Pioneering the potential of Community Wealth Building in Newry, Mourne and Down

This item is deemed to be exempt under 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) and the public may, by resolution, be excluded during this item of business.

 ***DTNI proposal - Pioneering the potential of Community Wealth Building in Newry Mourne and Down.pdf***

Not included

 ***Appendix I - Pioneering the potential of Community wealth building in NMD Proposal August 2021.pdf***

Not included

8.0 Belfast Region City Deal - Governance & Progression of Regional Programmes

This item is deemed to be exempt under 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) and the public may, by resolution, be excluded during this item of business.

 ***Belfast Region City Deal - Governance Progression of Regional Programmes.pdf***

Not included

9.0 Surplus Assets

This item is deemed to be exempt under 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) and the public may, by resolution, be excluded during this item of business.

 ***Surplus Assets Update.pdf***

Not included

 ***Appendix A - Overview Sept 21.pdf***

Not included

10.0 Albert Basin

This item is deemed to be exempt under 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) and the public may, by resolution, be excluded during this item of business.

 ***Albert Basin City Park.pdf***

Not included

 <i>Albert Basin Proposed Phase 1.pdf</i>	<i>Not included</i>
 <i>Albert Basin Proposed Concept Layout.pdf</i>	<i>Not included</i>
 <i>Albert Basin - Programme.pdf</i>	<i>Not included</i>

11.0 Belfast Region City Deal Outline Business Case

This item is deemed to be exempt under 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) and the public may, by resolution, be excluded during this item of business.

 <i>Belfast Region City Deal Outline Business Cases.pdf</i>	<i>Not included</i>
 <i>Appendix 1 - Landscape document templates.pdf</i>	<i>Not included</i>
 <i>Landscape document templates.pdf</i>	<i>Not included</i>

Items deemed to be exempt under paragraph 4 of Part 1 of Schedule 6 of the Local Government Act (NI) 2014


12.0 Director Recruitment

This item is deemed to be exempt under paragraph 4 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the Council or a government department and employees of, or office holders under, the Council.

 <i>Director Recruitment.pdf</i>	<i>Not included</i>
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13.0 Covid-19 Employee Appreciation

This item is deemed to be exempt under paragraph 4 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the Council or a government department and employees of, or office holders under, the Council.

 <i>Covid-19 Employee Appreciation.pdf</i>	<i>Not included</i>
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14.0 Temporary Posts

This item is deemed to be exempt under paragraph 4 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the Council or a government department and employees of, or office holders under, the Council.

 *ERT - AHC funded posts.pdf*

Not included

FOR NOTING Items deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (NI) 2014

15.0 City Deals Complementary Fund Bids

This item is deemed to be exempt under 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) and the public may, by resolution, be excluded during this item of business.

 *City Deals Complementary Fund Bids.pdf*

Not included

16.0 Strategic Finance Working Group Action Sheet from meeting held on 01/10/21

This item is deemed to be exempt under 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) and the public may, by resolution, be excluded during this item of business.

 *Action Sheet 1 10 2021.pdf*

Not included

For Noting

17.0 Minutes of Newry City Centre Regeneration Programme Board held on 23/09/21 and 24/09/21


 *Minutes of Newry CCR PB Meeting - 23.09.2021.pdf*

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 *Minutes of Newry CCR PB Meeting - 24.09.2021 Albert Basin.pdf*

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18.0 Statutory reporting - Section 75 Policy Screening Report – Quarterly Report for period July - September 2021

 *Statutory reporting - Section 75 Policy Screening Report.pdf*

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 *Appendix I - Quarterly Screening Report July - September 2021.pdf*

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Invitees

Cllr Terry Andrews

Mr Alan Beggs

Ms Kate Bingham

Cllr Patrick Brown

Cllr Robert Burgess

Cllr Pete Byrne

Mr Gerard Byrne

Mrs Dorinnia Carville

Cllr Charlie Casey

Cllr William Clarke

Cllr Dermot Curran

Cllr Laura Devlin

Ms Louise Dillon

Cllr Sean Doran

Cllr Cadogan Enright

Cllr Aoife Finnegan

Cllr Hugh Gallagher

Cllr Mark Gibbons

Cllr Oonagh Hanlon

Cllr Glyn Hanna

Cllr Valerie Harte

Cllr Roisin Howell

Mrs Sheila Kieran

Cllr Mickey Larkin

Cllr Alan Lewis

Mr Michael Lipsett

Mrs Regina Mackin

Cllr Oonagh Magennis

Mr Conor Mallon

Cllr Gavin Malone

Cllr Cathy Mason

Mr Johnny Mc Bride

Colette McAteer

Cllr Declan McAteer

Cllr Leeanne McEvoy

Cllr Harold McKee

Patricia McKeever

Cllr Karen McKevitt

Cllr Andrew McMurray

Catrina Miskelly

Mr Colin Moffett

Cllr Roisin Mulgrew

Cllr Declan Murphy
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Cllr Barra Ó Muirí
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Mr Fearghal O'Connor
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Linda O'Hare
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Cllr Gerry O'Hare
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Cllr Kathryn Owen
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Cllr Henry Reilly
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Ms Alison Robb
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Cllr Michael Ruane
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Cllr Michael Savage
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Cllr Gareth Sharvin
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Donna Starkey
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Cllr Gary Stokes
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Sarah Taggart
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Cllr David Taylor
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Cllr Jarlath Tinnelly
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Cllr John Trainor
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Cllr William Walker
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Mrs Marie Ward
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ACTION SHEET – STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING (SPR) – THURSDAY 11 FEBRUARY 2021

SPR/019/2021	(SPR/003/2021- Letter to Health Minister Mr Swann and contact with PHA)	Further that previous request for a drive-in and walkthrough facility in Newry to remain on Action Sheet and update provided to members as situation evolves.	D Carville	To update members	N
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ACTION SHEET – STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING (SPR) – THURSDAY 16 SEPTEMBER 2021

SPR/137/2021	Action Sheet of the Strategy, Policy and Resources Committee Meetings held on 12 August 2021.	It was agreed that the action sheet from the Strategy, Policy and Resources Committee Meetings held on 12 August 2021, be approved.	D Carville	Noted	Y
SPR/138/2021	Assessment of Performance 2020-21	<p>It was agreed to approve the following recommendations:</p> <ul style="list-style-type: none"> • The Assessment of Performance 2020-21, including the summary document 'Our Performance Looking Back Going Forward' • That the Assessment of Performance 2020-21 is published by 30 September 2021, before full Council ratification, in order to meet the statutory deadline 	D Carville	Approved	Y

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

SPR/139/2021	Easement over Council	It was agreed to approve the grant of an easement at Islands Pk Newcastle, subject to the applicant discharging the cost of the easement as assessed by Council's retained valuation experts, and any associated legal and valuation costs.	F O'Connor	Approved	Y
SPR/140/2021	Update on the Development of Warrenpoint Community Centre	<p>It was agreed to approve the following recommendations:</p> <ul style="list-style-type: none"> • That Strategic Policy and Resources Committee note the content of the report and the associated appendices. • That the Strategic Policy and Resources Committee approve the project moving to the next stage i.e. to appoint a consultant team to advance the design of the preferred option (Option 3) and to secure full planning approval. It is recommended that the consultant is appointed for all stages of the project with the inclusion of break clauses, should planning approval not be secured, or if Council take a decision not to proceed to any of the subsequent stages (detailed design, procurement or construction delivery). • It is recommended that an amount detailed in the officer's report is added to the capital programme for the appointment of a consultancy team to advance to project to secure planning approval, inclusive of any ground investigations, traffic, flood risk assessment, ecology and drainage surveys required to complement the planning application. A further report will be brought to the Committee seeking approval for the next stages of the project, after planning approval is secured. 	M Lipsett	Approved	Y

SPR/141/2021	Leasing of Council land and facilities – Expression of Interest	<p>It was agreed to consider the following Expressions of Interest (EOI) received for the leasing of Council land and facilities and agree the approval to lease lands and facilities as per stage 3 of the Councils Sports and Community leasing policy (2016).</p> <ol style="list-style-type: none"> 1. Moorehill Quarry: Adjacent to Newry recycling Centre, Newry, Appendix 1 3. Generator House: Adjacent to the yacht club, Newcastle. Appendix 3 4. Burren Village Green Field/land: Adjacent Play park and community centre, Burren, Appendix 4 5. Drumaness Cricket Pitch: Adjacent to Dan Rice Memorial Hall, Drumaness, Appendix 5 Blue 6. Drumaness Soccer Pitch: Adjacent to Dan Rice Memorial Hall, Drumaness, Appendix 5 Red <p>Item 2 – Derryleckagh Field/Land: Adjacent to Derryleckagh playing fields, Newry, Appendix 2, to be deferred until Council arrange to meet with the Rugby Club and DEA Councillors in relation to the NIE request and bring back to a future Strategy Policy and Resources Committee meeting.</p>	M Lipsett	Noted	Y
SPR/142/2021	Revised Risk Policy and Strategy	It was agreed to approve the Risk Policy and Risk Strategy as outlined in Appendix 1 and 2 respectively.	G Byrne	Approved	Y
SPR/143/2021	Debt Write Off 31 st March 2021	It was agreed to approve the bad debt write-off for the year ending 31 March 2021 as detailed in the officer's report.	G Byrne	Approved	Y
SPR144/2021	Neighbourhood Services.	It was agreed to approve the engagement of the SIB advisor on the terms set out within the report.	M Ward	Approved	Y

SPR/145/2021	Review of Temporary Contracts	<p>It was agreed approve the following Recommendations:</p> <ul style="list-style-type: none"> • That Members support the approach set out within the report which will result in a number of temporary arrangements being confirmed as permanent. These principles will extend and apply as appropriate, to any temporary contracts post the April 2021 data. • That Members confirm their agreement to designate the 25 posts identified on Appendix 1, as 'Permanent subject to funding' and that going forward, when entering into funded arrangements which include the employment of staff, that an assessment is made as to whether such posts should be regarded as 'Temporary', 'Fixed-Term' or as 'Permanent subject to funding'; on the same basis. 	D Carville	Approved	Y
SPR/146/2021	Strategic Finance Working Group Action Sheet held On 27 August 2021.	It was agreed It was agreed to note the Strategic Finance Working Group Action Sheet – 27 August 2021.	D Carville	Noted	Y
OPEN SESSION – FOR NOTING					
SPR/147/2021	Minutes of Newry City Regeneration Programme Board Meeting –20 May 2021 and 24 June 2021	It was agreed to note the minutes of Newry City Centre Regeneration Programme Board Meeting held on 20 May 2021 and 24 June 2021.	D Carville	Noted	Y
SPR/148/2021	Framework Document for Civil Contingencies Northern Ireland	It was agreed to note the contents of the report.	D Carville	Noted	Y
SPR/149/2021	Sickness Absence	It was agreed to note the contents of the report.	L Fitzsimons	Noted	Y

ACTION SHEET – SPECIAL STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING (SPR) – M O N D A Y 2 7 S E P T E M B E R 2 0 2 1

Minute Ref	Subject	Decision	Lead Officer	Actions taken/Progress to date	Remove from Action sheet Y/N
<u>ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE LOCAL GOVERNMENT ACT (NI) 2014</u>					
SPR/152/2021	Report from Audit Committee – Governance Review of Newry City Centre Regeneration Programme.	It was agreed to note the Report and the findings of Appendices 1 and 2.	D Carville	Noted	Y
SPR/153/2021	Belfast Region City Deal Outline Business Case.	<p>It was agreed to approve and note the following recommendations:</p> <p>To consider the contents of the report and approve the inclusion of the adjusted financial estimates for the NCCR and Mourne Mountains Gateway Project within the Belfast Regional City Deal Document.</p> <p>The Belfast Regional City Deal Document will be tabled through the Council structures at an appropriate meeting in Council in October 2021.</p> <p>All projects within the Belfast Regional City Deal proposition are at Outline Business Case stage and there remains scope within the development of these projects to consider and take actions deemed appropriate to</p>	M Ward	Noted	Y

		<p>matters as they arise including site selection and finances.</p> <p>The Belfast Regional City Deal proposition includes the following infrastructure projects specific to Newry, Mourne and Down District Council area:</p> <ul style="list-style-type: none"> • Southern Relief Road • Gateway to the Mournes • Newry City Regeneration Programme (Public Realm, Theatre Conference, Grade A Office Accommodation, Civic and Regional Hub) • Digital and Innovation Hub <p>A fund of £132.4m for the Newry, Mourne and Down Region will be supported by Council contributions.</p>			
SPR/154/2021	Albert Basin City Park	<p>It was agreed to approve the following recommendations:</p> <ul style="list-style-type: none"> • To complete a business case to allow for: the appointment of an economist to complete an outline business case (OBC) for the Albert Basin City Park, to identify a preferred option and appoint a consultant team to provide design and cost information to support the completion of the OBC. • That detailed costs, concept design and timeline be tabled at the Strategy Policy and Resources in October 2021. • Tetrattech be appointed to carry out a mapping exercise on the Albert Basin site and that a site visit to Haulbowline Park in Cork for the Programme Board members be arranged. 	M Lipsett	Approved	Y

		<ul style="list-style-type: none"> • That the detailed cost breakdown be sent to the members of the programme board in the strictest confidence. • Note these cost estimates are commercially sensitive and not for further circulation. 			
OPEN SESSION					
SPR/155/2021	Newry City Centre Regeneration Public Consultation	<p>It was agreed to approve the following recommendations:</p> <ul style="list-style-type: none"> • Note the report, the findings of the public consultation, the recommendation contained therein and the presentation included in Appendix 1 and the report in Appendix 2. • And note that officers will establish a working group to consider the public consultation report in detail and how the Council should respond to the comments and report back to the Programme Board. The working group will include representatives from the Council's Enterprise, Regeneration & Tourism Directorate; Community Relations Team (DEA); Planning Team; the Communities and the Department for Infrastructure. 	C Mallon	Approved	Y
END					

Report to:	Strategy, Policy and Resources Committee.
Date of Meeting:	14 th October 2021
Subject:	Department of Health Consultation on proposed amendments to the Safeguarding Board for Northern Ireland (Membership, Procedures, Functions and Committee) Regulations (NI) 2012 (the Regulations).
Reporting Officer (Including Job Title):	Gary Scott (Safeguarding Coordinator)
Contact Officer (Including Job Title):	Gary Scott (Safeguarding Coordinator)

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	The Department of Health is consulting on proposed amendments to the Safeguarding Board for Northern Ireland (Membership, Procedures, Functions and Committee) Regulations (NI) 2012 (the Regulations). The key aim of these amendments is to enable the Safeguarding Board for Northern Ireland (SBNI) to function with even greater efficiency and effectiveness.
1.2	The recommended response to this consultation is appended to this report (Appendix 1).
2.0	Key issues
2.1	Children have a right to be safeguarded and protected. This is enshrined within the Children (Northern Ireland) Order 1995 and the United Nations Convention on the Rights of the Child. Effective child protection stands or falls on the quality of assessment and analysis of the risks to an individual child and collaboration between agencies to promote and protect.
2.2	<p>The SBNI was established in 2012 following the enactment of the Safeguarding Board Act (Northern Ireland) 2011 to proactively support and promote the right of children to be safeguarded and protected. The membership, functions and procedure are provided for in the 2012 Regulations, as amended. The SBNI is a partnership made up of key organisations from the statutory, community and voluntary sectors including Councils. It is the statutory objective of the SBNI to coordinate and ensure the effectiveness of what is done by Newry Mourne and Down District Council as a member of the SBNI for the purposes of safeguarding and promoting the welfare of children.</p> <p>The key statutory functions of the SBNI are to:</p> <ul style="list-style-type: none"> • Develop policies and procedures for safeguarding and promoting the welfare of children and young people • Promote an awareness of the need to safeguard children and young people • Keep under review the effectiveness of what is done by each person or body represented on the Board (including Newry Mourne and Down District Council through SOLACE) to safeguard children and young people

	<ul style="list-style-type: none"> • Undertake Case Management Reviews (CMRs) in cases where a child has died or been significantly harmed, or where there has been multi-agency involvement, and to learn from them; • Promote communications between the Board and children and young people.
2.3	A review of the SBNI functions and their application was completed in February 2016 and the report, A Review of the Safeguarding Board for Northern Ireland (SBNI), was published in August 2016. The report contains eleven recommendations which were accepted and many of the recommendations have been or are being addressed through the amendment of policies, procedures and guidance. However, some of the recommendations can only be implemented by way of amending legislation.
2.4	The proposed changes in the attached Consultation will give effect to some of the recommendations in the Review Report.
2.5	<p>The Department is proposing to amend the 2012 Regulations in relation to the following:</p> <ul style="list-style-type: none"> • Quoracy in SBNI meetings and proceedings; to provide that the SBNI must set out the meetings and procedures of the SBNI, Safeguarding Panels and Case Management Review Panel in Standing Orders • Criteria for, and learning from, Case Management Reviews; by proposing to add a new definition for 'serious harm' to Regulation 17 and amending the functions of the CMR Panel, for disseminating regional learning and monitoring implementation • Staffing and corporate hosting; that the appointment of staff and matters such as accommodation/premises and related issues should be dealt with by way of a Memorandum of Understanding between the PHA, the Department and the SBNI not prescribed in Regulations • Local council membership of the SBNI; proposes to reflect that the number of District Councils has been reduced from 26 to 11 council areas and that only one Chief Executive should be required to represent all eleven council areas on the Board.
3.0	Recommendations
3.1	To approve the proposed Consultation Response to the Department of Health proposed amendments to the Safeguarding Board for Northern Ireland (Membership, Procedures, Functions and Committee) Regulations (NI) 2012 (the Regulations).
3.2	Members should note responses to this consultation are submitted on-line therefore this typed word document response provided at Appendix 1 is for the purposes of this report however, the actual response will be submitted through the Department of Health's website.
3.3	In the interests of clarity, only questions 8 and 9 are specific to Council and reflect the restructuring of Local Councils relationship with the SBNI.
4.0	Resource implications
4.1	None
5.0	Due regard to equality of opportunity and regard to good relations (complete the relevant sections)

5.1	<p><i>General proposal with no clearly defined impact upon, or connection to, specific equality and good relations outcomes</i></p> <p>It is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations <input checked="" type="checkbox"/></p>
5.2	<p><i>Proposal relates to the introduction of a strategy, policy initiative or practice and / or sensitive or contentious decision</i></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>The policy (strategy, policy initiative or practice and / or decision) has been equality screened <input type="checkbox"/></p> <p>The policy (strategy, policy initiative or practice and / or decision) will be subject to equality screening prior to implementation <input type="checkbox"/></p>
5.3	<p><i>Proposal initiating consultation</i></p> <p>Consultation will seek the views of those directly affected by the proposal, address barriers for particular Section 75 equality categories to participate and allow adequate time for groups to consult amongst themselves <input type="checkbox"/></p> <p>Consultation period will be 12 weeks <input type="checkbox"/></p> <p>Consultation period will be less than 12 weeks (rationale to be provided) <input type="checkbox"/></p> <p><i>Rationale:</i></p> <p>Not Applicable to Council – completed by the Department of Health as below at 8 - Background Documents – Equality Screening Document</p>
6.0	<p>Due regard to Rural Needs (please tick all that apply)</p>
6.1	<p>Proposal relates to developing, adopting, implementing or revising a policy / strategy / plan / designing and/or delivering a public service</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>Rural Needs Impact Assessment completed <input checked="" type="checkbox"/></p> <p>Not Applicable to Council - completed by the Department of Health as below at 8 - Background Documents – Rural Needs Impact Assessment</p>
7.0	<p>Appendices</p>

	<ol style="list-style-type: none"> 1. Department of Health – proposed amendments to the Safeguarding Board for Northern Ireland (Membership, Procedures, Functions and Committee) Regulations (NI) 2012 (the Regulations) Consultation Response - Newry Mourne and Down District Council
8.0	Background Documents
	<p>The following link provides access to the following supporting documents https://consultations.nidirect.gov.uk/doh-social-services-policy-group/proposed-sbni-regulations-amendments/</p> <ol style="list-style-type: none"> 2. Data Protection Impact Assessment 3. Equality Screening Document 4. Regulatory Impact Assessment 5. Rural Needs Impact Assessment <p>The following link provides access to Safeguarding Board Northern Ireland Review Report produced by Professor Alexis Jay OBE, entitled A Review of the Safeguarding Board for Northern Ireland (SBNI)</p>

Consultation Document on Proposed Amendments to the Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012



Safeguarding Board for Northern Ireland (SBNI)

Proposed Amendments to the Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012

Consultation Document

Date of issue: 16 September 2021

Action required: Responses by 11 November 2021

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Ministerial Foreword

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Section 8 – Following Consultation

Annex A – SBNI Review Report Recommendations

Annex B – SBNI Review Report Points of Note

Annex C – Privacy Notice

FOREWORD FROM ROBIN SWANN MLA

MINISTER OF HEALTH



This consultation seeks your views on amendments that the Department of Health is proposing to make to the Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012 (the 2012 Regulations). The key aim of these amendments is to enable the Safeguarding Board for Northern Ireland (SBNI) to function with even greater efficiency and effectiveness. This consultation paper sets out relevant background information, details of the proposed legislative amendments and seeks public and relevant stakeholder's views on the proposals, the consultation questions are designed to elicit your comments and views on a number of key policy issues.

The proposed changes will give effect to some of the recommendations in the Review Report produced by Professor Alexis Jay OBE, entitled [A Review of the Safeguarding Board for Northern Ireland \(SBNI\)](#). The Review Report contained a total of 11 recommendations for change and improvement and identified 23 points of note needed to address future effective multi-agency child protection.

Since its publication, work has been ongoing in the Department to implement the recommendations from the Review Report in full, including a revised Safeguarding Board for Northern Ireland (SBNI), Public Health Agency and Department of Health Memorandum of Understanding which incorporates clear organisational and governance arrangements is in place; the SBNI's sharp focus on multi-agency child protection can be found in its annual reports and significant work has been undertaken to assure an effective CMR function.

I encourage those with an interest to respond to this consultation. Your views, opinions and suggestions are important and will contribute to the finalisation of policy relating to the membership, procedure, functions and committees of the SBNI.

Robin Swann MLA

Minister of Health

Section 1 – Introduction and background

- 1.1 This consultation is seeking your views on proposed amendments to the Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012 (the 2012 Regulations). These changes are intended to introduce certain recommendations (Annexes A and B) from the review of the Safeguarding Board for Northern Ireland (SBNI, the Board) in February 2016.

The Safeguarding Board for Northern Ireland (SBNI)

- 1.2 The SBNI was established in 2012 following the enactment of the Safeguarding Board Act (Northern Ireland) 2011 (the Act). The membership, functions and procedure is provided for in the 2012 Regulations, as amended¹. The SBNI is a partnership made up of key organisations from the statutory, community and voluntary sectors. It is the statutory objective of the SBNI to coordinate and ensure the effectiveness of what is done by each person or body represented on the Board for the purposes of safeguarding and promoting the welfare of children.

- 1.3 The key statutory functions of the SBNI are to:

- develop policies and procedures for safeguarding and promoting the welfare of children and young people;
- promote an awareness of the need to safeguard children and young people;
- keep under review the effectiveness of what is done by each person or body represented on the Board to safeguard children and young people;

¹ [The Safeguarding Board for Northern Ireland \(Membership, Procedure, Functions and Committee\) Regulations \(Northern Ireland\) 2012 \(legislation.gov.uk\)](#)

- undertake Case Management Reviews (CMRs) in cases where a child has died or been significantly harmed, or where there has been multi-agency involvement, and to learn from them; and
- promote communications between the Board and children and young people.

1.4 One other function which has yet to be commenced (in legislation) and undertaken by the SBNI is the requirement that the SBNI must review such information in relation to deaths of children in Northern Ireland in such circumstances as may be prescribed. The SBNI is currently undertaking work to determine how it will fulfil this statutory function under the Safeguarding Board Act (NI) 2011.

Current SBNI Hosting and Staffing Arrangements

1.5 The Public Health Agency (PHA) acts as corporate host to the SBNI. The PHA is accountable to the Department for its corporate host obligations. The SBNI is independent of the PHA in connection with the discharge of its statutory objectives, functions and duties.

1.6 A Memorandum of Understanding (MoU) was first agreed in 2012 between the SBNI, the PHA and the Department of Health (DoH, the Department). This MoU specifies the roles, responsibilities and obligations of the three parties. The PHA either provides or secures the necessary accommodation, financial management, IT, Human Resources and Legal and Equality services which are necessary to enable the SBNI to function.

1.7 The 2012 Regulations specify the staffing and accommodation arrangements of the SBNI as provided by the PHA.

The Review of SBNI

- 1.8 During the passage of the Act through the Northern Ireland Assembly, the Department gave a commitment to the then Health, Social Services and Public Safety (HPSS) Committee to undertake a review of the SBNI within a year of its establishment. Separately, in December 2013 the SBNI was directed to commission a Thematic Review into twenty two cases of child sexual exploitation (CSE) in Northern Ireland to identify key learning and opportunities for improvement. As a result of this work, it was agreed that the review of the SBNI should be delayed until after the conclusion of the Thematic Review.
- 1.9 In 2015, the Department commissioned Professor Alexis Jay to undertake the SBNI review. Professor Jay was appointed due to her extensive knowledge and experience of child protection arrangements in both England and Scotland. She was responsible for leading the independent inquiry into CSE in Rotherham and was the author of the investigation report "Independent Inquiry into Child Sexual Exploitation in Rotherham", which was published in August 2014. The role of the Local Safeguarding Children's Boards (LSCBs) (the English equivalent of the SBNI) was a key element in the investigations and findings of that inquiry.

Publication of the Safeguarding Board NI Review Report

- 1.10 The SBNI Review was completed in February 2016 and the report, [A Review of the Safeguarding Board for Northern Ireland \(SBNI\)](#), was published in August 2016. The report contains eleven recommendations and twenty three points of note (see Annexes A and B). The then Minister accepted all of the recommendations and points of note. The recommendations concentrate on the key issues which Professor Jay considered should be the highest priority for change and improvement. Many of the recommendations have been or are being addressed through the amendment of policies, procedures and guidance. However, some of the recommendations can only be implemented by way of amending legislation.

- 1.11 The SBNI Review found that some of the difficulties for the Board lay in the interpretation of the 2012 Regulations, which were found to be over-prescriptive and created unnecessary bureaucracy. The SBNI Review supported the need for a review of some provision in the 2012 Regulations, to give effect to some of the recommendations and points of note in the Jay Review.
- 1.12 The Department's overall aim in introducing changes is to reduce unnecessary bureaucracy and to introduce greater flexibility around issues such as corporate hosting, staffing and business processes. Therefore, in addition to seeking views on proposed legislative amendments arising from the recommendations and points of note (please see Annexes A and B) contained in the SBNI Review, the Department is also seeking views on a number of other proposed amendments which it considers will improve the operational and procedural arrangements of the SBNI. These include:
- 3.2 – amendments to Regulation 17 relating to criteria for undertaking CMRs (related to Recommendations 4 and 5, but setting out specific criteria)
 - 4.1.3 – revocation of Regulation 13 and replacement of same with a Memorandum of Understanding (MoU) between the Department, Public Health Agency and SBNI regarding staff appointments (relating to Recommendation 1, but adding specificity of MoU)
 - 4.2.2 – revocation of Regulation 14 and replacement of same with a Memorandum of Understanding (MoU) between the Department, Public Health Agency and SBNI regarding SBNI administration, premises and related issues (relating to Point of Note 1, but adding specificity of MoU)
 - 4.3 – revocation of Regulation 32 (related to Point of Note 1, but specifically revoking the governing regulation)
 - 5.1 – amendment of Regulation 3(2)(h) providing for only one Chief Executive of a district council should be included in the SBNI membership
 - 5.1.3 substitution of Schedule 2 to reflect the reduction of District Council areas from 26 to 11.

Section 2 – Meetings and Proceedings

Meetings and Proceedings of the SBNI, the Safeguarding Panels and the Case Management Review Panel – proposed changes to the 2012 Regulations, amendment of regulation 10, 28 and 36 and revocation of Schedules 1, 3 and 5 (Jay Points of Note 22 and 23)

- 2.1 Regulation 10 of the 2012 Regulations provides that the meetings and proceedings of the SBNI shall be conducted in accordance with the provisions set out in Schedule 1. Regulation 28 and Schedule 3 make similar provision in respect of the Safeguarding Panels and Regulation 36 and Schedule 5 apply to the meetings and procedures of the Case Management Review Panel.
- 2.2 From the outset, the SBNI has experienced quoracy difficulties (i.e, the required number of members to commence meetings and make decisions was not met). When the 2012 Regulations came into operation, paragraph 8(1) of Schedule 1 provided that no business shall be transacted at a meeting unless at least two-thirds (rounded up to a whole number) of the members, including the Chair or deputy Chair, are present. In 2014, in order to ensure that meetings of the SBNI remained quorate and, at the same time, conflicts of interest were properly managed, paragraph 8 was amended to provide that, in exceptional circumstances, where more than one third of the total membership declares an interest, the quorum requirement will be satisfied if two thirds (rounded up to a whole number) of the remaining members are present. Paragraph 7(1) of Schedule 3 (meetings and proceedings of the Safeguarding Panels) and paragraph 7(1) of Schedule 5 (meetings and proceedings of the CMR Panel) were similarly amended.
- 2.3 The Review determined that achieving quoracy is still an issue. During the course of the Review, several meetings of the SBNI were inquorate when the meeting was due to commence and meetings had to be delayed to await the arrival of additional members. The Review concluded that this was not conducive to getting business done efficiently and recommended that the

quorum requirements should be reduced to either one third or one half to allow meetings to take place as scheduled and start on time.

- 2.4 The review also suggested that it would be helpful if SBNI procedures were set out in Standing Orders rather than being prescribed in detail in Regulations.
- 2.5 The Department agrees with the findings of the review on the issue of quoracy and proposes to amend Regulations 10, 28 and 36 to provide that the SBNI must introduce Standing Orders for the meetings and proceedings of the SBNI, Safeguarding Panels and Case Management Review Panel. Issues such as quoracy can then be set out in Standing Orders.

Consensual Decision-making (Pages 23, 24 and 31 of the Jay Review Report) (Recommendation 5)

- 2.6 The Review report stated that majority voting had the effect of obscuring accountability and should be ended, as it is not an appropriate way to make decisions about the deaths of children or significant harm to them. The Review considers that consensual decision making would be a more appropriate way to take such decisions.
- 2.7 Schedules 1, 3 and 5 of the 2012 Regulations stipulate that decisions must be made by majority voting, in relation to meetings and proceedings of the SBNI, meetings and proceedings of Safeguarding Panels, and meetings and proceedings of the CMR Panel respectively. It is therefore proposed to revoke Schedules 1, 3 and 5.
- 2.8 Procedures will be introduced in Standing Orders to set out process for decision making by SBNI, Safeguarding Panels and CMR Panels. It will state that such decisions should be consensual, rather than being determined on a majority basis. The Standing Orders will also specify that minutes should contain a clear record of the reasons for decisions, including dissent.

1. Do you agree that Regulations 10, 28 and 36 of the 2012 Regulations should be amended, and Schedules 1, 3 and 5 revoked, to provide that the SBNI must set out the meetings and procedures of the SBNI, Safeguarding Panels and Case Management Review Panel in Standing Orders?

Response - Yes – Agree |

Section 3 – Case Management Reviews (CMRs)

3.1 Case Management Review (CMR) function of the SBNI– proposed amendment to Regulation 17 (Jay Recommendations 4 and 5)

3.1.1 Section 3(4) of the 2011 Act states that *“The Safeguarding Board must undertake such case management reviews as may be prescribed in such circumstances as may be prescribed.”*

3.1.2 Regulation 17 of the 2012 Regulations prescribes that the SBNI must undertake a CMR where:

- 17 (a) *a child has died or been significantly harmed;*
- (b) *any of the following apply:*
 - (i) *abuse or neglect of the child is known or suspected;*
 - (ii) *the child or a sibling of the child is or has been placed on the register maintained by a HSC trust which lists each child resident in the area of the trust who, following an investigation by that trust under Article 66 of the Children (Northern Ireland) Order 1995, is subject to a plan to safeguard that child from further harm and promote his health and development; or*
 - (iii) *the child or a sibling of the child is or has been looked after by an authority within the meaning of Article 25 of the Children (Northern Ireland) Order 1995 (Interpretation);*
- (c) *the Safeguarding Board has concerns about the effectiveness in safeguarding and promoting the welfare of children of any of the persons or bodies represented on the Safeguarding Board by virtue of section 1(2)(b) and (4) of the Act; and*
- (d) *the Safeguarding Board determines that there is significant learning to be gained from the case*

management review which, if applied effectively, will lead to substantial improvements in practice in safeguarding and promoting the welfare of children in Northern Ireland.

- 3.1.3 The Review noted that the CMR Panel was working well but that the CMR function was let down by the systems and processes underpinning its work. The Review concluded that most of the improvements identified could be brought about by the SBNI, although a small number of changes required review of the Regulations and/or Departmental Guidance.

3.2 Criteria for undertaking CMRs

3.2.1 CMRs are undertaken to examine the organisational systems and processes that assist or allow individuals to make decisions or to act in certain ways. They are not a mechanism to find fault with individual practice. The focus of CMRs is intended to be on learning:

- from what has worked well and then building upon it; and
- from what has not worked well and determining how this should be prevented in the future.

3.2.2 The Department considers that, currently, a lack of clarity around the statutory criteria means that potential cases are either not notified to the SBNI when they should be, cases are notified to the SBNI which do not meet the criteria, or that cases are required to be notified which we consider should not come within scope of the CMR process. We are proposing to amend Regulation 17 to provide clarity around the cases which should be notified and to emphasise that the purpose of a CMR is not to apportion blame but to focus on learning to improve future practice.

3.2.3 It is proposed to amend Regulation 17 to place an explicit requirement on SBNI members to notify the chair of the SBNI if they are aware that a child has died or been subject to serious harm, and abuse or neglect is a factor. The term 'significant harm' has been replaced with 'serious harm'. The existing Regulation 17 requires every case where a child has been subject to significant harm to be notified to the SBNI. We are proposing to add a new definition for 'serious harm' to Regulation 17 (see 3.3.3 below).

3.2.4 The proposed amendment to the criteria is not intended to dilute the requirement to undertake CMRs. Rather, this proposal aims to strengthen CMR arrangements, while at the same time enabling the SBNI to establish its own business procedures to support this function.

3.3. Accountability for CMR decisions (page 23, 24 and 31 of the Review Report) (Recommendation 4)

- 3.3.1 Once a notification of a possible CMR is received, the task of the CMR Panel is to consider whether the case meets the criteria prescribed in Regulation 17. A recommendation then goes to the SBNI Board, which takes the final decision as to whether to proceed with a CMR. The Review found that this process introduced delays into the system and that significant knowledge and expertise of child protection was needed in CMR decision-making. The Review considered that accountability for CMR recommendations/decisions should rest with a named individual, either the Chair of the CMR Panel or the Chair of the SBNI.
- 3.3.2 The Review recommended that if delegation of decision-making can be agreed, the respective roles of the CMR Panel Chair and the Chair of the SBNI should be more clearly defined. The Review affirmed that an independent CMR Panel Chair was a strength in the current system and recommended that clarity could be achieved if the Chair of the CMR Panel held delegated authority to make recommendations (in light of Panel discussions) and the Chair of the SBNI had delegated authority to approve recommendations without recourse to the full SBNI. The Department agrees with this approach and proposes to amend Regulation 17 to provide that the Chair of the SBNI is responsible for making the decision to proceed to CMR and will seek the SBNI Board's endorsement in instances where he/she has decided **not** to proceed to CMR. The role of the CMR Panel Chair will be addressed by way of amendment to the Department's guidance to the SBNI.
- 3.3.3 To reflect the proposals outlined in paragraphs 3.3.2 above (as well as those at 3.2.2 and 3.2.3, above), the Department proposes to replace Regulation 17 as follows:

17.— Case Management Review function

- (1) *Where any of the persons or bodies represented on the Safeguarding Board by virtue of section 1(2)(b) and (4) of the Act is aware that a child has—*

 - (a) *died and abuse or neglect is known or suspected to be a factor in the child's death; or*
 - (b) *been subject to serious harm and abuse or neglect is known or suspected to be a factor in the child's harm,*

that person or body must notify the Chair of the Safeguarding Board.
- (2) *Where the Chair of the Safeguarding Board determines that—*

 - (a) *there may be significant learning from a case notified under paragraph (1) which, if applied effectively, will lead to substantial improvements in practice in safeguarding and promoting the welfare of children in Northern Ireland; or*
 - (b) *a case demonstrates that any of the persons or bodies represented on the Safeguarding Board by virtue of section 1(2)(b) and (4) of the Act, have worked effectively (individually or in partnership) and that there is outstanding positive learning to be gained from the case which will lead to substantial improvements in practice in safeguarding and promoting the welfare of children across Northern Ireland,*

the Safeguarding Board, in exercising its function under section 3(4) of the Act (case management reviews), must undertake a case management review.
- (3) *Where the Chair of the Safeguarding Board determines that a case notified under paragraph (1) does not satisfy the criteria at paragraph (2), a decision not to undertake a case management review shall be subject to approval by the Safeguarding Board.*

- (4) *For the purpose of paragraph (1)(b), “serious harm” includes a potentially life threatening injury or serious and/or long-term impairment of physical or mental health or physical, intellectual, emotional, social or behavioural development.*

2. Are you content with the proposed revised wording of Regulation 17 of the 2012 Regulations? If not, please explain why you do not agree.

Response - Yes – Content

3. Are there any further amendments that you would like to suggest? If so, please provide details and justification for such suggested amendments.

Response - NO

3.4 Dissemination and learning (page 28 and 30 of the Review Report) (Recommendation 4)

3.4.1 Learning from CMRs is one of the SBNI's core functions. Regulation 38(b) of the 2012 Regulations provides that the CMR Panel's functions include establishing arrangements for sharing the findings of CMRs and Regulation 31(d) provides that the Safeguarding Panels' functions include implementing those arrangements. However, the Review considered that learning should be disseminated more quickly and the CMR Panel was best placed to lead on the dissemination of learning, working closely with the Safeguarding Panels.

3.4.2 The Department intends to amend Regulation 38 of the 2012 Regulations to include, in the functions of the CMR Panel, lead responsibility, working in conjunction with the Safeguarding Panels, for disseminating regional learning and monitoring implementation.

4. Do you agree with the Department's proposal that Regulation 38 of the 2012 Regulations should be amended to include, in the functions of the CMR Panel, lead responsibility, working in conjunction with the Safeguarding Panels, for disseminating regional learning and monitoring implementation?

Response – Yes - Agree

Section 4 – Staffing and Corporate Hosting

4.1 Staff – Regulation 13 (Recommendation 1)

- 4.1.1 The Review concluded that the SBNI support team would benefit from improved leadership and more consistent support to staff. Recommendation 1 suggested that a review of senior staff roles should be undertaken quickly and the role of Safeguarding Board Director of Operations, whose appointment is prescribed in the 2012 Regulations, should be refocused to one of Business Support Manager. Further to the recommendation, the Department commissioned a review of senior staff roles and grades in the SBNI support team which was completed by the HSC Leadership Centre.
- 4.1.2 Regulation 13(1)(a) of the 2012 Regulations refers to the appointment of a person to act as Safeguarding Board Director of Operations. Regulation 13(1)(b) requires the PHA, with the prior consent of the Safeguarding Board, to appoint such other staff as the Safeguarding Board considers necessary. Regulation 13(2) provides that persons appointed in accordance with regulation 13(1) shall be employed by the PHA and their services made available to the Safeguarding Board for the period of the appointment.
- 4.1.3 The Department considers that the appointment of staff to the SBNI should be dealt with by way of a Memorandum of Understanding (MoU) between the Department, the PHA and the SBNI, rather than being prescribed in legislation. It is therefore proposing to revoke Regulation 13 in its entirety. This will create the flexibility to address staffing challenges or bring about improvements in staffing support arrangements for the SBNI more responsively if required.

5. Do you agree that Regulation 13 of the 2012 regulations should be revoked and that the appointment of staff should be dealt with by way of an MoU?

Response – Yes – agree subject to the necessary safeguards for SBNI staff recruitment and retention remaining

4.2 Premises - Regulation 14 (Point of Note 1)

4.2.1 The PHA acts as corporate host to the SBNI. Regulation 14 of the 2012 Regulations provides that the PHA shall secure or provide the SBNI with such office and other accommodation, with the approval of the Department, as considered necessary to perform its functions and ensure arrangements are made for the administration, maintenance, cleaning and other services for such accommodation.

4.2.2 The Department considers that matters such as accommodation and related issues should be dealt with by way of the MoU between the PHA, the Department and the SBNI. The Department therefore proposes to revoke Regulation 14 (Premises) of the 2012 Regulations.

6. Do you agree that Regulation 14 of the 2012 Regulations should be revoked and that the provision of accommodation and related issues should be dealt with by way of a Memorandum of Understanding between the PHA, the Department and the SBNI?

Response – Yes – agree; subject to the necessary safeguards for SBNI accommodation/premises requirements being met sustained

4.3 Staff and Premises of Safeguarding Panels – Regulation 32 (Point of Note 1)

- 4.3.1 Regulation 32 requires the relevant trust to appoint a person to act as a Safeguarding Panel administrator. It also places a duty on the relevant trust, if requested by the SBNI, to provide the Safeguarding Panel for its area with such accommodation that the trust, with the approval of the SBNI, considers necessary.
- 4.3.2 The Department considers that staff and premises are not matters which should be prescribed in Regulations and are seeking views on whether to remove these provisions. This would enable a more flexible approach to be adopted and would enable the SBNI to consider alternative hosting and support arrangements for its Safeguarding Panels, for example, by other member organisations.

7. Do you agree with the Department's proposal that staff and premises are not matters which should be prescribed in Regulations?

Response – Yes- agree

Section 5 – Non – SBNI review Issues

5.1 Membership - Regulation 3

5.1.1 Section 1(2) and (3) of the Act set out the persons and bodies which must be included in the SBNI. Section 1(3) states that the persons or bodies are -

- the Regional Health and Social Care Board;
- the Regional Agency for Public Health and Social Wellbeing;
- Health and Social Care Trusts;
- the Police Service of Northern Ireland;
- the Probation Board for Northern Ireland;
- the Youth Justice Agency;
- the Education Authority;
- district councils;
- the National Society for the Prevention of Cruelty to Children;
- such other relevant persons or bodies as may be prescribed.

5.1.2 Regulation 3 of the 2012 Regulations specifies the level of representation from each of these organisations that should be on the Board. The member bodies of the Board are represented in most cases at the most senior level, meaning that, at this level, many are far removed from front line operations. Regulation 3 of the 2012 Regulations was amended in 2014 to allow for deputisation, although it was intended that this would only be by exception.

5.1.3 The Department proposes to amend the number of representatives of district councils. When the 2012 Regulations were originally drafted there were twenty six District Council areas and it was considered appropriate that at least two Chief Executives from the District Councils were represented on the Board. Regulation 3(2)(h) therefore specifies that two Chief Executives of district councils should be included in the membership of the Board. Now that the twenty six District Councils have been reduced to eleven council areas, the Department considers that only one Chief Executive should be required to

represent all eleven council areas on the Board. The Department is proposing to amend regulation 3(2)(h) accordingly.

- 5.1.4 The Department also proposes to replace Schedule 2 which sets out local government districts for Safeguarding Panels to reflect that the number of District Councils has been reduced from 26 to 11 council areas.

8. Do you agree that Regulation 3(2)(h) should be amended to provide that only one Chief Executive of a council area should be included in the membership of the Board?

Response – Yes - Agree

9. Are you content for Schedule 2 to be updated to reflect local government changes?

Response – Yes - content

Section 6 – Assessment of Impact

Equality Impact Assessment and Human Rights

- 6.1 The department carried out a preliminary screening of the policy proposals and, as part of the screening process, concluded that an Equality Impact Assessment was not necessary. The department is content that there will be no adverse impact on any of the groups listed under section 75 of the Northern Ireland Act 1998.

Regulatory Impact, Rural Proofing and Privacy Impact Assessments

- 6.2 Regulatory and Rural Proofing Impact Assessments were undertaken and preliminary screening demonstrates the Regulations will have no adverse impact on business, charities or voluntary bodies. In addition, following consideration, it is considered that this policy will not impact on the rural needs of the people in Northern Ireland. Finally, in line with new General Data Protection Regulations, consideration has been given as to whether these proposed changes will uphold the protection of personal data for the citizens of Northern Ireland.

The initial screening documents are included with this consultation.

Section 7 – How to Respond

- 7.1 This consultation has been launched using Citizen Space. Citizen Space is the Northern Ireland Civil Service (NICS) recommended online Consultation tool and preferred surveying tool.
- 7.2 You can also share your views on this consultation in a number of other ways. In addition a separate questionnaire is available to help you record your comments and views. This can be completed and submitted in the following ways:

- Download and email us at: fcpdadmin@health-ni.gov.uk
- Download, print and post to:

Family and Children's Policy Directorate
 Child Protection Unit - SBNI Consultation
 Department of Health
 Room A3.5A, Castle Buildings
 BELFAST
 BT4 3SQ

Or

- By email to: fcpdadmin@health-ni.gov.uk

- 7.3 The Department will consider requests to produce this document in other languages or in alternative formats. Please contact the Department, at the address above or email, to make your request.
- 7.4 The consultation closes at midnight on 11 November 2021.

Section 8 – Following Consultation

Privacy, Confidentiality and Access to Consultation Responses

- 8.1 For this consultation, we may publish all responses except for those where the respondent indicates that they are an individual acting in a private capacity (e.g. a member of the public). All responses from organisations and individuals responding in a professional capacity will be published. We will remove email addresses and telephone numbers from these responses; but apart from this, we will publish them in full. For more information about what we do with personal data please see our consultation privacy notice at Annex C.
- 8.2 Your response, and all other responses to this consultation, may also be disclosed on request in accordance with the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR); however all disclosures will be in line with the requirements of the Data Protection Act 2018 (DPA) and the UK General Data Protection Regulation (UK GDPR) (EU) 2016/679.
- 8.3 If you want the information that you provide to be treated as confidential it would be helpful if you could explain to us why you regard the information you have provided as confidential, so that this may be considered if the Department should receive a request for the information under the FOIA or EIR.

See Privacy Notice at attached **Annex C**.

Annex A – SBNI Review Report Recommendations

Recommendation 1 A review of senior staff roles and grades should be undertaken quickly. The role of the Director of Operations, whose appointment is prescribed in the Regulations, should be refocused to one of Business Manager, and the number and grades of Professional Officers and the Business Manager (CDOP) should be revisited. The establishment and grading of posts should require the approval of the Board or one of its Committees. (Page 11)

Recommendation 2 In the longer term, consideration should be given to rationalising the various regional bodies concerned with safeguarding, child well-being and child protection, including the creation of a statutory Child Protection Partnership, with an Independent Chair. The wider safeguarding agenda could sit within the revised Children and Young People's Strategic Partnership. (Page 13)

Recommendation 3 All agencies must make sure that the SBNI is notified of all deaths and significant harm to looked after children and those on the child protection register, so that these cases can be dealt with through statutory CMR procedures. (Page 23)

Recommendation 4 The SBNI, working through the CMR Panel, should act to streamline the CMR process, and introduce some other review options. Reviews must be proportionate and able to be completed within the timescale of about 9 months or less. Learning must be disseminated more quickly. This should be tasked to the CMR Panel, acting in conjunction with the five Safeguarding Panels. (Page 30)

Recommendation 5 The SBNI and the Department should discuss possible changes to the Regulations and Guidance, in order to strengthen arrangements for CMR chairing and report authoring, and to delegate authority for CMR decisions. (Page 31)

Recommendation 6 Legislation on the Child Death Overview Panel should be commenced, but the arrangements should be phased in, with the emphasis on Themed Reviews in the first instance. (Page 39)

Recommendation 7 Regardless of the future structure of the Board, arrangements should be made for Committee oversight of finance, audit and performance as well as governance. (Page 43)

Recommendation 8 At a minimum, representatives of the SBNI should convene annual meetings of the most senior operational officers responsible for the Police, Education, Health and Social Services, and Youth Justice for the sole purpose of securing sufficient focus on protecting children in Northern Ireland on a multi-agency basis. Each agency should be required to provide a report on what it had done to improve multi-agency working on child protection. Following scrutiny, the findings should be formally reported to the full Board and should be included in the Annual Report. (Page 45)

Recommendation 9 All of the Board's members should view the SBNI as a multi-agency partnership, led by an Independent Chair, rather than as an independent, representative group of people. This would need a shift in attitudes and a willingness to move on from the divisions of the past. (Page 46)

Recommendation 10 Child protection must be clearly prioritised in the work of the SBNI. (Page 49)

Recommendation 11 There needs to be a Board statement about criteria for selection of additional members, applied to all of its Panels and Committees, as well as any recommendation made about the appointment of new members to the Board itself. (Page 51)

Annex B – SBNI Review Report Points of Note

Point of Note 1 - Para 2.19 – The level of support to be provided to the SBNI through the hosting arrangement should be clarified at an early stage, to assist the smooth operational running of the SBNI.

Point of Note 2 - Para 3.16 – Improved accountability for procurement decisions was needed, with a clear trail of approval linked to the level of proposed spend.

Point of Note 3 - Para 3.33 – The Board should clarify responsibility for developing and implementing its performance framework.

Point of Note 4 - Para 3.35 – The SBNI should develop effective multi-agency mechanisms for measuring, monitoring and reporting the scale of child sexual exploitation in Northern Ireland, and not rely on verbal reports on this.

Point of Note 5 - Para 4.18 - Health and Social Care Board (HSCB) procedures must include the statutory duty to notify SBNI of all child deaths and other cases that meet the notification criteria set out in the Regulations.

Point of Note 6 - Para 4.34 - CMR chairs should be given additional support to minute CMR team meetings.

Point of Note 7 - Para 4.42 – The process of commenting on draft CMRs should be improved.

Point of Note 8 - Para 4.54 – The CMR process could be improved if Chairs were assisted by separate report authors.

Point of Note 9 - Para 4.66 - The Public Protection Arrangements NI (PPANI) system of disseminating learning quickly through web-based practice notes should be introduced by SBNI.

Point of Note 10 - Para 4.72 - The SBNI should give priority to reaching a formal agreement with the PSNI and the Public Prosecution Service covering cases that are subject to a CMR.

Point of Note 11 - Para 4.73 – Liaison between the SBNI and Regulation and Quality Improvement Authority (RQIA) on Case Management Reviews should be strengthened.

Point to Note 12 - Para 5.8 - There would be merit in the Guidance making explicit the requirement for Safeguarding Panels to produce an annual report.

Point of Note 13 - Para 5.25 – The authority of the Panels would be enhanced if the Independent Chairs were members of the SBNI rather than merely in attendance.

Point of Note 14 - Para 6.10 – The need for a regional multi-agency Sudden Unexplained Death in Infancy (SUDI) protocol should be addressed.

Point of Note 15 - Para 6.20 – There may be merit in considering the location of child death reviews in the Public Health Agency, in line with arrangements in Wales.

Point of Note 16 - Para 6.24 – An initial priority for introducing individual child death reviews should be the deaths of children and young people who are looked after, but do not meet the criteria for a CMR.

Point of Note 17 - Para 7.23 – The SBNI's website should be improved and should include information about the work of its Committees.

Point of Note 18 - Para 8.9 – The SBNI should regularly disseminate an assessment of safeguarding arrangements in Northern Ireland, including gaps, weaknesses and emerging trends.

Point of Note 19 - Para 8.29 – For as long as the Board continues in its current form, it should introduce formal structures to progress its core role in protecting

children, and consider setting up child protection sub-groups in the Safeguarding Panels. The frequency of SBNI meetings should be reviewed.

Point of Note 20 - Para 8.37 – The specification for Lay Members should include willingness to act as Vice-Chair of the SBNI.

Point of Note 21 - Para 8.41 – The Department should review whether there is sufficient operational experience of child protection within the prescribed membership of the SBNI.

Point of Note 22 - Para 8.51 - The quorum for meetings of the SBNI and the CMR Panel should be reduced to make sure meetings take place as scheduled, and start on time.

Point of Note 23 - Para 8.52 - It would be helpful if SBNI procedures were set out in Standing Orders rather than being prescribed in detail in the Regulations.

Annex C – Privacy Notice – Consultations (DoH)

Data Controller Name: Department of Health (DoH)
Address: Castle Buildings, Stormont, BELFAST, BT4 3SG

Data Protection Officer Name: Charlene McQuillan
Telephone: 028 9052 2353
Email: DPO@health-ni.gov.uk

Being transparent and providing accessible information to individuals about how we may use personal data is a key element of the [Data Protection Act \(DPA\)](#) and the [UK General Data Protection Regulation](#) (UK GDPR). The Department of Health (DoH) is committed to building trust and confidence in our ability to process your personal information and protect your privacy.

Purpose for processing

We will process personal data provided in response to consultations for the purpose of informing the development of our policy, guidance, or other regulatory work in the subject area of the request for views. We will publish a summary of the consultation responses and, in some cases, the responses themselves but these will not contain any personal data. We will not publish the names or contact details of respondents, but will include the names of organisations responding.

If you have indicated that you would be interested in contributing to further Department work on the subject matter covered by the consultation, then we might process your contact details to get in touch with you.

Lawful basis for processing

The lawful basis we are relying on to process your personal data is Article 6(1)(e) of the UK GDPR, which allows us to process personal data when this is necessary for the performance of our public tasks in our capacity as a Government Department.

We will only process any special category personal data you provide, which reveals racial or ethnic origin, political opinions, religious belief, health or sexual life/orientation when it is necessary for reasons of substantial public interest under Article 9(2)(g) of the UK GDPR, in the exercise of the function of the department, and to monitor equality.

How will your information be used and shared

We process the information internally for the above stated purpose. We don't intend to share your personal data with any third party. Any specific requests from a third party for us to share your personal data with them will be dealt with in accordance the provisions of the data protection laws.

How long will we keep your information

We will retain consultation response information until our work on the subject matter of the consultation is complete, and in line with the Department's approved Retention and Disposal Schedule [Good Management, Good Records](#) (GMGR).

What are your rights?

- You have the right to obtain confirmation that your data is being [processed, and access to your personal data](#)
- You are entitled to have personal data [rectified if it is inaccurate or incomplete](#)
- You have a right to have personal data [erased and to prevent processing](#), in specific circumstances
- You have the right [to 'block' or suppress processing](#) of personal data, in specific circumstances
- You have the right to [data portability](#), in specific circumstances
- **You have the right to [object to the processing](#)**, in specific circumstances
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Water Lane
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Cheshire
SK9 5AF
casework@ico.org.uk

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

Minutes of Newry City Centre Regeneration Programme Board Meeting held on Thursday 23rd September 2021, 11am Hybrid: Council Chamber, Newry & MS Teams

In Attendance:

Programme Board Members

Councillor Gary Stokes – Chair
Councillor Roisin Mulgrew
Councillor Pete Byrne
Councillor Charlie Casey
Councillor David Taylor
Councillor Gavin Malone
Councillor William Walker

Non Board Members

Councillor Michael Savage	Councillor Declan Murphy
Councillor Dermot Curran	Councillor Cathy Mason
Councillor Valerie Harte	Councillor Oonagh Hanlon
Councillor Patrick Brown	Councillor Jarlath Tinnelly
Councillor Declan McAteer	Councillor Barra Ó Muirí
Councillor Karen McKeivitt	

NMDDC Officials

Marie Ward, Chief Executive
Conor Mallon, Director of Enterprise Regeneration and Tourism
Michael Lipsett, Director of Active, Healthy Communities
Dorinnia Carville, Director of Corporate Services
Adrian Grimshaw, Project Director
Jonathan McGilly, Assistant Director Enterprise, Employment & Regeneration
Anthony McKay, Chief Planner
Andy Patterson, Assistant Director, Tourism Culture and Events
Paul Tamati, Assistant Director, Leisure & Sport
Angela Powell, Administration Manager
Tracie McLoughlin, PA

External Members

Damian Mulholland, Dept for Communities

Presenters:

Tony Morrison, Otium Leisure Consultancy
Alison Keenan, Otium Leisure Consultancy

The Chairman welcomed everyone to the meeting and advised the first item is a presentation by Tony Morrison and Alison Keenan from Otium Leisure Consultancy on the outcome of the public consultation in relation to the Newry City Centre Regeneration business case. The second item is a presentation by TetraTech regarding the costings for the Albert Basin Park project.

NCCR/89 Newry City Centre Regeneration Programme Public Consultation - Presentation by Otium Leisure Consultancy

Tony Morrison and Alison Keenan presented findings on the public consultation under the following titles:

- Consultant Brief
- Public Consultation process
- The projects within the Regeneration process
- Overall benefits of the Regeneration Programme
- Theatre and Conference Facility
- Riverside Square, Landscaping, Ross Thompson and Bank Parade
- Public Square, Landscaping, Abbey Way.
- Concluding Comments
- Key Recommendations

Cllr Walker thanked Otium for their presentation and said his Party at the outset had expressed their concerns around the Civic Centre site but this was not the majority view so they went along with it. He said he previously queried if consultation had been carried out with the Parish Council regarding the civic centre and carparking and was assured that it had, however, correspondence he has received suggest that this was not the case. Given that the majority of concerns are around provision of carparking, this needs to be addressed. Cllr Walker said he had reservations on the effectiveness of consultations and if concerns of the people were not address there is likely to be future consequences.

Cllr Walker asked:

- a) Does the City Deal funding hinge on delivery of the civic centre element of this project?
- b) Given the objections to the civic centre can Council relook at the current proposed location and also divert some of the funds to the Albert Basin Park project?

Cllr Walker stated he fully supports regeneration of any part of the District and wants to see a public park, office space and a civic hub but all must be delivered by taking in the views of the public.

Marie Ward advised the Governance Review addresses the site selection and related correspondence raised by Cllr Walker. In relation to the Parish Council, ASMs report also details the communication Council has had with the Diocese and Parish Council representatives.

In relation to diverting BRCD funding to the Albert Basin, Mrs Ward said this Council had democratically agreed to all the elements of the BRCD application fund at various stages over recent years.

Mrs Ward reiterated that Albert Basin Park was never part of the BRCD funding and urged members to be cautious on encouraging the prospect that monies not used for a civic hub could be redirected towards delivery of a public park.

Mrs Ward said the decision by Council for the need of a new civic hub was democratically agreed as far back as 2014 and the process since then has been long and arduous to get to the stage. She said concerns such as site location and parking arising from the public consultations have been recognised as part of the process to date and that it is right and proper these are being looked at as key considerations.

Alison Keenan said with regards to the consultation feedback, conversation and dialogue with stakeholders is needed to address issues of need, site selection and parking. Some participants may not be aware of the need and the process followed in the site selection, and that there is a perception that parking will be at a detriment due to the proposed location of the civic hub. Solutions need to be worked through with dialogue.

Cllr Mulgrew thanked Otium for their presentation and the Chief Executive for clarity and message of caution in regards to redirecting funding.

Cllr Mulgrew said she welcomed the positive feedback from the consultation to the Theatre facility and public realm, and acknowledged the negative perception of the civic hub

Cllr Mulgrew commented that the Governance of this Programme Board will be fully discussed at the upcoming SPR meeting and said as a city Newry is entitled to a programme of regeneration with the potential to boost the economy for residents and visitors. She said we are all in favour of a city park but members must decide if it's 'deal or no deal' for all elements of the programme.

Cllr Casey thanked Otium and said his party fully supports all elements of the project including the site location of the civic hub and the city park. He said he welcomes the investment but is aware this BRCD funding does not include delivery of a city park. Cllr Casey reiterated his hopes that his proposal for 'Casey's Plaza' at Bank Parade could be considered.

Cllr Taylor thanked Otium on a good report as consultation was an important aspect of the project, but noted it was regrettable to only receive it just in advance of today's meeting, and that he and party colleagues would absorb the content over the weekend. He said Newry has not benefited from city status granted over 20 years ago and needs this investment to make it a vibrant city for the residents, visitors, workers and tourists and this would also encourage further investment such as the hotel. Cllr Taylor said community buy-in is important, and we have to find a way to address the concerns highlighted in the consultation and regain community confidence.

The Chairman said he had requested that members be furnished with the report in advance of the meeting.

Mrs Ward noted the report had been issued to allow consideration by all Councillors over the weekend in advance of 27th September SPR.

Cllr Byrne thanked Otium and said we need to ascertain the reasons for the feedback, both for and against and how we can address. We need to show we are listening and addressing the concerns raised. The issues can be fed through the dashboard and discussed at the monthly Programme Board meetings. Cllr Byrne said it was his opinion that public are being steered in a negative direction and the pandemic has hindered the opportunity to hold face to face public consultations to discuss concerns.

Cllr Byrne said we need to communicate the positives, the creation of new urban squares and opening up of the city. He considered that there would be increased footfall and a boost to the economy with more workers in the city centre and that parking and traffic issues are a key focus.

Cllr Byrne said he fully supports all elements of the project and that all 6 strands should be delivered, and not pitted one/ against another

Cllr Byrne welcomes the positive feedback in regards to the Theatre provision.

Cllr Malone said he fully supports the regeneration of the city, including the new Civic Hub, but is aware of the clergy view and is opposed to this Council steam rolling the parish council.

In response Mrs Ward noted the Governance Review addresses the matter of the cathedral views and site selection, and noted a controlled read of the review was scheduled for Monday 27th September and that all councillors had been invited to attend. MW asked Cllr Malone to read the governance review and advised him to be conscious of the Code of Conduct for members.

Cllr Malone said he was an elected member and will continue to raise the cathedral parish matter as he fears it will end up in the courts and he does not wish to be associated with that.

Cllr Murphy thanked the presenters for the measured interpretation of the consultation feedback and said he was surprised at the low level of respondents given the estimated 182k residents and the negative campaign. He said he believed there would have been more negative responses given the level of disinformation put out, and was surprised that some Councillors were still querying why money from the BRCD fund cannot be redirected to the city park project. Cllr Murphy asked Otium if this was a low response in their opinion.

Alison Keenan said based on her experience this is a high response rate and considered it a proportionate sample.

Cllr Brown thanked Otium and asked if today's presentation was the final copy or did Senior Management have an input. He said that people had spoken and they are not

happy with the project and as it stands it is devastating. He said he is disappointed to hear the attempt to downplay the findings and it appeared the public were being treated with contempt. It's clear that over 70% of public opinion say provision of a civic hub is the "least important" and the large number of comments cannot be solved by improving communication as suggested by some.

Cllr Brown said this project was fundamentally flawed and going forward in its current state is not advisable. He said we should 'park the civic centre until a new site is found and take money out of the BRCD and reallocate to Albert Basin Park' he said he believed Marie Ward was being untruthful when she says that the money cannot be reallocated.

Mrs Ward interrupted to say the information she had relayed to the members is factual and asked the Councillor to withdraw his comment.

The Chairperson intervened and also asked Cllr Brown to withdraw his comment.

Cllr Brown continued that he does not succumb to empty threats from the Chief Executive regarding the Code of Conduct and asked that she write to the BRCD committee requesting whether funds could be reallocated.

Mrs Ward asked that the meeting be adjourned if Cllr Brown's comments were not withdrawn.

Cllr Brown again reiterated that it was his view that the money could be reallocated and did not believe what the Chief Executive has advised.

The Chairman again asked Cllr Brown to retract his comment.

Cllr Brown did not retract his comment and the meeting proceeded without an adjournment.

Cllr McAteer said he was surprised at Cllr Walker's request that money be transferred from the BRCD fund to the Albert Basin Park Project given that he sits on the NCCR Programme Board and should be aware this was not possible. He said he had confidence in the chief executive and staff and considered this confidence would be borne out by the governance review. He said the onus is on the elected representatives to inform themselves before relaying misinformation to the public. He wondered whether the survey respondents know of the civil service decentralising and the benefits this would bring to Newry City, and if they didn't they may have fed back differently.

Cllr McAteer said if Newry isn't revived and provision for a city centre hub to enable residents to live and work in their own district it will be a desolate place, and the small number of dissenters cannot be allowed to derail the regeneration programme.

Cllr Savage thanked Otium and considered the feedback was proportional and reflective. He said he was also concerned over misinformation being relayed, noting we have a duty of care as elected members to restore confidence and rebuild relationships quickly. We need to open dialogue and communicate, put more

information into the public domain and work through issues via engagement with stakeholders.

Cllr Savage said he and the SDLP were supportive of all aspects of the project and that one should not compete against another, noting that narrative was a fallacy and unhelpful. He said Newry has been neglected over the years and should welcome investment but we need flexibility in the deal to reflect public concerns on the ground. He agreed the opportunity to hold face to face consultations would've been beneficial but the pandemic made this not possible

Tony Morrison from Otium addressed Cllr Brown's earlier comments and said the public's comments have not been treated with contempt and said Otium had approached this process with great care and attention. It is Otium's job to ask questions, listen to feedback and report back. He also confirmed that the report presented to the members today had not been altered by Senior Management other than some minor grammatical and type errors etc.

Cllr Ó Muirí also thanked Otium for their presentation and said it was interesting there is a high percentage in favour that want to see change. He said it's crucial we sit down with the stakeholders and get the correct message out, and that we will work with the Cathedral to address the car parking concerns.

Cllr Ó Muirí advised that he fully supports the Chief Executive and does not question her integrity in any way and said the comments directed towards her today from Cllr Brown were disgraceful.

Cllr Tinnelly thanked Otium and said all Councillors were in agreement for regeneration but the major issues with the Parish Council and car parking must be taken seriously and addressed as there is no point carrying out a public consultation if the concerns raised are not addressed. He also said it was disappointing to suggest that respondents didn't know what they were objecting to. He asked what are the solutions to the carparking as to his knowledge nothing has been put forward on this matter.

Cllr Byrne said it is important to not just take comments at face value, but to also find out why people have the concerns they have on certain aspects of the project, and to put any misinformation right. He said a civic building is needed for the citizens of the district, alongside the other five projects.

Cllr Walker responded to Cllr McAteer's comments and said he accepts what the Chief Executive has advised, that it is not possible to move money to other projects not within the BRCD fund.

Cllr Walker also said that his Party and himself totally support the Chief Executive and Senior Management and it is a disgrace that Cllr Brown continues to undermine the Chief Executive and Senior Management Team, and that Cllr Brown needs to stop doing so.

Marie Ward concluded by saying the consultation document is a valuable piece of work and the feedback will not be disregarded. She said we have a site previously

selected for the Civic Hub and an OBC in place, and that we're part of a process and there is nothing that says we cannot look at alternative sites if the process shows it's not a viable option. This will be a Council decision which will be reached by following the correct process.

Albert Basin Park - Presentation by Tetra Tech

Michael Lipsett advised that due to the previous item overrunning on time, it is not possible to proceed with the presentation on Albert Basin Park today.

Following discussion it was agreed to reschedule for Friday 24th September at 1.00pm

This concluded the business of the Meeting. The Meeting ended at 12.46pm

**For approval by Newry City Centre Regeneration Programme Board.
Thereafter ratified at the Strategy Policy and Resources Committee
Meeting 14th October 2021**

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

**Minutes of Newry City Centre Regeneration Programme Board Meeting
held on Friday 24th September 2021, 1pm
MS Teams**

In Attendance:Programme Board Members

Councillor Gary Stokes – Chair
Councillor Roisin Mulgrew
Councillor Pete Byrne
Councillor Charlie Casey
Councillor David Taylor
Councillor Gavin Malone
Councillor William Walker

Non Board Members

Councillor Michael Savage
Councillor Dermot Curran
Councillor Oonagh Hanlon
Councillor Patrick Brown
Councillor Barra Ó Muirí
Councillor Cathy Mason
Councillor Jarlath Tinnelly

NMDDC Officials

Marie Ward, Chief Executive
Conor Mallon, Director of Enterprise Regeneration and Tourism
Michael Lipsett, Director of Active, Healthy Communities
Dorinnia Carville, Director of Corporate Services
Adrian Grimshaw, Project Director
Andy Patterson, Assistant Director, Tourism Culture and Events
Paul Tamati, Assistant Director, Leisure & Sport
Angela Powell, Administration Manager
Tracie McLoughlin, PA

External Members

Damian Mulholland, Dept for Communities

Presenters:

Adrian McNaughton, TetraTech
Darren Price, TetraTech

The Chairman welcomed everyone to the meeting and introduced Adrian McNaughton and Darren Price from TetraTech to begin the presentation of costings for the Albert Basin Park.

**NCCR/90 Albert Basin Park
Presentation by TetraTech**

Adrian McNaughton presented a cost analysis on enabling and site works at Albert Basin – total cost £30.5m

The Chair thanked Adrian for the presentation and advised Damian Mulholland had requested copy of previous presentation on the OBC Consultation.

Cllr Savage said this is a good investment and although he is fully committed to the project he is concerned on the approach to strip back and cap the site in it's entirety giving that there are some areas of hardstanding that may not need capping. He asked if a mapping exercise could be carried out urgently to determine which areas actually required capping. We need to approach this project in phases, the initial spend of £10.6m for enabling works is major. In order to proceed to Phase 1 we need to look at the existing hard standing areas which could be looked at disabled carparking and the playpark and determine if these areas are suitable to be retained. Take the first phases, clawing back of site, looking at the perimeter and delivery of the first phases and that analytical work is carried out that ties in with the timeline and delivery phase 1 in this Council term. If further analysis is carried out and is broken down and rationalised we can understand what were dealing with.

Darren Price said in relation to capping, no detailed mapping had been carried out yet of existing surfaces and this would be a worthwhile exercise, as there would be some overlaps of existing and proposed capping. However, the condition of the existing surfaces and ability to prove it as a reliable cap in the longer term was not yet known. In addition, the existing surfaces are at varying levels through the site, and this would necessitate disturbance of existing capping and replacement. For reasons noted the costing had assumed extensive recapping around the site.

With regards to edge treatment around the site, Darren said TetraTech had looked specifically at existing finishes and noted a range of existing edge treatments to the site. In some locations there was no edge treatment with just natural habitat, whilst in others there was hard finishes formed from a mix of materials including concrete. Darren noted for reasons of stability and ecology the cost allowances had made assumptions for appropriate edge treatment over the 2.2km perimeter of the site.

Darren said a more detailed mapping exercise would be worthwhile alongside design development steps, but cautioned that additional detail could also give rise to increased costs.

Cllr Ó Muirí thanked TetraTech for their presentation and proposed that Officials to bring a report to Strategic Policy & Resources Committee (SPR) showing the costs

and a plan for delivery of the enabling stage and Phase 1 and show us options including any potential cost savings and a timeline to get this project off the ground. Cllr Savage seconded the proposal.

Mr Lipsett confirmed it was the intention to bring a report to SPR subject to the agreement of the NCCR Programme Board detailing cost estimates, suggested timeline and will outline next steps. As SPR and Full Council have not seen or approved the concept proposals that these matters would need to be considered by the members of the programme board first and then a report could be presented to SPR.

In terms of delivering Phase 1 and Phase 2, this can be looked at but Consultants maybe be able to share a previous presentation which highlighted some potential issues with planning which members should be aware of. (Darren Price shared critical timeline).

With regards to the previous proposal by Cllr Ó Muirí that Officials bring a costings and timeline report to SPR, the Chairman advised Governance requires proposals to be brought by NCCR Programme Board members only. Cllr R Mulgrew proposed and Cllr P Byrne seconded.

Cllr Hanlon said she is concerned that there seems to be undue negativity around the provision of the park given the benefits of this. She said TetraTech have done significant good work on this and asked a) clarity on whether BRCD funding can be used for this project, b) what stage can we look at outside funding so the ratepayer would not be taking the bulk of this spend.

The Chairman wished it to be noted that the support from members based in the other side of the District for a park in Newry City was welcomed and very much appreciated.

Marie Ward clarified and reiterated that BRCD funding could not be used.

Conor Mallon advised that funding bodies would normally require applications to include a business case approval, planning approval, confirmation of match funding and in some circumstances a procurement exercise would need to have been completed, but each funder would have their own individual criteria and requirements.

Cllr Taylor welcomed the report and it gives good detail. He was aware of the great challenges ahead and there was work to do on external funding so it's not all based on the ratepayer and Council have to be ready in terms of planning etc. He said he was glad to see the cost detail and if there is an opportunity to reduce the costs we should look at this and get this park completed.

Cllr Mulgrew thanked TetraTech and said in her experience all developments need ground works to stabilise. She noted she was not surprised by the significant dredging, edge capping, decontamination processes that had been mentioned will all be needed but a mapping exercise is the way forward and be aware that costs may increase as we need an accurate picture.

Cllr Mulgrew went on to say that Council has gone through a process of engaging professionals throughout this process on all aspects and we shouldn't constantly be

going back seeking 2nd and 3rd opinions as this results in time delays. She said she agrees that a mapping exercise should be carried out.

Cllr Mulgrew said she welcomes these costings today and that members should be respectful in keeping this information out of the public domain at this stage.

Dorinnia Carville responded to requests earlier in the meeting that papers be circulated and asked members to familiarise themselves to Section 8 of the Code of Conduct on decision making, there are rules around pre judging anything which you are a decision maker in or demonstrating bias. Members should be conscious that they are not inadvertently in breach of their code of conduct.

Cllr Byrne said it was good to see the figures and will be striving to drive down costs and welcomes a mapping exercise to determine areas that will require hardstanding. When we are approaching phase 1 and 2 this will develop as time goes on. Discussions with stakeholders will take place. We should be focusing on enabling and phase one.

With regards to external funding, Cllr Byrne said we need to explore avenues as soon as possible which are open to us. He said the business case will change as the project moves on. Cllr Byrne referred to the work recently carried out at Camlough Lake and asked if a planning application was submitted for the entire project or was it split into each phase? This may speed up the planning process. He also advised of a similar park development project which had been carried out in Haulbowline at Cork Harbour and he proposed that the Programme Board visit the site and talk to the consultants on worked on this project. Cllr Mulgrew seconded the proposal.

The Chairman advised that Damian Mulholland left the meeting and asked through the comment section on MS Teams if his previous request could be responded to. He asked Mr Lipsett to respond through his office to Mr Mulholland's query.

Cllr Walker thanked the presenters and said he fully supports all previous speakers and said he is aware that there is no opportunity for BRCD funding to be transferred to the Albert Basin Park project and that it needs to be acknowledged that the Civic Hub project and the Albert Basin Park projects are funded from separate sources.

The Chairman thanked Cllr Walker for his support towards the Albert Basin Park for Newry City.

Cllr Brown said he largely agrees that this is a positive step forward but he has significant reservations on the size of the budget and projected timeline. He agrees with Cllr Savage's comments about reducing costs where possible and with Cllr Byrne's proposal to look at similar projects. He advised that the local stakeholder groups also presented lower cost options to him of similar park projects and he trusted their views and expertise. Cllr Brown says he had previously asked to see costings and awaits these and said would like to see costs of similar projects brought to SPR in particular the costs of the Haulbowline project.

Cllr Tinnelly thanked Tetrattech and said the enabling costs are “eyewatering” and asked is there any comparable projects to this previously? He also asked if previous residents of this site should be concerned about their health given the ground results? He said that if these figures are correct, we need to find savings and funding and to this end, we need to pause the civic hub proposals based on information relayed at yesterday’s Programme Board meeting and put all resources into delivering up to Phase 1 of the Albert Basin Park project.

The Chairman said he previously asked the question if residents should be concerned of their health given the results of the contamination study and advised there were no concerns and asked if Officials could confirm this.

In response to Cllr Tinnelly’s query on the comparable costs Michael Lipsett advised Senior Management have spoken to the Project Manager of the Haulbowline Park Project in Cork and he will be presenting at the next Programme Board meeting and the Project Manager advised that the cost of capping their site was double the cost of the proposed costs for the Albert Basin and it represented 90% of their total project cost.

Mr Lipsett referred to a previous comment suggesting that the existing concrete could be retained on site and said a similar issue arose at the time of building the new Down Leisure Centre. Council were advised by consultants that there is no way of determining the strength of existing concrete bases.

Mr Lipsett advised that Cormac O’Sullivan, Project Manager of the Haulbowline Park scheme will be presenting at the next Programme Board Meeting.

Cllr Ó Muirí said he previously asked Mr Lipsett that a programme of costs and timeline could be brought to SPR Cllr Ó Muirí suggested that as all Party Leaders were present at this meeting, would they be happy to take the costings and timeline information heard here today back to their respective party members for discussion so this could be considered at October SPR to avoid any further delays?

Michael Lipsett said we can get a report to the October SPR and will do our best to try and investigate some of the issues raised and the concept proposals and these slides which detail costs and previous presentations which sets out the timeline.

Cllr Savage fully agrees with Cllr Ó Muirí’s proposal and would ask that inclusion of the mapping element within the report to SPR.

As per governance procedures, Cllr Mulgrew proposed Cllr Cllr Ó Muirí’s suggestion and Cllr Byrne seconded and this report to also include a mapping element as suggested by Cllr Savage.

Cllr Byrne asked for a response to his previous query on splitting the phases into separate planning applications in order to reduce timeline.

Conor Mallon responded in regards to a phased approach to the planning application.

The main work is in the preparation of the package of supporting technical surveys, reports and information required within a planning application submission, these would be considered by a wide range of statutory consultees through the planning process, and this takes time.

It is also likely that any application for capping, or a phased approach to planning may have to consider the uses proposed for future phases of the city park as well. This is a complicated process.

Mr Price agreed that the planning for the site was a complicated process and that splitting the planning into phases may or may not reduce the timeline, and this would need to be considered as proposals progress.

RECOMMENDATIONS:

On the proposal of Cllr R Mulgrew, seconded by Cllr P Byrne is was recommended that:

- 1. A report is brought to Strategic Policy and Resources Committee Meeting in October to include costings, timeline, concept proposals and seek approval for a mapping exercise to be carried out at Albert Basin site.**
- 2. Mr Mallon to forward presentations by Otium Leisure Consultancy to Mr Mulholland, DFC. Mr Lipsett to respond through his office to Mr Mulholland's query**
- 3. The Project Manager of the Park Project at Haulbowline, Cork Harbour be invited to present to the NCCR Programme Board Meeting Oct/Nov 2021**

This concluded the business of the Meeting. The Meeting ended at 2.20pm

**For approval by Newry City Centre Regeneration Programme Board.
Thereafter ratified at the Strategy Policy and Resources Committee
Meeting 14th October 2021**

Report to:	Strategy, Policy and Resources Committee
Date of Meeting:	14 October 2021
Subject:	Statutory reporting - Section 75 Policy Screening Report – Quarterly Report for period July - September 2021
Reporting Officer:	Regina Mackin, Assistant Director Corporate Planning and Policy
Contact Officers:	Colin Moffett, Head of Corporate Policy Suzanne Rice, Corporate Policy and Equality Officer

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	<p>In line with Council's Section 75 statutory duties and commitments within our approved Equality Scheme, policy screening reports are published quarterly.</p> <p>The Quarterly Report for the period July - September 2021, including screening reports, is available on Council's website www.newrymournedown.org. This information has also been forwarded to all equality consultees.</p>
2.0	Key issues
2.1	<p>As per the Council's approved Equality Scheme:</p> <ul style="list-style-type: none"> • All policies Council proposes to adopt must be equality screened, prior to implementation, to assess the likely impact of the policy on the promotion of equality of opportunity and/or good relations. • Council must publish quarterly reports on equality screening which are available on Council's website and forwarded to equality scheme consultees.
3.0	Recommendations
3.1	To note the Section 75 Policy Screening Report – Quarterly Report for period July – September 2021.
4.0	Resource implications
4.1	No financial or resources implications are anticipated.
5.0	Due regard to equality of opportunity and regard to good relations (complete the relevant sections)
5.1	<i>General proposal with no clearly defined impact upon, or connection to, specific equality and good relations outcomes</i>

	It is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations <input checked="" type="checkbox"/>
5.2	<p><i>Proposal relates to the introduction of a strategy, policy initiative or practice and / or sensitive or contentious decision</i></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>The policy (strategy, policy initiative or practice and / or decision) has been equality screened <input type="checkbox"/></p> <p>The policy (strategy, policy initiative or practice and / or decision) will be subject to equality screening prior to implementation <input type="checkbox"/></p>
5.3	<p><i>Proposal initiating consultation</i></p> <p>Consultation will seek the views of those directly affected by the proposal, address barriers for particular Section 75 equality categories to participate and allow adequate time for groups to consult amongst themselves <input type="checkbox"/></p> <p>Consultation period will be 12 weeks <input type="checkbox"/></p> <p>Consultation period will be less than 12 weeks (rationale to be provided) <input type="checkbox"/></p> <p><i>Rationale:</i></p>
6.0	Due regard to Rural Needs (please tick all that apply)
6.1	<p>Proposal relates to developing, adopting, implementing or revising a policy / strategy / plan / designing and/or delivering a public service</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>Rural Needs Impact Assessment completed <input type="checkbox"/></p>
7.0	Appendices
	Appendix I: Section 75 Policy Screening Report – Quarterly Report for period July - September 2021.
8.0	Background Documents
	Newry, Mourne and Down District Council Equality Scheme.

**Newry, Mourne and Down District Council Section 75 Policy Screening Report
Quarterly Report July - September 2021**

Policy	Details of policy	Screening Outcome
Draft Active Travel Masterplan	This relates to the development of a strategy and vision to promote and encourage walking and cycling across the District.	No EQIA considered necessary
Vehicle Fuel Management Policy	<p>The aim of this policy is to outline the expectations and responsibilities concerning the management and efficiency of fuel purchases and usages within the Council's fleet.</p> <p>The policy applies to all Council employees who operate a Council vehicle (Council-owned or hired) for the purposes of Council business and has been developed to:</p> <ul style="list-style-type: none"> ▪ Advise Council employees of the processes which are required to be followed to ensure compliance with other relevant Council policies, as well as their own personal and vehicle safety; ▪ Ensure the accurate and safe provision, usage and management of all fuel within the Council's fleet at all sites; ▪ Clarify the associated roles and responsibilities relating to fuel management; ▪ Ensure the purchasing of fuel is conducted considering value for money and financial benefits; and ▪ Assist with the progression of a Green Fleet Strategy by understanding the Council's carbon footprint. 	No EQIA considered necessary