

NEWRY MOURNE AND DOWN DISTRICT COUNCIL

Minutes of Strategy Policy & Resources Committee Meeting held on Thursday 12 October 2017 at 5.00pm in the Mourne Room, Downshire Civic Centre, Downpatrick.

In the Chair: Councillor T Hearty

In Attendance: Councillor P Byrne Councillor R Burgess
Councillor M Carr Councillor S Doran
Councillor C Enright Councillor O McMahon
Councillor A McMurray Councillor M Murnin
Councillor B O'Múiri Councillor M Ruane
Councillor M Savage Councillor G Sharvin

Also in Attendance: Councillor P Brown

Officials in Attendance: Mr L Hannaway, Chief Executive
Mrs D Carville, Director of Corporate Services
Mrs M Ward, Director of Enterprise, Regeneration & Tourism
Mr M Lipsett, Director of Active & Healthy Communities
Mrs C Miskelly, Assistant Director, Corporate Services (HR)
Mr J McBride, Assistant Director, Community Planning & Performance
Mr C Mallon, Assistant Director, Estates and Project Management
Mr K Montgomery, Assistant Director, Corporate Services (Finance)
Mrs A Robb, Assistant Director, Corporate Services (Administration)
Mrs E McParland, Democratic Services Manager
Miss S Taggart, Democratic Services Officer
Ms C Taylor, Democratic Services Officer

SPR/163/2017 APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillor Walker and Mr E Curtis, Director of Strategic Policy & Performance and Mr A Wilkinson, Director of Regulatory & Technical Services (Interim).

SPR/164/2017 DECLARATIONS OF INTEREST

Councillor Sharvin declared an interest in SPR/182/2017 – Action Sheet of the Strategic Projects Working Group held on 22 August 2017.

SPR/165/2017 **ACTION SHEET OF THE STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 14 SEPTEMBER 2017**

Read: Action Sheet of the Strategy, Policy and Resources (SPR) Committee Meeting held on 14 September 2017 (circulated).

SPR/156/2017 – Alcohol Bye Laws

Councillor Savage said he had requested at the Strategy, Policy & Resources Committee meeting in September that an education/marketing programme would be rolled out in conjunction with the alcohol bye laws.

Mrs Carville confirmed that the September Strategy, Policy & Resources Committee minutes had been ratified by Council and actions arising from the meeting would now be progressed.

Councillor Savage proposed that the community park project on the Albert Basin site in Newry be discussed.

Councillor Hearty said the matter was not on the agenda and would be discussed at the Strategic Projects Working Group on 17 October 2017.

Councillor Byrne said under Standing Orders, a proposal must be dealt with, and requested clarification.

Mrs McParland provided clarification on Standing Order 4.3 – Notice and Summons of Meetings –

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

Agreed: **On the proposal of Councillor Ruane, seconded by Councillor Doran, it was agreed that the Action Sheet of 14 September 2017 be noted and the actions identified in the right hand column as completed be removed.**

SPR/166/2017 **GIFTS AND HOSPITALITY POLICY**

Read: Report from Mrs D Carville, Director of Corporate Services, dated 12 October 2017, regarding Gifts and Hospitality Policy (circulated).

In response to Councillor Byrne’s queries regarding the Gifts and Hospitality Policy, Mrs Carville advised the following:

- A suggested method of declining gifts and hospitality was contained within the policy, although this may not be suitable

for all circumstances and individual judgement should be applied.

- The policy was suggesting any offers declined were recorded and a Gifts and Hospitality Register would be maintained.
- In relation to whether annual conferences were recorded, the policy was based on good practice and annual conferences should be recorded, although if any cost was involved, these are already being recorded at the request of the Department for Communities.
- The 2 legacy councils operated different procedures and this policy would ensure a consistent and best practice procedure across Council.

In response to queries from Councillor Burgess, Mrs Carville advised that training would be rolled out for Members after the policy had been agreed and that the policy was subject to review, as with all policies.

In response to questions from Councillor Sharvin, Mrs Carville said the upper limit of £25 was defined in the legacy Newry policy. Other councils' policies and civil service policies had also been explored and £25 had been an average. Mrs Carville said this amount would be monitored and reviewed as the policy was put into practice.

Agreed: On the proposal of Councillor Doran, seconded by Councillor Sharvin, it was agreed to approve the new policy on Gifts and Hospitality.

SPR/167/2017 RISK MANAGEMENT POLICY

Read: Report from Mrs D Carville, Director of Corporate Services, dated 12 October 2017, regarding Risk Management Policy (circulated).

In response to questions from Members, Mrs Carville responded as follows:

- The Risk Management Policy was the overarching risk management document which set the risk management procedures for Council. Beneath this policy would be other policies ie. Health & Safety Policy, which would deal with risk assessments at events.
- The Risk Management Strategy recommendation referred to by the Internal Auditor was regarding the policy document itself, which they said was not user friendly. It had the potential to distract from the focus on risk, and what the key officers in the organisation needed to do with regard to risk management.
- Paragraph 31 had been added to the policy as Internal Audit had recommended Council needed to better define its risk appetite.
- Officers took guidance from Council's insurers regarding the level of insurance Council requires from community groups. Feedback had been obtained and a discussion held with Council's insurance broker around concerns from the DEA's, following which a report had been presented at Active & Healthy Communities Committee. There were certain circumstances which the insurance broker deemed to be high risk.

Councillor Sharvin suggested it would be useful to have a tracking mechanism in place to see where the old policy had changed in comparison to the new policy. Mrs Carville undertook to provide this on future updated policies.

In response to Councillor Carr's comments, Mrs Carville undertook to provide him with information on insurance claims.

In response to comments from Councillor Byrne, Mrs Carville undertook to investigate the level of insurance required for the Newry Pride event.

Agreed: On the proposal of Councillor Savage, seconded by Councillor Byrne, it was agreed to approve the new Risk Management Policy.

SPR/168/2017 SAFEGUARDING POLICY

Read: Report from Mrs C Miskelly, Assistant Director Corporate Services (HR & Safeguarding), dated 12 October 2017 regarding Safeguarding Policy (circulated).

Mrs Miskelly introduced Mrs Colleen Morrison, Council's Safeguarding Co-ordinator to Members, saying the post was shared with Armagh, Banbridge & Craigavon Borough Council.

In response to queries from Members, Mrs Miskelly and Mrs Morrison answered as follows:

- There was a distinction between Council business and Party business as highlighted in the flow chart. When Members were carrying out Council business, they were governed by Council's Safeguarding Policy but when for example, canvassing on behalf of a political party, they would be governed by their own Party's procedures.
- Confidentiality was paramount when processing information, but the reason for not guaranteeing absolute confidentiality was when a matter was escalated to the appropriate service, then it would necessitate the disclosure of information to those authorities.
- Mrs Morrison was identified as one of the trained operators as well as 2 Sports Development Officers – one Newry based and one Downpatrick based, who would be chosen due to the nature of their post and the amount of contact they had with children and adults at risk in the community.
- The Safeguarding Policy would become part of the induction process for new employees and training would be undertaken on a regular basis and at particular times ie. before the summer holidays.
- It was intended that all staff, including Members, would receive child protection training.
- If Council was supporting an event, but was not the organiser, it was expected that the organisers own procedures would be followed, but if they did not have any procedures, they would be expected to sign up to Council's Safeguarding Policy.

Agreed: On the proposal of Councillor Byrne, seconded by Councillor O’Muir, it was agreed to approve the Safeguarding Policy.

SPR/169/2017 TREASURY MANAGEMENT

Read: Report from Mr K Montgomery, Assistant Director of Finance, dated 12 October 2017 regarding Treasury Management (circulated).

Mr Montgomery provided Members with an overview of the Treasury Management.

In response to a question from Councillor Sharvin, Mr Montgomery explained that the loan profile of £59m was made up of individual loans which were set at fixed rates and following the inception of the Prudential Code, loans were not taken out project specific, but when required. He added that Arling Close provided Council with advice on the best way to borrow money if required.

AGREED: On the proposal of Councillor O’Muir, seconded by Councillor Ruane, it was agreed to approve the Treasury Outturn Report 2016/17 and the Prudential Indicator Outturn Report 2016/17.

SPR/170/2017 TRANSITION OF EXISTING EMERGENCY PREPAREDNESS GROUP STRUCTURES

Read: Report from Mr C Mallon, Assistant Director of Estates and Project Management, dated 12 October 2017, regarding Transition of Existing Emergency Preparedness Group Structures from 5 existing areas to 3, Belfast, Northern & Southern Emergency Preparedness Areas (copy circulated).

In response to a query from Councillor Byrne, Mr Hannaway advised the PSNI was the blue light agency with primary responsibility for Emergency Planning and their decision was to reduce to 3 areas. Council was a facilitator in the process who responded accordingly.

In response to a query from Councillor Enright, Mr Mallon advised there was a Severe Weather Working Group which would take the lead on severe weather and emergency response plans which would deal with coastal flooding.

In response to a question from Councillor Carr, Mr Mallon explained that Council had its own internal emergency plans which fed into the groups and escalated if emergency planning was activated.

AGREED: It was agreed to note the report regarding the Transition of Existing Emergency Preparedness Group Structures from 5 existing areas to 3; Belfast, Northern & Southern Emergency Preparedness Areas.

SPR/171/2017 ACQUISITION OF LAND AT SUGAR ISLAND, NEWRY

Read: Report from Mrs A Robb, Assistant Director, Corporate Services (Administration), dated 12 October 2017, regarding Acquisition of land at Sugar Island, Newry (copy circulated).

AGREED: It was agreed on the proposal of Councillor Byrne, seconded by Councillor Carr, that Council proceed with the proposed acquisition of land at Sugar Island, Newry on the terms assessed by Land and Property Services

SPR/172/2017 **SUB-LEASE OF BOAT HOUSE, MARINE PARADE, WARRENPOINT TO CARLINGFORD LOUGH CURRACH CLUB**

Read: Report from Mrs A Robb, Assistant Director, Corporate Services (Administration), dated 12 October 2017, regarding Sub-Lease of Boat House, Marine Parade, Warrenpoint to Carlingford Lough Currach Club (copy circulated).

AGREED: It was agreed on the proposal of Councillor Ruane, seconded by Councillor Savage, that an application be made to the Department for Communities to permit Council to sub-let the Boat House, Warrenpoint, to Carlingford Lough Currach Club at a peppercorn rent.

It was agreed item SPR173/2017 and item SPR174/2017 would be discussed together.

SPR/173/2017 **REGULATING LEASE OF FORESHORE FOR NEWRY AND MOURNE**

SPR/174/2017 **PROPOSED CARLINGFORD LOUGH GREENWAY – VICTORIA LOCK TO THE BORDER – LEASE FROM CROWN ESTATE**

Read: Reports from Mrs A Robb, Assistant Director, Corporate Services (Administration), dated 12 October 2017, regarding Regulating Lease of Foreshore for Newry and Mourne and Proposed Carlingford Lough Greenway – Victoria Lock to the Border – Lease from Crown Estate (copy circulated).

Councillor Carr said he understood that the issues regarding the rights of way along the sea front at Ballyedmond and Killowen had not been resolved.

Mrs Robb said she had met with the Agent for the Crown Estate and the recommendation was to proceed with the renewal of the lease of the foreshore and any adjustments required would be dealt with separately.

In response to a question from Councillor Enright, Mrs Robb confirmed that the legacy Down lease for the foreshore was in place for the next 15 years and once the legacy Newry foreshore lease was resolved, it was hoped to work towards having one lease for the District.

In response to Councillor Carr's concerns, Mrs Robb advised that the Council had agreed to renew the lease of the foreshore at the Strategy, Policy & Resources Committee in August and undertook to update Councillor Carr on the status of the Rights of Way at Ballyedmond and Killowen.

AGREED: It was agreed to note the reports regarding regulating the lease of Foreshore for Newry and Mourne and the proposed Carlingford Lough Greenway – Victoria Lock to the Border – Lease from Crown Estate.

FOR NOTING

SPR/175/2017 **SECTION 75 POLICY SCREENING REPORT – QUARTERLY REPORT FOR PERIOD JULY – SEPTEMBER 2017**

Read: Report from Mrs R Mackin, Assistant Director Corporate Planning and Policy, dated 12 October 2017, regarding Section 75 Policy Screening Report – Quarterly Report for period July – September 2017.

AGREED: It was agreed to note the Section 75 Policy Screening Report – Quarterly Report for period July – September 2017.

SPR/176/2017 **LOCAL AUTHORITY DEED – DRUMNAKELLY LANDFILL SITE**

Read: Report from Mrs D Carville, Director of Corporate Services, dated 10 October 2017, regarding Local Authority Deed – Drumnakelly Landfill Site (circulated).

In response to a query from Councillor Byrne, Mr Montgomery confirmed that the total discounted amount provided for Drumnakelly Landfill site was approximately £2m.

In response to a query from Councillor Enright, Mrs Carville advised that until there was a defined income available the renewable energy stream would not be accounted for from the Drumnakelly site.

AGREED: It was agreed to note the report on Local Authority Deed – Drumnakelly Landfill Site.

SPR/177/2017 **LOCAL GOVERNMENT STAFF COMMISSION (LGSC) CONTINUING OPERATION 2017/18**

Read: Report from Mr L Hannaway, Chief Executive, dated 12 October 2017, regarding Local Government Staff Commission (LGSC) Continuing Operation 2017/18 (circulated).

In response to a query from Councillor Sharvin, Mrs Carville advised that correspondence had been sent to the Department for Communities recording Council's dissatisfaction, to which a response had been received, saying the Department had

noted Council's concerns. She added this issue was also raised through the Finance Working Group.

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

SPR/178/2017 SURVEILLANCE & MONITORING OF TOWN CENTRE CCTV

Agreed: On the proposal of Councillor Ruane, seconded by Councillor Doran, it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of Part 3 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – Information relating to the financial or business affairs of a particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

Read: Report from Mr J McBride, Assistant Director, Community Planning & Performance, dated 12 October 2017 regarding Surveillance & Monitoring of Town Centre CCTV (copy circulated).

Agreed: On the proposal of Councillor Ruane, seconded by Councillor Doran, it was agreed the Committee come out of closed session.

Agreed: When the Committee came out of closed session, the Chairperson advised that it had been agreed on the proposal of Councillor Murnin, seconded by Councillor Ruane, by a vote of 6 FOR and 2 AGAINST and 3 ABSTENTIONS to note the content of the Report, approve the recommendations in paragraphs 2.2 and 2.3 and the decision listed in the first paragraph of the Officer's Report.

SPR/179/2017 MANAGEMENT ACCOUNTS TO 31 AUGUST 2017

Agreed: On the proposal of Councillor Ruane, seconded by Councillor Doran, it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of Part 3 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – Information relating to the financial or business affairs of a particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

Read: Report from Mrs D Carville, Director of Corporate Services, dated 12 October 2017 regarding Management Accounts to 31 August 2017 (copy circulated).

Agreed: On the proposal of Councillor Ruane, seconded by Councillor Doran, it was agreed the Committee come out of closed session.

Agreed: When the Committee came out of closed session, the Chairperson advised it had been agreed to note the Management Accounts for the first five months of the 2017-2018 financial year; the five months ending 31 August 2017.

Noted: Additional information requested by Councillors would be provided.

SPR/180/2017 **PROGRESS REPORT ON NEWRY LEISURE CENTRE PHASE 2**

Agreed: On the proposal of Councillor Burgess, seconded by Councillor Ruane, it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

Read: Report from Mr C Mallon, Assistant Director of Estates and Project Management, dated 12 October 2017 regarding Progress Report on Newry Leisure Centre Phase 2 (copy circulated)

Agreed: On the proposal of Councillor Ruane, seconded by Councillor Doran, it was agreed the Committee come out of closed session.

Agreed: When the Committee came out of closed session, the Chairperson advised that it had been agreed on the proposal of Councillor Ruane, seconded by Councillor Murnin, to note the progress report on Newry Leisure Centre Phase 2 and approve the recommendations in Section 3.1 and 3.2 of the Officer's report relating to the expenditure on this project.

SPR/181/2017 **RECRUITMENT OF RTS DIRECTOR**

Agreed: On the proposal of Councillor Burgess, seconded by Councillor Ruane, it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

Agreed: On the proposal of Councillor Ruane, seconded by Councillor Doran, it was agreed the Committee come out of closed session.

Agreed: When the Committee came out of closed session, the Chairperson advised that it had been agreed on the proposal of Councillor Savage, seconded by Councillor Carr, to note the verbal update presented by the Chief Executive in relation to the recruitment of the Director of Regulatory & Technical Services and approve the recommendations as outlined by the Chief Executive in his verbal report to Committee, having taken account of the views put forward by the Members, with a further report being presented to SPR Committee in December 2017.

Councillor Sharvin, having previously declared an interest in Agenda Item 20, departed from the meeting – 6.46pm.

SPR/182/2017 ACTION SHEET OF THE STRATEGIC PROJECTS WORKING GROUP HELD ON 22 AUGUST 2017

Agreed: On the proposal of Councillor Burgess, seconded by Councillor Ruane, it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

Agreed: On the proposal of Councillor Ruane, seconded by Councillor Doran, it was agreed the Committee come out of closed session.

Agreed: When the Committee came out of closed session, the Chairperson advised that it had been agreed on the proposal of Councillor Ruane, seconded by Councillor Doran, to note the contents of the Action Sheet of the Strategic Projects Working Group meeting of 22 August 2017, and approve the recommendations relating to removal of some matters from the action sheet.

AGREED: It was also agreed on the proposal of Councillor Savage, seconded by Councillor Byrne, that at the meeting of the Strategic Projects Working Group on 17 October 2017, a full report on the Albert Basin Park Project be presented in Minute format and presented as a separate report to SPR Committee and this to apply to any other project if requested by Members

at the Working Group and taking account of the Council's obligations under Part 1 of Schedule 6 of Local Government Act (NI) 2014.

NOTED It was noted the Chief Executive's clarification that all Council Members are entitled to attend the Working Group and participate in the debate.

There being no further business, the meeting concluded at 7.35pm.

For consideration at the Council Meeting to be held on 6 November 2017

Signed: Councillor Terry Hearty
Chairperson

Signed: Dorinnia Carville
Director of Corporate Services