

## **NEWRY MOURNE AND DOWN DISTRICT COUNCIL**

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### **Minutes of Strategy Policy & Resources Committee Meeting held on Thursday 15 June 2017 at 5.00pm in the Mourne Room, Downshire Civic Centre, Downpatrick.**

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In the Chair: Councillor Hearty

In Attendance:

Councillor T Andrews	Councillor P Byrne
Councillor R Burgess	Councillor S Doran
Councillor S Doran	Councillor C Enright
Councillor D Hyland	Councillor O McMahon
Councillor A McMurray	Councillor M Murnin
Councillor M Ruane	Councillor G Sharvin
Councillor W Walker	

Officials in Attendance:

Mr L Hannaway, Chief Executive  
Mrs D Carville, Director of Corporate Services  
Mr M Lipsett, Director of Active and Healthy Communities  
Mr C O'Rourke, Director of Regulatory & Technical Services  
Mr A Wilkinson, Director of Regulatory & Technical Services (Interim)  
Mrs R Mackin, Assistant Director, Corporate Planning and Policy  
Mrs C Miskelly, Assistant Director, Corporate Services (HR)  
Mr K Montgomery, Assistant Director of Finance  
Mr J McBride, Assistant Director, Community Planning & Performance  
Mr A McKay, Area Planning Manager  
Mr A Hay, Principal Planning Officer  
Mr E McManus, Capital Projects  
Mr T McClean, Capital Project Manager  
Miss K Rusk, Health, Safety and Wellbeing Advisor  
Mrs E McParland, Democratic Services Manager  
Mrs C Taylor, Democratic Services Officer

**SPR/105/2017**

### **APOLOGIES AND CHAIRPERSON'S REMARKS**

Apologies were received from Councillors Carr, Ó'Múiri and Mr E Curtis, Director of Strategic Policy & Performance.

Councillor Hearty paid tribute to Councillor Brown for carrying out an excellent job chairing the SPR Committee over the past year.

**SPR/106/2017**

### **DECLARATIONS OF INTEREST**

Councillor Byrne declared an interest in Agenda Item 21 – NMDDC v Hamill Update.

Mrs Carville, on behalf of Mr Hannaway, declared an interest in Item 17 – Chief Executive Appraisal.

**SPR/107/2017      TO AGREE A START TIME FOR SPR MEETINGS FROM JUNE 2017 – MAY 2018**

Read:                      SPR Committee start times 2017-2018 (circulated).

**AGREED:**              It was agreed on the proposal of Councillor Walker, seconded by Councillor Ruane, the start time of Strategy, Policy & Resources Committee from June 2017 – May 2018 would be at 5pm.

**SPR/108/2017      ACTION SHEET OF THE STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 11 MAY 2017**

Read:                      Action Sheet of the Strategy, Policy and Resources (SPR) Committee Meeting held on 11 May 2017 (circulated).

**SPR/99/2017 – Annual Debt Write-Off**

In response to Councillor Byrne's query, Mrs Carville advised that this matter had been taken back to the Finance Department, who were actively working on pursuing the debts and further details would be brought back to Members.

**SPR/192/2016 – Former Kindle Primary School – Business Case**

In response to Councillor Sharvin's query, Mrs Carville advised that an agreement had been reached for the purchase of the former Kindle Primary School and that this action would now be removed from the Action Sheet.

**Agreed:**              On the proposal of Councillor Doran, seconded by Councillor Burgess, it was agreed that the Action Sheet of 11 May 2017 be noted and the actions identified in the right hand column as completed be removed.

**PERFORMANCE**

**SPR/109/2017      PERFORMANCE IMPROVEMENT PLAN 2017 – 2018**

Read:                      Report from Mr J McBride, Assistant Director, Community Planning and Performance, dated 15 June 2017 regarding the Performance Improvement Plan 2017-18 (copy circulated).

In response to a question from Councillor Andrews, Mr McBride advised there were 53 survey responses received, which was more than the number received the previous year.

Councillor Byrne referred to Objective 3 – implementation of the AONB Action Plans – saying the progress of these would depend on buy-in from the Council.

Councillor Byrne referred to Objective 5, asking how the 50 community groups to progress the 'Audit of Effectiveness' for community centres and developing proposals for improvement were selected and he proposed that the identification of the groups would be progressed through the DEA's.

Mr McBride advised the identification of the groups through the DEA's lay with the AHC Committee, but he would advise the Director of those comments.

Councillor Enright made the following comments:

- Performance Objective 1 – there were many people involved in groups outside of the leisure centres ie. coastal rowing groups and walking groups – could these groups not be included in the statistics?
- Objectives 3 and 5 – regarding the role of the DEA's in delivering the master plans, it would be necessary to review the role of the DEA's and how to enable Councillors to understand the capacity of their own area in order to review the master plans effectively.
- Objective 4 – there were gaps in the environmental improvement projects and in general, the way in which Council measured itself and how this could be more effective, should be looked at.

The Chairperson advised Councillor Enright that Mr McBride would respond to his comments after the meeting.

**AGREED:** On the proposal of Councillor Byrne, seconded by Councillor Sharvin, it was agreed that the identification of the 50 community groups to progress the 'Audit of Effectiveness' for community centres and developing proposals for improvement, would be progressed through the DEA's.

**AGREED:** On the proposal of Councillor Ruane, seconded by Councillor Byrne, it was agreed to approve:

- The final version of the Performance Improvement Plan 2017–2018, including the five performance improvement objectives.
- The publication of the Performance Improvement Plan 2017-2018 by 30 June 2017, before full Council approval, in order to meet the statutory deadline.

## **LOCAL DEVELOPMENT PLAN**

**SPR/110/2017**

**NEWRY, MOURNE AND DOWN LOCAL DEVELOPMENT  
PLAN: DRAFT TIMETABLE**

Read: Report from Mr A McKay, Chief Planning Officer, dated 15 June 2017, regarding the Newry, Mourne and Down Local Development Plan: Draft Timetable (copy circulated).

**AGREED:** On the proposal of Councillor Burgess, seconded by Councillor Walker, it was agreed that approval be given to :

- The Local Development Plan: Draft Timetable.
- The Planning Department to liaise with the PAC and other key stakeholders prior to submitting the draft Timetable to the Department for Infrastructure for its agreement.
- Following agreement of the Timetable by the Department for Infrastructure, that it be made available and published in accordance with Regulation 8 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

**SPR/111/2017      OPTIONS FOR UNDERTAKING SUSTAINABILITY APPRAISAL, INCORPORATING STRATEGIC ENVIRONMENTAL ASSESSMENT**

Read: Report from Mr A McKay, Chief Planning Officer, dated 15 June 2017, regarding the Newry, Mourne and Down Local Development Plan: Options for undertaking the LDP Sustainability Appraisal, incorporating Strategic Environmental Assessment (copy circulated).

Councillor Sharvin referred to Option 3, saying this was his preferred option, as it would up-skill in-house staff for future local development plans, rather than having to go out to another organisation, the capacity of which to facilitate all of the Councils, was unknown.

In response, Mr Hay said this was an opportunity to compliment and build skills in-house, but that Option 5 – to engage Shared Environmental Services (SES) was the preferred option.

Councillor Byrne concurred with Councillor Sharvin, saying he preferred Option 3 as the costs were lower and in-house skills could be developed.

Mr Hay advised in Option 5, a service level agreement would be entered into with SES and based on information from SES and other councils.

**Mr Hannaway joined the meeting at this point – 5.28pm**

Mr McKay advised Members that SES had been engaged by Council over the past 2 years to provide expert advice on planning applications that demanded their input. He said he understood the Councillors' point regarding developing in-house expertise, but there were time constraints relating to delivery on plan.

Mr McKay said a few issues raised had not been fully reflected within the report and suggested bringing further detail back to Committee.

Mr O'Rourke advised Members that this was a one-off exercise, and the Council would not require the skill set after completion. He said to provide the service in-house would cause significant delay and SES had in place the skill sets required.

Councillor Byrne proposed and Councillor Sharvin seconded that approval be given to Option 3.

The Chairperson put Councillor Byrne's proposal, seconded by Councillor Sharvin, to a vote, the results of which were as follows:

**FOR: 7**  
**AGAINST: 5**  
**ABSTENTIONS: 0**

**The PROPOSAL was declared CARRIED.**

**AGREED: On the proposal of Councillor Byrne, seconded by Councillor Sharvin, it was agreed that approval be given to:**

- **Option 3 – engage consultants to assist the Development Plan Team to prepare the Sustainability Appraisal in-house by providing independent advice and guidance during its production.**

## **CORPORATE PLANNING AND POLICY**

### **SPR/112/2017      UPDATED POLICY ON NAMING FACILITIES AND GUIDELINES AND ASSOCIATED PROCEDURE FOR (RE) NAMING OF FACILITIES**

**Read:** Report from Mrs R Mackin, Assistant Director, Corporate Planning and Policy, dated 15 June 2017, regarding the Updated Policy on Naming Facilities and Guidelines and associated procedure in relation to (re) naming of facilities (copy circulated).

**AGREED: On the proposal of Councillor Ruane, seconded by Councillor Hyland, it was agreed that approval be given to :**

- **The updated Policy on Naming Council facilities.**
- **The updated Guidelines and associated procedure in relation to (re) naming of facilities.**
- **The application form regarding the Request to (re)name a Council Facility.**

**SPR/113/2017      CONSULTATION RESPONSE TO FORAS NA GAEILGE  
REVIEW OF FUNDING OF IRISH LANGUAGE CENTRES  
CONSULTATION DOCUMENT APRIL 2017**

**Read:** Report from Mrs R Mackin, Assistant Director, Corporate Planning and Policy, dated 15 June 2017, regarding the Consultation Response to Foras na Gaeilge Review of Funding of Irish Language Centres Consultation Document April 2017 (copy circulated).

**AGREED:** On the proposal of Councillor Doran, seconded by Councillor Andrews, that the consultation response prepared in relation to Foras na Gaeilge's Review of Funding for Irish Language Centres, Consultation Document April 2017, be approved.

**CORPORATE SERVICES – DEMOCRATIC SERVICES**

**SPR/114/2017      CORRESPONDENCE FROM APSE RELATING TO ANNUAL  
GENERAL MEETING ON 28 JUNE 2017**

**Read:** Correspondence from APSE dated May 2017 regarding the APSE Northern Ireland Annual General Meeting 2017.

Mr McBride advised Members that APSE were seeking the nomination of 1 Member and 1 official to sit on the Pilot APSE Northern Ireland Executive Board.

**AGREED:** On the proposal of Councillor Walker, seconded by Councillor Sharvin, that Councillor Andrews would be Council's elected representative to sit on the Pilot APSE Northern Ireland Executive Board and that one officer also participate.

Councillor Hyland suggested that Councillor Andrews provide updates to Council of the discussions at the Pilot APSE Northern Ireland Executive Board.

**FOR CONSIDERATION/DECISION**

**SPR/115/2017      SMOKE FREE POLICY**

**Read:** Report from Mrs D Carville, Director of Corporate Services, dated 15 June 2017, regarding the Smoke Free Policy (copy circulated).

In response to a query from Councillor Sharvin, Miss Rusk explained once the Smoke Free Policy was in place, it was the responsibility of each building manager to undertake an assessment of their area in relation to provision and location of shelters to facilitate smokers.

**AGREED:** On the proposal of Councillor Hyland, seconded by Councillor Sharvin, to approve the Council Smoke Free Policy to include the prohibition of electronic cigarettes/vapourisers.

**SPR/116/2017      NEWRY BUSINESS IMPROVEMENT DISTRICT (BID)**

**Read:** Report from Mrs A Robb, Assistant Director, Corporate Services (Administration), dated 15 June 2017, regarding Debt Collection Officer – Newry BID (copy circulated).

In response to questions from Councillor Byrne, Mrs Carville advised that the 1.5% levy for the BID was an additional levy. She said that there was no evidence of any feedback from the businesses, but stressed that Council was the billing company and did not liaise directly with the businesses.

Councillor Byrne said more understanding of the perspective of the businesses was crucial.

Mrs Ward advised the Enterprise, Regeneration and Tourism department was the liaison point with the BID organisation, but the responsibility for liaising with the businesses was with the BID. She said she was aware the BID manager was in constant liaison with businesses in Newry and had visited many of them.

Councillor Hearty expressed concerns over creating a bad working relationship with the businesses in Newry.

Councillor Byrne suggested further information be brought back to Members and asked for the number of letters the businesses had received.

**AGREED:** On the proposal of Councillor Byrne, seconded by Councillor Hyland, that further information be brought back to Committee regarding Newry BID, prior to considering the recommendation in the officer's report.

**FOR NOTING**

**SPR/117/2017      CORPORATE SERVICES BUSINESS PLAN**

**Read:** Report from Mrs D Carville, Director of Corporate Services, dated 15 June 2017, regarding Corporate Services Directorate Business Plan (copy circulated).

In response to comments from Councillor Sharvin, Mrs Carville said actions highlighted red indicated that the action had not been achieved. She said negotiations had stalled for a while with the Trade Unions regarding the terms and conditions, although they had now re-engaged and this was a key priority for the Corporate Services Directorate in 2017-18.

Mrs Mackin provided clarification on the business case for the recruitment of graphic designers.

**AGREED:** On the proposal of Councillor Doran, seconded by Councillor Ruane, that the Corporate Services Business Plan be noted.

**SPR/118/2017**      **CHIEF EXECUTIVE OFFICE BUSINESS PLAN**

Read: Chief Executive Office Business Plan (copy circulated).

**AGREED:** On the proposal of Councillor Byrne, seconded by Councillor Ruane, that the Chief Executive Office Business Plan be noted.

**SPR/119/2017**      **REGIONAL PAY BRIEFING**

Read: Correspondence received from NILGA dated 23 May 2017, regarding the Regional Pay Briefing – Northern Ireland Councils – July 2017

**AGREED:** On the proposal of Councillor Hyland, seconded by Councillor Byrne, it was agreed that the Chair and Deputy Chair of Strategy, Policy and Resources Committee attend the Regional Pay Briefing on 27 July 2017.

Councillor Hearty left at this point – 6:16pm – and Councillor McMurray assumed the Chair.

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

**SPR/120/2017**      **CHIEF OFFICER NOTICE PERIODS**

**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 Paragraph 3 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.

Read: Report from Mrs C Miskelly, Assistant Director of Corporate Services (HR), dated 15 June 2017 regarding Notice Periods for Chief Officers (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 Byrne, seconded by Councillor Ruane, to note the contents of the Officer's report and approve the recommendation contained in paragraph 3.3 that the notice period for Chief Officers remains at three months.

Mr Hannaway declared an interest in the next item of business and left the meeting at this point – 6.24pm.

**SPR/121/2017      CHIEF EXECUTIVE APPRAISAL**

**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 Paragraph 3 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.

**Read:** Report from Mrs C Miskelly, Assistant Director of Corporate Services (HR), dated 15 June 2017 regarding Chief Executive Appraisal (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 Doran, to note the contents of the Officer's report advising that the 2016-17 Performance of the Chief Executive had been completed and the objectives for 2017/2018 had been set.

Mr Hannaway re-entered the meeting at 6.29pm.

**SPR/122/2017      MANAGEMENT ACCOUNTS**

**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 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).

**Read:** Report from Mrs D Carville, Director of Corporate Services, dated 15 June 2017 regarding Management Accounts to 31 March 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 that it had been agreed to note the Management Accounts for the full year ending 31 March 2017.

**SPR/123/2017      REACTIONARY FUND SPEND**

**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 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).

**Read:** Report from Mrs D Carville, Director of Corporate Services, dated 15 June 2017 regarding Reactionary Fund Spend (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 Walker, seconded by Councillor Byrne, to note the contents of the Officer's report and approve the recommendation contained in paragraph 3.1 to make payment in the sum specified to SEUPB.

**SPR/124/2017      DOWN LEISURE CENTRE**

**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 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).

**Read:** Report from Mr M Lipsett, Director of Active and Healthy Communities, dated 15 June 2017 regarding Progress Report on Down Leisure Centre (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 Sharvin, seconded by Councillor Ruane, to note the contents of the Officer's report and agree to the Design Team and Senior Council Officers continuing to monitor and control the expenditure of the Optimism Bias in respect of this project in relation to the overall budget.

**SPR/125/2017**      **NMDDC V HAMILL – UPDATE**

**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 paragraph 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information in relation to which a claim to legal professional privilege could be maintained in legal proceedings.

**Read:** Report from Mr E McManus, dated 15 June 2017 regarding NMDDC v Hamill – Appeal to the High Court (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 Enright, seconded by Councillor Walker, to note the contents of the Officer's report and approve the recommendations in paragraph 3.1 and 3.2 in relation to the way forward in the case of the Council

**versus Francis Hamill, relating to a public right of way at  
Concession Road to the Border.**

There being no further business, the meeting concluded at 7:00pm.

For consideration at the Council Meeting to be held on 3 July 2017

**Signed:                   Councillor Terry Hearty  
                                  Chairperson**

**Signed:                   Dorinnia Carville  
                                  Director of Corporate Services**