

NEWRY MOURNE AND DOWN DISTRICT COUNCIL

Minutes of Special Strategy Policy & Resources Committee Meeting held on Thursday 13 August 2020 at 6.00pm via Skype

In the Chair: Councillor G Sharvin

In Attendance:

Councillor P Brown	Councillor P Byrne
Councillor S Doran	Councillor C Enright
Councillor H Gallagher	Councillor O Hanlon
Councillor R Howell	Councillor A Lewis
Councillor O Magennis	Councillor H McKee
Councillor D Murphy	Councillor B Ó Muirí
Councillor M Savage	Councillor W Walker

Also in attendance:

Councillor T Andrews	Councillor W Clarke
Councillor D Curran	Councillor G Malone
Councillor D McAteer	Councillor K McKeivitt
Councillor G Stokes	Councillor D Taylor
Councillor J Tinnelly	Councillor J Trainor

Officials in Attendance: Mrs M Ward, Chief Executive
Mrs D Carville, Director of Corporate Services
Mr M Lipsett, Director of Active & Healthy Communities
Mr R Moore, Director of Neighbourhood Services
Mr C Mallon, Director of Enterprise, Regeneration & Tourism
Mr K Montgomery, Assistant Director of Finance
Mrs C Miskelly, Assistant Director Corporate Services, HR & Safeguarding
Mrs A Robb, Assistant Director Corporate Services (Administration)
Mr C Quinn, Assistant Director of Estates & Capital Projects
Mr A Grimshaw, Project Director
Mr P Preen, HR Policy & Projects Officer
Mrs E McGrath, HR Business Partner
Mr F O'Connor, Legal Advisor
Ms S Taggart, Democratic Services Manager (Acting)
Mrs C Hanvey, PA to Director of Corporate Services
Mrs P McKeever, Democratic Services Officer
Ms L O'Hare, Democratic Services Officer

SPR/87/2020: APOLOGIES AND CHAIRPERSON'S REMARKS

There were no apologies received.

- The Chairperson expressed sympathy to Brian Black's family who sadly died due to a tragic accident in Strangford village recently.
- The Chairperson congratulated Conleth Fitzsimons on finishing 3rd in the Flo Gas Champion of Champions which recently took place.

SPR/88/2020: DECLARATIONS OF INTEREST

There were no declarations of interest.

**SPR/89/2020 ACTION SHEET ARISING FROM STRATEGY POLICY AND
RESOURCES COMMITTEE MEETING HELD ON 11 JUNE 2020
AND 25 JUNE 2020**

Read: Action Sheets of the Strategy, Policy and Resources Committee Meeting held on 11 June 2020 and 25 June 2020. **(Copy circulated)**

Agreed: **On the proposal of Councillor Ó Muirí, seconded by Councillor Byrne, it was agreed that the Action Sheet of 11 June 2020 and 25 June 2020, be noted, and actions removed as marked.**

**SPR/90/2020 NOTICE OF MOTION REFERRED FROM COUNCIL MEETING
HELD ON 6 JULY 2020**

The following Motion came forward for consideration in the name of Councillor Malone:

“The Council recognises that society has changed fundamentally within the last four months and there will most likely be austere times for many residents of our district for the foreseeable future, the Council also recognises the new financial realities in the time ahead for us as a local authority and therefore it is now time to postpone any further work on the proposed new civic centre project for the remainder of this term”.

Councillor Malone proposed the above motion and asked that it be given due consideration. He outlined the premise behind the motion stating the future was uncertain, particularly with the ongoing effect of Brexit and stated that Council should revisit the largest capital spend since the formation of the Council and the possible negative financial impact this was likely to have on ratepayers within the District. He stated that, as Elected Members, it was imperative to review and evaluate Council’s finances and by continuing with the new civic centre project, Elected Members would have failed the ratepayers.

Councillor Malone asked whether the consultation that had been previously agreed had been carried out, and if not, how could a capital project of this magnitude be progressed. He drew comparisons between the civic centre project and the consultation that had been carried out regarding the Albert Basin project and asked whether the two projects were being treated differently. He went on to say that some business owners in Newry city centre were concerned about the removal of parking spaces and lack of information as to how these would be replaced.

The motion was seconded by Councillor Brown.

Councillor Savage proposed an amendment to the motion to read:

“The Council recognises that society has changed fundamentally since the start of the Covid-19 Pandemic and acknowledges the economic challenges our citizens, businesses and ratepayers face in the coming months and years and recognises the need for Council to re-evaluate our capital expenditure priorities. This Council agrees to await the Consultants’ Report on the proposed Newry Civic Centre which is to be

presented to Council in September 2020; agrees not to go to tender or submit a planning application on this scheme until this report is re-evaluated by Council and the recommendations of that re-evaluation are put to an extensive public consultation”.

In proposing the amendment, Councillor Savage stated he understood the rationale of Councillor Malone on bringing the motion before the Committee as he had been lobbied on the issue as a Newry Councillor also. He stated a lot of organisations, including Council, needed to re-evaluate its operations throughout the ongoing pandemic.

Councillor Savage stated his amendment came about as there was currently nothing tangible on the table to evaluate or to postpone as the consultant’s report was due in September 2020. He stated that Council had legal and financial contracts in place to get the consultant’s report and it would not be prudent to see the process through. Once the consultant’s report was available, it could be critiqued and re-evaluated at that stage with everything taken into consideration. He suggested that Council could look at current assets with regard to meeting the need for Council offices and a civic building and was aware there was a need to vacate the Monaghan Row site to allow for the potential expansion of Daisy Hill Hospital, however the decision being taken was very serious and needed proper discussion. He reiterated SDLP’s support for a park in Newry city and their support for the civic centre capital project and believed tangible proposals were required, therefore he proposed that Council wait until the consultant’s report was available which could then be taken through the project board and decisions could be taken at that stage based on size, scale, expenditure and need, which may have changed due to the current pandemic.

Councillor Brown seconded the amendment.

The amendment was accepted by Councillor Malone.

The Chairperson acknowledged the proposal calling for an adjournment at this stage in order that Members could consider the amendment, however, he felt it was prudent to have the officer’s present their report and invited Mr Mallon to do so.

Mr Mallon outlined the purpose of the report stating it was to update Members on the current progress with the civic centre project, outline the strategic objectives and benefits, present the key milestones achieved, outline the decision-making process, advise on the current programme and inform Members on the consequences of any decisions made with regard to the tabled notice of motion. He advised the report recommended that the Committee note the current reviews that were ongoing in relation to the impact of COVID-19 on remote working, the real estate market and the business case review of the Newry City Regeneration Programme. The report further recommended that Committee approved the continuation of the work on the programme to enable projects to reach tender readiness and planning approval with any intention to proceed to issue a tender for capital build coming back to SPR Committee for decision.

The Chairperson advised it had been proposed by Councillor Byrne, seconded by Councillor Hanlon to take a 10 minute recess at this stage.

Councillor Brown stated he was opposed to a recess at this stage and the matter was put to a vote, the results of which were as follows:

FOR:	12
AGAINST:	3
ABSTENTIONS:	0

The proposal to recess was CARRIED.

The meeting did then adjourn – 6.27pm

The meeting did then resume – 6.37pm

The Chairperson advised that as the proposer of the original motion had accepted the amendment, the amendment became the substantive motion and therefore was the only motion that Members could address.

Councillor Ó Muirí stated that Sinn Féin were not happy to accept the amendment and had no issue letting the process continue to planning and the public consultation would take place through the planning procedures. He outlined the expenditure and funding that was due to go into the project which had been discussed at length for many years. He stated in 2015 it was agreed to include in the corporate plan for 2015-19 for a new civic centre in Newry to complement the one that had been built in Downpatrick in preparations for the merger of the two Councils.

Members discussed the amendment at length, with senior officers providing responses to questions asked..

The Chairperson put the amendment to a vote, the results of which were as follows:

FOR:	9
AGAINST:	6
ABSTENTIONS:	0

The amendment was CARRIED.

Agreed: It was agreed on the proposal of Councillor Malone, seconded by Councillor Brown, that the Council recognises that society has changed fundamentally since the start of the Covid-19 Pandemic and acknowledges the economic challenges our citizens, businesses and ratepayers face in the coming months and years and recognises the need for Council to re-evaluate our capital expenditure priorities. This Council agrees to await the Consultants' Report on the proposed Newry Civic Centre which is to be presented to Council in September 2020; agrees not to go to tender or submit a planning application on this scheme until this report is re-evaluated by Council and the recommendations of that re-evaluation are put to an extensive public consultation.

Agreed: It was agreed that Mr Mallon would circulate the timetable of stakeholder engagement to all Members for their information.

CORPORATE SERVICES

SPR/91/2020: CONSULTATION ON THE CODE OF CONDUCT FOR LOCAL GOVERNMENT EMPLOYEES

Read: Report dated 13 August 2020 from Mrs C Miskelly, Assistant Director Corporate Services, HR & Safeguarding regarding, Consultation on the Code of Conduct for Local Government Employees **(Copy circulated)**

Mrs Miskelly advised the Local Government Staff Commission was undertaking consultation on the revised Code of Conduct and she had provided the updated Code of Conduct, the schedule of amendments within the report for Members' information and a consultation response from the Council which was recommended for approval by the Committee.

Members discussed the issue and raised the following queries:

- There was disparity between the Code of Conduct for Councillors and that for Employees and direction should be sought from NAC and other Councillor bodies before agreeing to submit the consultation response.
- Concerns exist around the Councillors Code of Conduct and the restrictions that were placed upon Councillors that limit them from carrying out their role. The matter of close personal working relationships needed clarified.
- Clarity required on Political Neutrality and closing off the possibility to represent the local community, only because someone was an employee of the Council, would be penalising and inhibitive. Suggest looking at the rules and regulations that exist within the Civil Service.

On a point of information, Councillor Andrews advised a lot of work had been ongoing through NAC regarding the Councillors Code of Conduct and there was a full Members' meeting being held next week which all Members were permitted to attend.

Mrs Miskelly advised that as members had indicated they needed further clarification and advices from other bodies, it would be prudent to defer any response until Councillors were content regarding the aspects of the code. She stated the language in terms of the working relationships could be reworked to ensure the positive aspect of same was highlighted. With regard to standing as a Councillor while an employee, this was set out in legislation and the Code of Conduct had been updated to try to reflect the legislation as it had not been previously included.

Agreed: **It was agreed on the proposal of Councillor Byrne, seconded by Councillor Savage, to include the issues highlighted by Members and that an updated response be brought back to the Committee in September.**

SPR/92/2020: DOMESTIC ABUSE AND SEXUAL VIOLENCE POLICY

Read: Report dated 13 August 2020 from Mrs C Miskelly, Assistant Director Corporate Services, HR & Safeguarding regarding, Domestic Abuse and Sexual Violence Policy **(Copy circulated)**

Mrs Miskelly advised Council was committed to the principle that Domestic Abuse and Sexual Violence was unacceptable behaviour and everyone had the right to live free from fear and abuse. She advised the policy presented to Committee had undergone extensive internal stakeholder engagement and was fully supported by both Council management and the recognised Trade Unions.

Members welcomed the report and commended Council on the forward thinking approach, and asked the following questions:

- Could a third person be permitted to accompany someone reporting an incident as some people may feel uncomfortable going on their own?
- Council were being incredibly proactive on the issue and the support services provided were fantastic and key that the names and numbers of trusted colleagues were displayed in all public buildings, however it was important to ensure these were placed on the website also due to the many staff now working from home.
- Welcomed the highlighting of domestic abuse within same-sex relationships as some people in these relationships may not feel comfortable speaking out for a variety of reasons. Would it be possible to have trusted colleagues for same-sex couples or those within the LGBTQ community so that they can speak to a trusted colleague.

Mrs Miskelly responded to the queries as follows:

- The line manager arrangement was in terms of practical aspects such as time off or support in relation to relocations.
- Trusted colleagues would be trained and available as the first point of contact for employees experiencing domestic abuse.
- Safeguarding Team deal with enquiries from employees and the team help to guide and signpost those employees.
- There was a dedicated page on the website regarding Safeguarding and e-learning that staff members could access from home.

Agreed: **It was agreed on the proposal of Councillor Howell, seconded by Councillor Hanlon, to adopt and introduce the new Domestic Abuse and Sexual Violence Policy and to include the list of names and numbers of trusted colleagues on the dedicated page on the website.**

SPR/93/2020: DOMESTIC ABUSE - 'SAFE PLACE'

Read: Report dated 13 August 2020 from Mrs C Miskelly, Assistant Director Corporate Services, HR & Safeguarding regarding, Domestic Abuse - 'Safe Place' **(Copy circulated)**

Mrs Miskelly advised the review of Council Safeguarding process identified that Council was formally and fully committed to supporting the 'Safe Place' scheme within designated Council facilities for anyone, whether staff or members of the public, affected by domestic abuse or sexual violence to confidentially access information.

Agreed: **It was agreed on the proposal of Councillor Howell, seconded by Councillor Byrne, that Council renew its commitment to Safe Place through Council, supporting the principle that Domestic Abuse and Sexual Violence was unacceptable behaviour and everyone had the right to live free from fear and abuse. To agree the designation of specific Council facilities outlined in Appendix 2 of the officer's report, as specified Safe Place locations for anyone affected by Domestic Abuse. This would ensure the appropriate facilities offer the necessary support for all customers and staff, mitigating any risk to Council and incorporate rural needs. Training to be provided to staff in supporting and signposting anyone wishing to avail of the designated 'Safe Place' NMDDC facilities. This would ensure staff at the relevant 'Safe Place' facilities were appropriately**

skilled to offer the necessary support for all customers and staff, mitigating any risk to Council.
Training to be provided for staff (Managers and HR or other relevant staff) to ensure they had the necessary skills to support employees who were subject to Domestic Abuse (directly and indirectly) through application of the NMDDC Domestic Abuse & Sexual Violence Policy.

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

Agreed: On the proposal of Councillor Magennis, seconded by Councillor Byrne, it was agreed to exclude the public and press from the meeting during discussion on the next matters which related to exempt information by virtue of para. 3 of Part 1 of Schedule 6 of the Local Government (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.

SPR/94/2020 **APPENDIX 3 IN RELATION TO ITEM 4 – DULY NOTED**

SPR/95/2020 **MANAGEMENT ACCOUNTS TO 31 MARCH 2020**

Read: Report dated 13 August 2020 from Mr K Montgomery, Assistant Director of Finance regarding, Management Accounts to 31 March 2020 (**Copy circulated**)

Agreed: On the proposal of Councillor Ó Muirí, seconded by Councillor Lewis, it was agreed the Committee come out of closed session.

Agreed: It was agreed to note the contents of the report.

SPR/96/2020: **UPDATE ON COUNCIL FINANCES**

Read: Report dated 13 August 2020 from Mrs D Carville, Director of Corporate Services regarding, Update on Council Finances (**Copy circulated**)

Agreed: On the proposal of Councillor Ó Muirí, seconded by Councillor Lewis, it was agreed the Committee come out of closed session.

Agreed: It was agreed to note the contents of the report.

SPR/97/2020 **MANAGEMENT ACCOUNTS TO 30 JUNE 2020**

Read: Report dated 13 August 2020 from Mrs D Carville, Director of Corporate Services, regarding Management Accounts to 30 June 2020 **(Copy circulated)**

Agreed: **On the proposal of Councillor Ó Muirí, seconded by Councillor Lewis, it was agreed the Committee come out of closed session.**

Agreed: **It was agreed to note the contents of the report.**

SPR/98/2020 REOPENING OF INDOOR LEISURE FACILITIES PLAN - PHASE 2

Read: Report dated 13 August 2020 from Mr M Lipsett, Director of Active and Healthy Communities, regarding Reopening of Indoor Leisure Facilities Plan – Phase 2 **(Copy circulated)**

Agreed: **On the proposal of Councillor Ó Muirí, seconded by Councillor Lewis, it was agreed the Committee come out of closed session.**

Agreed: **On the proposal of Councillor McKee, seconded by Councillor Murphy, that members agree the phase 2 re-opening proposal for Indoor Leisure as per below recommendations:**

- 1. That Indoor Leisure Reopens with an estimated additional financial impact as outlined in the officer's report.**
- 2. Swimming Pools reopen on a restricted programme from the 17th August 2020 with clubs and lane swimming provided from this date and recreational swim sessions from the 22nd August 2020**
- 3. Sports hall and court bookings remain restricted to clubs and non-contact sports with a minimum 2 metre social distancing rule until 7th September 2020 and subject to guidance.**
- 4. Newcastle Centre and Ballymote remain closed until further notice with the exception of key statutory bodies and child care providers and who will be granted restricted access subject to satisfactory COVID-19 compliance measures being in place.**
- 5. St Colman's Track and 3G Pitch remains open on restricted opening hours and commences with casual bookings for the athletics track in line and subject to guidance and best practice.**
- 6. All sites close for the bank holiday on the 31st August 2020.**

SPR/99/2020 REOPENING OF COMMUNITY FACILITIES

Read: Report dated 13 August 2020 from Mr M Lipsett, Director of Active and Healthy Communities, regarding Reopening of Community Facilities **(Copy circulated)**

Agreed: On the proposal of Councillor Ó Muirí, seconded by Councillor Lewis, it was agreed the Committee come out of closed session.

Agreed: On the proposal of Councillor Ó Muirí, seconded by Councillor Magennis, that members agree the Draft Reopening Procedures as detailed in Appendix 1 of the officer's report:

- To agree the Draft Community Centre Re-opening plan as detailed in Appendix 2 of the officer's report.
- To agree to the proposed Centre Restrictions detailed in section 2.2 and the Budget implications in section 4.1 of the officer's report.
- To agree to carrying out a consultation exercise with volunteers managing Council owned community centres in advance of reopening.

SPR/100/2020 UPDATE ON THE DISPOSAL OF SURPLUS ASSETS

Read: Report dated 13 August 2020 from Mrs D Carville, Director of Corporate Services, regarding update on the Disposal of Surplus Assets (**Copy circulated**)

Agreed: On the proposal of Councillor Ó Muirí, seconded by Councillor Lewis, it was agreed the Committee come out of closed session.

Agreed: On the proposal of Councillor Ó Muirí, seconded by Councillor Doran, that members consider and agree the following:

1. To note the content of the officer's report and Appendices A – D.
2. To remove two assets from the Surplus Asset listing and retain for Council, namely:
 - Jonesborough Playing Field (new site) Regina Park, Jonesborough
 - Former refuse site at Courtney Hill, Ballinacraig, Newry
3. To release two assets deemed surplus for open market sale, namely:
 - Land at No.13 and No.15 The Square (Steel Structure) Ballynahinch
 - Former Kearns and Murtagh Yard, 60 Cecil St., Newry
4. To permit an additional period of six months for submission of a developed business case from one party interested in securing a surplus asset, namely:
 - Kilkeel Town Hall - from KDA/DTNI. During this period, assess the updated Questionnaire from KDA .
5. To permit an additional period of six months to one interested party, to secure their internal business case

approval, to enable them proceed with the acquisition a surplus asset, namely:

- Former Newry Sports Centre Site – from SRC. During this period, pursue the possibility of entering into a legal agreement between NMDDC and SRC regarding maintenance and running costs.
6. To consider business cases, through the AHC Committee, from two parties interested in securing our surplus assets, namely:
- Former household recycling centre site, Chapel Rd. Newry (Moorhill) - from Mountaineering Ireland.
 - Derryleckagh New Lands, Newry - from Newry Rugby Club.
7. To consider a business case, through the ERT Committee, from an organisation interested in securing a surplus asset, namely:
- McClelland Park / former PSNI Land at Corry Square, Newry – from Matt D'Arcy & Co. Ltd.

SPR/101/2020 PLANNED LEAVE POLICY

Read: Report dated 13 August 2020 from Mrs C Miskelly, Assistant Director Corporate Services, HR & Safeguarding regarding, Planned Leave Policy **(Copy circulated)**

Agreed: On the proposal of Councillor Ó Muirí, seconded by Councillor Lewis, it was agreed the Committee come out of closed session.

Agreed: On the proposal of Councillor Byrne, seconded by Councillor Doran, that members approve the Planned Leave Policy as included within Appendix 1 of the officer's report.

SPR/102/2020 DLC, NLC – UPDATE TO SP&R COMMITTEE

Read: Report dated 13 August 2020 from Mr C Quinn, Assistant Director of Estates and Capital Projects **(Copy circulated)**

Agreed: On the proposal of Councillor Ó Muirí, seconded by Councillor Lewis, it was agreed the Committee come out of closed session.

Agreed: On the proposal of Councillor Sharvin, seconded by Councillor Hanlon, that members approve the recommendation's outlined in the officer's report in relation to proceedings.

FOR NOTING

SPR/103/2020 EFFICIENCY WORKING GROUP ACTION SHEETS 15 JUNE 2020, 23 JUNE 2020, 27 JULY 2020 AND 3 AUGUST 2020.

Agreed: On the proposal of Councillor Ó Muirí, seconded by Councillor Lewis, it was agreed the Committee come out of closed session.

Noted: It was agreed to note the Efficiency Working Group Actions sheets of 15 June 2020, 23 June 2020, 27 July 2020 and 3 August 2020.

There being no further business, the Meeting concluded at 21.39pm

Signed: Councillor Gareth Sharvin
Chairperson

Signed: Dorinnia Carville
Director of Corporate Services