

March 14th, 2024

Notice Of Meeting

You are requested to attend the meeting to be held on Thursday, 14th March 2024 at 6:00 pm in Downshire Civic Centre.

Committee Membership 2023 - 2024

Councillor S O'Hare **Chairperson**

Councillor C Enright **Deputy Chairperson**

Councillor P Byrne

Councillor O Hanlon

Councillor R Howell

Councillor T Kelly

Councillor A Lewis

Councillor A Mathers

Councillor D McAteer

Councillor L McEvoy

Councillor A Quinn

Councillor H Reilly

Councillor M Rice

Councillor G Sharvin

Councillor D Taylor

Agenda

1.0 Apologies and Chairperson's Remarks

2.0 Declarations of Interest

3.0 Action Sheet arising from Strategy, Policy and Resources Committee Meeting held on 15 February 2024

For Approval

[Draft SPR-Action Sheet arising from 2024 02 15.pdf](#)

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Notices of Motion

4.0 Ethical Procurement

To be tabled at April Committee.

For Discussion/Decision

5.0 Correspondence from the Ulster Scots Community Network

For Decision

[Officer report on correspondence from the Ulster Scots Community Network.pdf](#)

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6.0 Officer report on Notice of Motion - Ending Violence Against Women and Girls

For Decision

[Officer report on Notice of Motion Ending violence against Women and Girls.pdf](#)

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7.0 Hybrid Meetings

For Information

[Hybrid Meetings.pdf](#)

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[Letter to Department for Communities C.057.2024 Hybrid Meetings .pdf](#)

Page 12

[Letter to Council Chief Executivess - draft remote meetings regulations.pdf](#)

Page 13

[Draft Local Government \(Remote Meetings\) Regulations \(Northern Ireland\) 2024.pdf](#)

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8.0 Mournes Mountain Gateway Project - Contract for Funding and Funding Agreement

For Decision

📄 [SPR Report MMGP - CFF& FA.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

8.1 Mournes Mountain Gateway Project - Contract for Funding and Funding Agreement - Appendices

For Information

This item is deemed to be exempt under Paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (NI) 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.

📄 Appendix 1 Supply - DfE - Conditional Approval.pdf	Not included
📄 Appendix 2 Letter from DfE.pdf	Not included
📄 Appendix 4 - Draft FA.pdf	Not included

9.0 Bad Debt

For Decision

This item is deemed to be exempt under Paragraph 3 or Part 1 of Schedule 6 of the Local Government Act (NI) 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.


📄 SPR - Debt Write Off - March 2024.pdf	Not included
📄 Appendix 1 - AR Write Off.pdf	Not included
📄 Appendix 2 - DFI Car park Write Off.pdf	Not included

10.0 16 The Square, Rostrevor

For Decision

This item is deemed to be exempt under Paragraph 3 or Part 1 of Schedule 6 of the Local Government Act (NI) 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.

 ***SPR2024031416TheSquare.pdf***

Not included

11.0 Proposed Renewal of License for Advertisement Hoardings at Newry Tennis and Bowling Facility.

For Decision

This item is deemed to be exempt under Paragraph 3 or Part 1 of Schedule 6 of the Local Government Act (NI) 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 Renewal of Licence For Advertisement Hoardings at Newry Tennis and Bowling Facility.pdf***

Not included

12.0 Proposed Lease of Lands adjacent to St Nicholas Primary School Ardglass for a Bus Shelter

For Decision

This item is deemed to be exempt under Paragraph 3 or Part 1 of Schedule 6 of the Local Government Act (NI) 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 Lease of Lands adjacent to St Nicholas Primary School Ardglass for a Bus Shelter.pdf***

Not included

 ***Proposed Lease Map for Bus Shelter Ardglass.pdf***

Not included

13.0 Proposed Lease at Castlewellan Forest Park

This item is deemed to be exempt under Paragraph 3 or Part 1 of Schedule 6 of the Local Government Act (NI) 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.

 ***Lease of Monument Building Building in The Grange at Castlewellan Forest Park.pdf***

Not included

 ***Lease Map for Buildings at Castlewellan Forest Park.pdf***

Not included

14.0 Mourne Mountains Gateway Project – Appointment of ICT

For Decision

This item is deemed to be exempt under Paragraph 3 or Part 1 of Schedule 6 of the Local Government Act (NI) 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.

 **SPR Report MMGP - ICT appointment.pdf**

Not included

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

15.0 Management Accounts Period 9

For Information

This item is deemed to be exempt under Paragraph 3 or Part 1 of Schedule 6 of the Local Government Act (NI) 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.

Report to follow

 **Management Accounts Q3 202324 SPR FINAL_.pdf**

Not included

 **Appendix 1 - Mgt Accs by Directorate at 31.12.23 - Summary.pdf**

Not included

 **Appendix 3 - Mgt Accs by Expense Type at 31.12.23.pdf**

Not included

 **Appendix 2 - Mgt Accs by Assistant Directorate at 31.12.23 - Detailed.pdf**

Not included

 **Appendix 4 - Payroll Report as at 31.12.23 Final.pdf**

Not included

16.0 Treasury Management Update

For Information

This item is deemed to be exempt under Paragraph 3 or Part 1 of Schedule 6 of the Local Government Act (NI) 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.

 **Treasury Management and PI update Q3 202324.pdf**

Not included

 **Appendix 1- NMDDC-Prudential-Indicators-2023-24-Q3.pdf**

Not included

 **BG Doc 1 - 2023-24-Prudential-Indicators Q2.pdf**

Not included

 **BG Doc 2 - 2023-24-Treasury-Mid-Year-Report Q2.pdf**

Not included

For Noting

17.0 Women's Working Group Minutes held 1 February 2024

For Approval

Women's Working Group Minutes Feb 2024.pdf

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Invitees

Cllr Terry Andrews
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Cllr Callum Bowsie
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Mrs Fionnuala Branagh
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Cllr Jim Brennan
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Cllr Pete Byrne
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Mr Gerard Byrne
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Cllr Philip Campbell
.....
Mr Andrew Cassells
.....
Cllr William Clarke
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Cllr Laura Devlin
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Cllr Cadogan Enright
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Cllr Killian Feehan
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Cllr Doire Finn
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Cllr Aoife Finnegan
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Ms Joanne Fleming
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Cllr Conor Galbraith
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Cllr Mark Gibbons
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Cllr Oonagh Hanlon
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Cllr Glyn Hanna
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Cllr Valerie Harte
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Cllr Roisin Howell
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Cllr Jonathan Jackson
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Cllr Geraldine Kearns
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Miss Veronica Keegan
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Mrs Josephine Kelly
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Cllr Tierna Kelly
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Cllr Cathal King
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Cllr Mickey Larkin
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Cllr David Lee-Surginor
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Cllr Alan Lewis
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Cllr Oonagh Magennis
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Mr Conor Mallon
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Cllr Aidan Mathers
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Cllr Declan McAteer
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Cllr Leeanne McEvoy
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Cllr Andrew McMurray
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Mr Colin Moffett
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Cllr Declan Murphy
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Cllr Kate Murphy
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Cllr Selina Murphy
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Cllr Siobhan O'Hare
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Cllr Áine Quinn
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Cllr Henry Reilly
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Cllr Michael Rice
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Ms Alison Robb
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Mr Peter Rooney
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Cllr Michael Ruane
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Cllr Gareth Sharvin
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Donna Starkey
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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 Jill Truesdale
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Mrs Marie Ward
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ACTION SHEET – STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING (SPR) – Thursday 18 January 2024					
Minute Ref	Subject	Decision	Lead Officer	Actions taken / Progress to date	Remove from Action Sheet? Y/N
SPR/017/2024	Planning Department Update	It was agreed that Officer's table quarterly reports to update members on progress, or otherwise, against actions outlined in the report.	J McGilly	Agreed – Planning Report to be brought every quarter	N
ACTION SHEET – STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING (SPR) – Thursday 15 February 2024					
Minute Ref	Subject	Decision	Lead Officer	Actions taken / Progress to date	Remove from Action Sheet? Y/N
SPR/020/2024	Action Sheet arising from SPR Committee Meeting held 18.01.2024	It was agreed to note the action sheet.	J Kelly	Noted	Y
SPR/021/2024	MMGP – MOU with National Trust	It was agreed to approve the MOU between Council and National Trust	C Mallon	Agreed	Y
SPR/022/2024	Governance Arrangements	It was agreed to amend April Council and Committee dates as outlined in the report.	M Ward	Agreed	Y
SPR/023/2024	Insurance renewal 2024/25	It was agreed to approve the payment of insurance premiums for 2024/25 and subsequent additional year-end adjustments as required by insurers	A Cassells	Agreed	Y
SPR/024/2024	Belfast Legal Services SLA	It was agreed to enter a one-year SLA with Belfast Legal Services as detailed in the officer's report	E Cosgrove	Agreed	Y
SPR/025/2024	Maintenance if Time and Attendance Services	It was agreed to approve the payment of the maintenance fee for Jan 24 – Dec 24, and further agreed to bring the issue back to Committee after that period.	J Kelly	Agreed	Y
SPR/026/2024	Assessment Centre	It was agreed to approve the recommendation as outlined in the officer's report	J Kelly	Agreed	Y
SPR/027/2024	ERT Recruitment Requirement	It was agreed to approve the recommendation as outlined in the officer's report	C Mallon	Agreed	Y
SPR/028/2024	Industrial Relations Update	It was agreed to note the update provided by officers	J Kelly	Noted	Y

SPR/029/2024	SFWG Action sheets from meetings held 16.01.2024 and 31.01.2024	It was agreed to note the action sheets	J Kelly	Noted	Y
SPR/030/2024	Minutes of NCCR Programme Board meeting held 08.12.2024	It was agreed to note the minutes	C Mallon	Noted	Y
SPR/031/2024	MMGP Project Board Meeting minutes of meetings held 06.10.2023 and 16.10.2023	It was agreed to note the minutes	C Mallon	Noted	Y
END					

Report to:	Strategy, Policy and Resources Committee
Date of Meeting:	14 March 2024
Subject:	Officer report on correspondence from the Ulster Scots Community Network
Reporting Officer (Including Job Title):	Colin Moffett, Head of Corporate Policy
Contact Officer (Including Job Title):	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	<input checked="" type="checkbox"/>	For noting only	<input type="checkbox"/>
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1.0	Purpose and Background
1.1	Correspondence from the Ulster Scots Community Network dated 12 January 2024 to Marie Ward, CEO, was discussed at a meeting of the Council's Equality and Good Relations Reference Group on the 5 March 2024. The letter noted that at present Newry, Mourne and Down District Council has no policy or strategy for Ulster-Scots and no dedicated resources, and outlined a request that Council consider and review its approach to Ulster Scots, the people, the culture and the language.
	Key issues
2.1	Members were informed that M Ward, Chief Executive, J Kelly, Director of Corporate Services and C Moffett met with members of the Ulster Scots Community Network on 1 February 2024 to discuss Council's approach to Ulster Scots where it was agreed that the correspondence be tabled for consideration at the Councillors' Equality and Good Relations Reference Group. The Councillors' Equality and Good Relation Reference Group Members present welcomed the letter from the Ulster Scots Network. Following discussion, Members agreed that Officers undertake to review Council's current approach in relation to Ulster Scots, take into consideration the policy approaches being implemented within other local government authorities in Northern Ireland, and prepare a paper for consideration by the Reference Group.
3.0	Recommendations
3.1	It is recommended Officers proceed to undertake a review Council's current approach to Ulster Scots, including consideration of the policy approaches being implemented within other local government authorities in Northern Ireland, and prepare a paper for consideration at a future meeting of the Councillors' Equality & Good Relations Reference Group.
4.0	Resource implications
4.1	There are no resource implications anticipated in relation to undertaking the review.

<p>5.0</p>	<p>Due regard to equality of opportunity and regard to good relations (complete the relevant sections)</p>
<p>5.1</p>	<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>
<p>5.2</p>	<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>
<p>5.3</p>	<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>6.0</p>	<p>Due regard to Rural Needs (please tick all that apply)</p>
<p>6.1</p>	<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
	N/A
8.0	Background Documents

Report to:	Strategy, Policy and Resources Committee
Date of Meeting:	14 March 2024
Subject:	Officer report on Notice of Motion – Ending violence against Women and Girls
Reporting Officer (Including Job Title):	Colin Moffett, Head of Corporate Policy
Contact Officer (Including Job Title):	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	X	For noting only	
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1.0	Purpose and Background
1.1	<p>The following Notice of Motion in the name of Councillor Galbraith was referred to the Councillors' Equality and Good Relations Reference Group in accordance with Standing Order 16.1.6:</p> <p><i>"Noting with concern findings that 98% of women in Northern Ireland have experienced at least one form of violence or abuse in their lifetime, with 50% experiencing this before they were 11 years old, this Council upholds its commitment to ending violence against women and girls; reaffirms that violence, abuse and harm against women and girls cuts across all generations and communities; calls for the delivery of a fully-funded strategy to end violence against women and girls; and commits to instituting November 25th as Elimination of Violence Against Women and Girls Day across the District with a series of events to help educate, raise awareness and end this abhorrent humanitarian abuse."</i></p> <p>The Notice of Motion presented by Councillor Devlin on behalf of Councillor Galbraith was discussed at the Councillors' Equality and Good Relations Reference Group meeting on 5 March 2024. Councillor Devlin detailed the number of Women and Children accessing the services of Women's Aid, the age profile of women who have been subjected to violence and abuse and alarmingly the percentage increase of those accessing services over the last three years. Discussion took place around the need for a funded strategy to end violence against women and girls.</p>
	Key issues
2.1	During discussion at the Councillors' Equality and Good Relation Reference Group Members present were supportive of the Notice of Motion.
3.0	Recommendations
3.1	To note the notice of motion has been considered and discussed at the Councillors' Equality and Good Relations Reference Group on 5 March 2024 and it was agreed that Newry,

	<p>Mourne and Down District Council write to the Minister calling for the delivery of a fully-funding strategy to end violence against women and girls; and commits to instituting November 25th as Elimination of Violence Against Women and Girls Day across the District with a series of events to help educate, raise awareness and end this abhorrent humanitarian abuse."</p> <p>It was also agreed that the recommendation be forwarded to the Council's Women's Sub-Committee to progress events to acknowledge November 25th as Elimination of Violence Against Women and Girls Day and Council undertake an exercise to determine what support Council is currently providing in relation to this issue.</p>
4.0	Resource implications
4.1	Potential resource implications associated with event costs to recognise November 25th as Elimination of Violence Against Women and Girls Day across the District.
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>
	<i>Rationale:</i>

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
	N/A
8.0	Background Documents
	N/A

Report to:	Strategy Policy and Resources Committee
Date of Meeting:	14 March 2024
Subject:	Council Remote/Hybrid Meetings
Reporting Officer (Including Job Title):	Marie Ward Chief Executive
Contact Officer (Including Job Title):	Sarah Taggart, Democratic Services Manager (Acting)

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

For decision	<input checked="" type="checkbox"/>	For noting only	<input type="checkbox"/>
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1.0	Purpose and Background
1.1	To advise Members on the change in regulations to Remote/Hybrid Meetings with effect from 6 th March 2024.
2.0	Key issues
2.1	The Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020 were brought in specifically to make provision for local authorities to deal with the challenges of holding physical meetings during the coronavirus pandemic. These regulations helped Councils to redeploy resources to deal with the pandemic and ensure that essential business continued whilst protecting the health and safety of Members, officers and the public.
2.2	The Local Government (Meetings and Performance) Act 2021, which came into force on 27 th August 2021, extended those regulations until the date that section 78 of the Coronavirus Act 2020 was due to expire (which was 24 th March 2022).
2.3	In December 2021, the Department for Communities issued a Call for Evidence, as an opportunity to understand the experiences of local Councils with hosting remote/hybrid meetings and to inform a decision about whether to make these arrangements permanent. Council responded to this Call outlining the benefits and drawbacks that Members and officers had found with the introduction of remote/hybrid meetings and also highlighted that Councils should be able to decide for themselves which circumstances they should have the option to meet remotely.
2.4	With the reintroduction of Stormont, Minister Lyons, Communities Minister announced that the regulations were intended as emergency legislation and having considered whether it was appropriate for another extension order for a further 6 months, concluded that there was no justification and advised the current extension would cease to have effect after 6 March 2024.
2.5	Following the tabling of the Minister's announcement at Council Meeting held on 4 th March 2024, officers have written to the Department asking for legislation to be brought in to enable remote/hybrid meetings to continue as it has benefits for Members who are parents, working full-time or have caring responsibilities. Copy of letter at Appendix 1.
2.6	The Department for Communities wrote to Council Chief Executives on 12 March 2024 to advise that Minister Lyons is committed to giving Councils the flexibility to hold meetings by

2.7	remote/hybrid means and will be bringing forward regulations as soon as possible. A draft of regulations has been proposed and is attached at Appendix 2.
2.8	All Statutory meetings i.e. Council, ERT, SPR, AHC, S&E, Audit and Special Council Meetings will now be taking place physically in the respective Council Chambers. Non-statutory meetings i.e working groups, DEA Fora, Party Reps Forum etc. will retain the ability to be held remotely or in a hybrid manner.
3.0	Recommendations
3.1	Committee note the contents of the report.
4.0	Resource implications
4.1	To continue to operate the video conferencing facility of Teams to enable the press to join requires 2 Democratic Services Officers in attendance – to remove this would enable the resource to be reduced to 1 officer at Committees.
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>
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 checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>Rural Needs Impact Assessment completed <input type="checkbox"/></p> <p>If no, please complete the following:</p> <p>The policy / strategy / plan / public service is not influenced by rural needs <input checked="" type="checkbox"/></p>
7.0	Appendices
	<p>Appendix 1: Letter to Minister for Communities re Remote/Hybrid Meetings</p> <p>Appendix 2: Letter to Council Chief Executive re Council Remote/Hybrid Meetings</p>
8.0	Background Documents

Marie Ward
Chief Executive



Comhairle Ceantair
**an Iúir, Mhúrn
agus an Dúin**

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**Newry, Mourne
and Down**
District Council

Our ref: C/057/2024

12 March 2024

Mr Gordon Lyons
Minister for Communities
Department for Communities
Causeway Exchange
1-7 Bedford Street
Belfast
County Antrim
BT2 7EG

Private.office@communities-ni.gov.uk

Dear Minister

Re: Council Remote/Hybrid Meetings

At a Meeting of Newry, Mourne and Down District Council held on 4 March 2024 Members discussed at length correspondence received from Anthony Carleton, Director, Local Government & Housing Regulation regarding the decision taken that Councils return to hold Council meetings in person after 6 March 2024.

During discussion Members spoke of the benefits of hybrid meetings and how the decision to end such meetings would significantly disadvantage many.

Members have asked that I write to you as Minister to outline how the suspension of hybrid meetings will disadvantage Councillors and Council staff on parental leave, those with caring responsibilities, who are unwell or long-term sick and those on official business.

Members have asked if the Department was considering regulations or legislation to continue hybrid meetings and if so what would this regulation include and when was it likely it to be introduced.

I would ask that you give this matter serious consideration and look forward to your response.

Yours faithfully

Marie Ward
Chief Executive



To: Council Chief Executives

**Causeway Exchange
1-7 Bedford Street
Belfast
BT2 7EG**

Telephone: (028) 90582 3346
e-mail: anthonycarleton@communities-ni.gov.uk
Our ref:
Date: 12 March 2024

Dear Chief Executive

Council Remote/Hybrid Meetings

My letter of 1 March 2024 refers.

Minister Lyons is committed to giving councils the flexibility to hold meetings by remote/hybrid means and will be bringing forward regulations, as soon as possible, using the powers in the Local Government (Meetings and Performance) Act (NI) 2021. The Minister considers this to be more appropriate than continuing to use powers under the Coronavirus Act 2020, which was intended as emergency legislation, and will ensure that councils will have powers for remote/hybrid meetings but based upon more regularised legislation.

A draft of the proposed regulations has been sent to the Department's solicitors for scrutiny. In order to keep the gap in legislative provision for remote meetings to a minimum, the Department, in parallel with obtaining legal scrutiny of the draft regulations, is seeking your input. A first draft of the regulations is attached for your information and comment.

The proposed regulations are very similar to the previous regulations, the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020.

The Department had previously carried out a public call for evidence on remote meetings (from December 2021 to February 2022) and the responses indicated



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Commonities

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general support for the arrangements made by the 2020 Regulations and for permanent provision on remote meetings being made.

Please examine the draft regulations and respond by 26 March 2024 with any comments you may have.

Yours sincerely

Anthony Carleton
Director
Local Government & Housing Regulation

Draft Regulation laid before the Assembly under section 2(5) of the Local Government (Meetings and Performance) Act (Northern Ireland) 2021, for approval.

DRAFT STATUTORY RULES OF NORTHERN
IRELAND

2024 No.

LOCAL GOVERNMENT

**The Local Government (Remote Meetings) Regulations
(Northern Ireland) 2024**

Made - - - - *X Month 2024*

Coming into operation - *X Month 2024*

The Department for Communities^(a) makes these Regulations in exercise of the powers conferred by section 2(1) to (4) of the Local Government (Meetings and Performance) Act (Northern Ireland) 2021^(b).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Government (Remote Meetings) Regulations (Northern Ireland) 2024 and shall come into operation on X Month 2024.

(2) In these Regulations—

“the 2014 Act” means the Local Government Act (Northern Ireland) 2014^(c);

“council” means a district council;

“council meeting” means a meeting of—

(a) a council;

(b) an executive of a council (within the meaning of Part 6 of the 2014 Act);

(c) a joint committee of two or more councils; and

(d) a committee or sub-committee of anything within subparagraphs (a), (b) or (c).

“remote access” means the ability to attend or participate in a meeting by electronic means, including by telephone conference, video conference, live webcasts, and live interactive streaming; and

“remote attendance” is to be construed in accordance with regulation 2(2) and (3).

(a) Formerly known as the Department for Social Development; see the Departments Act (Northern Ireland) 2016 c. 5 (N.I.), Article 8 of and Schedule 5 to the Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016 No. 76) transferred functions to the Department for Communities which were previously exercisable by the Department of the Environment.

(b) 2021 c. 8 (N.I.).

(c) 2014 c. 8 (N.I.).

Remote attendance

2.—(1) A reference in any enactment to a council meeting is not limited to a meeting of persons all of whom, or any of whom, are present in the same place and any reference to a “place” where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.

(2) For the purposes of any such enactment, a member of a council (“a member in remote attendance”) attends the meeting at any time if all of the conditions in paragraph (3) are satisfied.

(3) Those conditions are that the member in remote attendance is able at that time—

- (a) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance;
- (b) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public in attendance in order to exercise a right to speak at the meeting; and
- (c) to be so heard and, where practicable, be seen by any other members of the public in attendance.

(4) In this regulation, any reference to a member, or a member of the public, attending a meeting or being in attendance includes that person attending by remote access.

(5) The provision made in this regulation applies notwithstanding any prohibition or other restriction contained in the standing orders or any other rules of the council governing the meeting and any such prohibition or restriction has no effect.

(6) A council must make other standing orders governing remote attendance at meetings of that council, which shall—

- (a) specify the basis or process for considering whether (including who is to assess or decide whether) district council meetings should or are to be held remotely;
- (b) govern the arrangements for and conduct of such meetings whenever such meetings are to be held remotely; and
- (c) regulate—
 - (i) the public’s access to such meetings,
 - (ii) the availability to the public of documents pertaining to such meetings,

whenever such meetings are to be held remotely.

3. In section 28(7) (overview and scrutiny committees: supplementary provision) and paragraph 9 of Schedule 5 to the 2014 Act, a reference to a person attending before a meeting includes that person attending by remote access.

4. Schedule 5 to the 2014 Act (meetings and proceedings) applies as follows—

- (a) any reference to being “present” at a meeting includes being present through remote attendance;
- (b) any reference to a “place” where a meeting is held, or is to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers; and
- (c) in paragraph 5(1)(a) after “the offices of the council” insert “and on the council’s website”.

Decision-making

5. In sections 39 (simple majority) and 40 (qualified majority) of the 2014 Act references to “members present and voting on the decision” includes a member being present through remote attendance.

Sealed with the Official Seal of the Department for Communities on X Month 202x.

(L.S.)

Anthony Carleton
A senior officer of the Department for Communities

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 2(1) to (4) of the Local Government (Meetings and Performance) Act (Northern Ireland) 2021. These Regulations make provision regarding the running of district council meetings by making amendments to the Local Government Act (Northern Ireland) 2014.

Regulation 1 sets out preliminary matters and defines terms used in these Regulations.

Regulations 2, 3 and 4 make provision for remote attendance at council meetings by members of the council. They also require a council to make standing orders regarding the decision to hold a meeting remotely, the conducting of the meeting and access by the public.

Regulation 5 amends the governance provisions of councils to ensure that “members present and voting on the decision” includes members in remote attendance.

Report to:	SPR Committee
Date of Meeting:	14 th March 2024
Subject:	Mourne Mountains Gateway Project – Contract for Funding and Funding Agreement
Reporting Officer (Including Job Title):	Conor Mallon - Director of ERT
Contact Officer (Including Job Title):	Conor Woods - Strategic Project Manager

For decision	X	For noting only	
1.0		Purpose and Background	
1.1		<p><u>Purpose</u> To seek members approval of the Draft CFF & FA for the project.</p> <p><u>Background</u> At the MMGP Programme Board Meeting on the 6th October 2023 it was confirmed that officers were progressing a MOU with the National Trust that would set out how both the NT and NMDDC would communicate and engage on the Mourne Mountains Gateway Project</p>	
2.0		Key issues	
2.1		<p>Officials in NMDDC and DfE have been engaging for a period of time on the agreement of a Contract for Funding (CFF) to allow the project to proceed to Full Business Case</p> <p>Discussions have been focused on the impacts of the delay in signing the CFF has had on the programme and the estimates for the project. This has resulted in the project not commencing within 24 months of the date of the letter of offer for the project from DoF resulting in a breach of the commencement condition, therefore an updated approval from DoF is now required.</p> <p>The DoF letter of Offer is attached at Appendix 1.</p> <p>Progress on the project approvals has been made over the last few weeks and an update on the current position was set out in a recent correspondence from the department in Appendix 2, this is summarised below.</p>	
2.2		<p>Current position</p> <p>The Department continues to view the project as a strategically important tourism project that will form a key part of Northern Ireland’s overall tourism offering.</p> <p>The Department remains committed to supporting the Council to deliver the project.</p> <p>The Department is of the view that the project, as approved, will deliver Value for Money (VFM). Final decision on VFM will be made at Full Business Case stage.</p>	

The Department recognises that given the project's early stage of development there cannot be absolute certainty over the development costs. As the design develops however this will provide further information to inform a decision on the budget requirement.

The Department's funding via the Belfast Region City Deal is capped at £29.77m.

The Department will use information previously provided by the Council to seek updated approval from the Department of Finance for the project. This is a routine requirement where a project has been delayed.

2.3 **Next Steps**

The Department will submit a request to the Department of Finance for updated approval.

The Department will share a final draft of the Contract for Funding with the Council.

Council will provide written assurance confirming it understands the risks associated with the project costs and that in the event of project cost increases, these will be met by Council.

Assuming updated DoF approval is received, the Department will sign the Contract for Funding.

2.4 **Project Costs and Risks**

In order to ensure the updated approval from DoF is secured the Department require the council to provide *written assurance confirming it understands the risks associated with the project costs and that in the event of project cost increases, these will be met by Council*

As members are aware the council approval of the updated OBC estimate for the project was secured at the SPR committee meeting on the 27th September 2021, where the committee report advised the estimate for the project had increased from £36.6m to £44m.

As per all projects across the BRCD pillars the fund allocated to each project is capped within the overall funding envelope of the deal.

The deal document approved at SPR on 14th October 2021, set out a funding split of £30m from BRCD and £14m from NMDDC for the MMGP.

It has therefore been previously acknowledged by Council that any costs over and above the £30m BRCD contribution for the MMGP are to be met by the council, and this remains the case.

With respect to Councils understanding of the risks associated with the project, members are aware that DFE advisors in CPD had carried out a review of NMDDC estimates and advised their estimate for the scheme was circa £50m, this was contrary to the advice from Councils professional Costs Consultant for the project.

However both the Council and The Department recognises that given the project's early stage of development there cannot be absolute certainty over the development costs. As the design develops however this will provide further information to inform a decision on the budget requirement.

2.5	<p>It is therefore accepted that it's not uncommon for the estimates on major capital projects to fluctuate during the design develop and construction phase of the project, and the council understand that the BRCD funding is capped and any costs over this allocation will be met by the Council</p> <p>Contract for Funding (CFF)</p> <p>As part of the BRCD process it is necessary to have in place a Contract for Funding between the PMO within Belfast City Council and the Sponsoring Department (DfE) so as the funding can be released to the BRCD PMO</p> <p>A copy of the draft CFF is attached at Appendix 3.</p> <p>In order to release the funding to the project promoter, Newry Mourne and Down District Council there is also a requirement to have a Funding Agreement in place between BCC and NMDDC</p> <p>This Funding Agreement is reflective of the conditions and procedures set out in the CFF and is in place to allow funding to be drawn down by NMDDC for eligible costs on the BRCD projects.</p> <p>A draft copy of the Funding Agreement is included in Appendix 4.</p>
3.0	Recommendations
3.1	Members agree to
3.2	Note the project updates and next steps as outlined in the letter from DfE in Appendix 2
3.3	Council acknowledge that any costs over and above the £30m BRCD contribution for the MMGP are to be met by the council.
	Approve the draft CFF and FA as per Appendix 3 & Appendix 4
4.0	Resource implications
4.1	N/A
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 checked="" 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 checked="" 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>Proposal initiating consultation N/A</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 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>
7.0	Appendices
	<p>Appendix 1 DoF Letter of Offer</p> <p>Appendix 2 Letter from DfE</p> <p>Appendix 3 Contract for Funding - Restricted Document</p> <p>Appendix 4 Funding Agreement - Restricted Document</p>
8.0	Background Documents – Available on request

**WOMENS WORKING GROUP
WEDNESDAY 1st FEBRUARY 2024 @ 5 PM
MICROSOFT TEAMS MEETING/COUNCIL CHAMBER, DOWNPATRICK**

In attendance: **(Councillors)**
Councillor A. Finnegan (Chairperson)
Councillor A. Quinn
Councillor T. Kelly
Councillor C. Bowsie

In attendance: **(Officials)**
Josephine Kelly, Director of Corporate Services
Patricia Murtagh, Corporate Communications & PR Manager
Sarah- Louise Taggart, Democratic Services Manager
Martin McKibbin, PA to Director of Corporate Services

Introduction & Apologies:

Apologies: Councillor D. Taylor
Veronica Keegan, Head of Communications & Marketing

Declarations of Interest: None

Subject	Decision	Lead Officer	Action taken/ Progress to date	Remove from Action sheet Y/N
Item 2.0 – Terms of Reference & Selection of Chairperson	<p>Members were presented with the Terms of Reference, and this was agreed for the forthcoming term.</p> <p>P: Councillor Quinn S: Councillor Kelly</p> <p>It was proposed that Councillor Finnegan be elected as Chairperson for this coming term.</p> <p>P: Councillor Quinn S: Councillor Kelly</p>			
Item 3.0 – International Women's Day	<p>P. Murtagh confirmed that International Women's Day was 8th March 2024 and that the Chairperson has arranged an event in the Canal Court Hotel, Newry on that date with the theme of Inspire/Inclusion. She advised that this is a lunchtime event running from 12.30pm – 4pm and will include a panel of speakers.</p> <p>P. Murtagh advised that previously they had arranged a Dragon's Den style event during Local Democracy Week where schools put forward Notice of Motions which were discussed at Council Meetings. She advised that something like this could also be arranged this year.</p> <p>S. Taggart advised that the launch of International Women's Day is Friday 9th February and asked can this be promoted through the community in the next couple of weeks. She advised that men can also attend.</p>			

Subject	Decision	Lead Officer	Action taken/ Progress to date	Remove from Action sheet Y/N
	<p>Cllr Finnegan advised that last year a video was done in the community and feels this is a good way to engage for this.</p> <p>J. Kelly asked can a calendar request be sent to all members.</p>	P. Murtagh	Calendar invite to International Women's day to be sent to all Members .	Y
Item 4.0 – Ways Forward	<p>S. Taggart asked if Members can look at different events which we can do for local Democracy week and who we need to target. She advised that in the past we targeted young people but this year we can look at a different demographic.</p> <p>Cllr Bowsie advised that we can look at targeting older people in the district as they can often be isolated and alone. Cllr Finnegan agreed with this.</p> <p>J. Kelly advised that we can look at this from a Comms point and think about who we need to target before the next meeting. She advised that it would be useful to reflect on this following International Women's Day and asked can we arrange to meet again late March/Early April.</p>	J. Kelly	To organise Meeting dates.	Y
Next Meeting	<p>Meeting ended: 5:37PM</p> <p>Next Meeting: TBC</p>			

