

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

---

### **Minutes of Strategy Policy & Resources Committee Meeting held on Thursday 18 January 2024 at 6.00pm in the Council Chamber, Downshire Civic Centre and remotely via Microsoft Teams**

---

**In the Chair:** Councillor C Enright (Chamber)

**In Attendance in Chamber:** Councillor P Byrne Councillor A Lewis  
Councillor D McAteer Councillor G Sharvin

**In Attendance via Teams:** Councillor T Kelly Councillor H Reilly  
Councillor D Taylor

**Non-Committee Members  
in Attendance in Chamber:** Councillor J Tinnelly

**Non-Committee Members  
in Attendance via Teams:** Councillor C Bowsie

**Officials in Attendance  
In Chamber:** Mrs M Ward, Chief Executive  
Mr A Cassells, Director of Sustainability and Environment  
Mrs J Kelly, Director of Corporate Services  
Mr C Mallon, Director of Economy Regeneration and  
Tourism  
Mr C Boyd, Assistant Director: Capital and Procurement  
Mr P Tamati, Assistant Director: Sport & Leisure  
Ms V Keegan, Head of Communications and Marketing  
Ms M Hughes, HR & OD Manager  
Miss S Taggart, Democratic Services Manager (Acting)  
Mrs F Branagh, Democratic Services Officer

**Officials in Attendance  
Via Teams:** Mr P Rooney, Head of Legal Administration (Acting)  
Mr J McGilly, Assistant Director Regeneration  
Mr P Rooney, Principal Planning Officer  
Mr A Patterson, Assistant Director Economy, Growth &  
Tourism

**Also in attendance  
Via Teams:** Ms N Largey, Belfast Legal Services

#### **SPR/001/2024: APOLOGIES AND CHAIRPERSON'S REMARKS**

Apologies were received from Councillors Brennan, Hanlon, Howell, McEvoy, Mathers, O'Hare and Quinn. An apology was also received from Mr C Moffett, Assistant Director: Corporate Planning and Policy.



**AGREED:**

**On the proposal of Councillor Reilly, seconded by Councillor Lewis, having received legal advice, the following was agreed:**

- ***Recommendation One – Trade Union representation to Committee***  
Matters relating to industrial dispute that have been formally registered with the Chief Executive Officer, which require a decision by Council will be referred to a Committee. The Committee will consider written submissions from Trade Union Side.
- ***Recommendation Two – Officer Report***  
Where there is a notified industrial dispute and matters cannot be resolved through the normal channels, the matters been brought forward would be agreed between management and Trade Union side and subsequently an officer paper and written submissions from Trade Union side would be put forward to Committee.  
Any usual exemptions e.g. in relation to legal or financial privilege would be exercised. Therefore, parts of the report would be redacted accordingly in line with the exemptions.
- ***Recommendation Three - Future considerations***  
Council Officers look, along with advice from Belfast legal services, at ways that Members might meet with Trade Unions on a regular basis when there is no formal dispute in place considering any regional approach to Trade Union engagement that may be developed.

**NOTICES OF MOTION**

**SPR/005/2024**

**NOTICE OF MOTION – KILBRONEY PARK PITCHES**

**Read:**

Report dated 18 January 2024 from Paul Tamati, Assistant Director Leisure and Sport, and Caolain Boyd, Assistant Director Capital and Estates, regarding Notice of Motion on Kilbroney Playing Pitches.

Ms Largey advised Members that the detail contained within the Officer’s Report referred to future planning applications and asked that Planning Committee Members remained mindful of any potential conflicts of interest.

Following discussions in relation to Planning Committee Members being present and engaged in discussions, Ms Ward sought further clarification on perceived conflicts of interest, and Ms Largey confirmed that there should not be any conflict so long as the recommendations contained within the report were accepted without detailed discussions on planning matters. She advised that she would interject if she believed there would be any conflict arising from the ongoing discussions.

Mr Tamati presented his report and recommendations providing background information and an update to the current position with regard to Kilbroney Pitches.

Councillor Tinnelly thanked officers for the comprehensive report however highlighted that the pitches were not part of the historical park and gardens, as they were adjacent to these and that the report summarised that the pitch provision did not fit within the hedgerow footprint of the site whereas the current live application had the required width noted. He stated there was an omission in the report regarding the agreed Otium report which had approved a spend of £500k investment in each of the DEAs.

Councillor Tinnelly stated that he brought this motion following the latest correspondence between the Project Managers and Planners and highlighted the exasperation and frustration that was felt by the local sporting community, along with the embarrassment he felt as a local Elected Representative at the ongoing delays.

Ms Largey interjected at this point and raised her concerns around the fact that planning matters were being discussed and asked Councillor Tinnelly to bear in mind advice given previously.

Councillor Tinnelly stated he would not sit in on the Planning Committee when this application would be discussed as he had been involved in this project since inception.

Councillor McAteer noted that the meeting was recorded, and as a member of the Planning Committee he was noted as being present and involved in the discussion, regardless of contribution.

Ms Largey reiterated that her job was to provide legal advice to ensure the protection of members of the Planning Committee and the planning process. She advised it was a matter for individual Councillors to either remain for the discussions, or to leave. It was noted that the Committee was in open session and an audio recording was available, however if the Committee was to go into closed session, then Planning Committee members should consider leaving to avoid any conflict arising.

Councillor Reilly noted his concern at the progression of the meeting, and requested that Councillor Tinnelly be allowed to present his motion.

Councillor Tinnelly thanked Councillor Reilly for his support and wanted it noted that he did not require the legal advice that was being provided and noted the number of interjections during the presentation of his motion was unprecedented.

Councillor Tinnelly continued his presentation and noted that the application was now in its fourth year, with little progress in the past year. He noted that if the pavilion was removed from the application, all other aspects of the application pointed to an easily deliverable objective and proposed a two- stage approach.

Councillor Tinnelly then spoke on the recommendations contained within the Officer's Report and requested that recommendations include and reflect his concerns and his proposal regarding a 2-stage process. He stated there would not need to be any further liaison required with the clubs as they had appointed him to progress the application on their behalf. In relation to recommendation 4, he asked that members reflect on the concerns raised and support the proposal that a monthly report be brought to the Active & Healthy Communities Committee until the process had been completed.

Councillor Byrne confirmed that based on the proposal of additional recommendations made regarding a live planning application, as a Planning Committee Member he was going to remove himself from the room.

**Councillor Byrne left the room at this stage -7.08pm.**

Councillor Reilly proposed to adopt a two-phase approach to this application. This was seconded by Councillor Kelly.

Councillor Sharvin expressed his disappointment at a delay of three years on the planning application for a pavilion and a pitch. He queried what discussions had taken place with regard to the location of the pavilion with planners in relation to finding a suitable site based on the boundaries set out in the application.

Councillor Sharvin noted his support for a two-phase approach, and requested they run concurrently as neither application should hinder progress on the other. He also noted that one of Council's corporate objectives was to provide sports facilities to improve the health and wellbeing of those who live in the District.

Mr Tamati summarised the points raised and noted that Council officers were extremely committed to delivering the project, and acknowledged the delays caused to date. He addressed recommendation one that related to the environmental sensitivities of the area, and noted that it did not singularly address the location of the pitches, but the impact that the whole application had on the environment. He clarified that the Otium report specifically addressed sports hubs and a report regarding this was to be tabled at the Active & Healthy Communities Committee Meeting on Monday 22 January 2024.

Mr Tamati addressed Councillor Sharvin's point relating to the location of the pavilion, and noted that pavilions were to be located as close to the pitch as possible, however the position of the pavilion had changed in relation to this consideration.

Following a discussion on the involvement of planners regarding the identification of potential sites for the location of the pavilion, Ms Ward stated that Planners were independent of the Council officers working on planning applications and work with Council in the same way they would work with any other agent.

With regard to recommendation three, Councillor Sharvin noted that this upgrade did not meet the needs of Crotlieve DEA and highlighted the importance of continuing engagement within the area, as Kilbroney Pitches were only one aspect of the District Electoral Area.

Mr Tamati responded stating in line with good governance of the Council it was always important to consult with the DEA as part of any process. He asked whether Members were stating that Council do not consult with the relevant club representatives, rather just consult with Councillor Tinnelly going forward?

Councillor Tinnelly clarified the point he was trying to make was that the project had been talked about extensively at this stage, and planners should have all the information they should require to be able to make a decision on the application. He stated there was a feeling that the will of the Councillors may not be being fulfilled as decisions that were being taken were open to interpretation.

Following further extensive discussions, the following amendments were proposed to the recommendations of the officer's report:

- To note the contents of the report in relation to the progress of the Kilbroney Playing Pitches Upgrade project and associated environmental considerations of the site location.

- To agree to adopt a two-stage process taking into account the environmental and planning considerations and the sporting need and to consult with and continue to work with the Crotlieve DEA to consider the appropriate location for a changing pavilion.
- To approve the continued liaison with the relevant club representatives to reach a solution in relation to the Kilbroney Sports Pitch.
- To add the project to the action sheet to ensure regular monthly updates on this project will be provided to the Crotlieve DEA Councillors and Active and Healthy Communities Committee until the project reaches a conclusion.

Councillors Reilly and Kelly confirmed that they were happy to propose and second the amendments.

Councillor Reilly further queried whether the recommendations of the Otium report could be shared alongside this report. Mr Tamati confirmed that these were two separate reports and reiterated that a report regarding Multi Sports Hub Review Report was being tabled at the Active & Healthy Communities Committee Meeting next week.

**AGREED:**

**On the proposal of Councillor Reilly, seconded by Councillor Kelly, the following was agreed:**

- **To note the contents of the report in relation to the progress of the Kilbroney Playing Pitches Upgrade project and associated environmental considerations of the site location.**
- **To agree to adopt a two-stage process taking into account the environmental and planning considerations and the sporting need and to consult with and continue to work with the Crotlieve DEA to consider the appropriate location for a changing pavilion.**
- **To approve the continued liaison with the relevant club representatives to reach a solution in relation to the Kilbroney Sports Pitch.**
- **To add the project to the action sheet to ensure regular monthly updates on this project will be provided to the Crotlieve DEA Councillors and Active and Healthy Communities Committee until the project reaches a conclusion.**

**Councillor Byrne rejoined the meeting at this stage - 7.38pm.**

**Councillor Tinnelly left the meeting at this stage - 7.39pm.**

**Read:**

Report dated 18 January 2024 from Mr C Mallon, Director of Economy, Regeneration & Tourism, regarding NCCR – Flood Alleviation Scheme. **(Copy circulated)**

Councillor Taylor welcomed the progress to date on the flood alleviation scheme, and queried whether there had been any update from DFI Rivers on the progression of plans for the wider Newry area.

Mr Mallon advised that DFI Rivers were selecting elements of work that could be delivered in tandem with the ongoing work being undertaken by Council, but would report back to the Member on a timeframe for further works after consulting with the Department.

Councillor Enright advised that he was on the Drainage and Flooding Council, and there were four Newry flood alleviation schemes, and a scheme for flooding from the sea. The meeting to discuss this had been moved to February.

Councillor McAteer queried whether the planned works were to be completed alongside any plans to improve the existing infrastructure to prevent any further flooding. He also queried whether there was a fund for business owners to enable their own individual flood prevention measures.

Mr Mallon advised that a full investigation into the root cause to the Newry flooding was progressing, and hoped for engagement in the coming weeks for local stakeholders alongside the multi-agency review. He noted that funding for individual flood prevention measures for businesses had been progressed by DFE and Council would work alongside the department when criteria had been identified and agreed.

Councillor McAteer queried why this work was being carried out as part of the flood alleviation scheme as this proposal was to raise the height of the walls that had not been breached.

Mr Mallon advised the proposal was to capitalise on the opportunity to deliver the new flood alleviation works at the same time as constructing the new facility at the location, so as not to have to disturb the works at a future date.

In response to a further query from Councillor McAteer, Mr Mallon advised the theatre conference project was out to procurement at the minute for a contractor and the work outlined would form part of the work package as set out in the report. It was anticipated that this work would be commencing later in the year.

**Agreed:**

**It was agreed on the proposal of Councillor McAteer, seconded by Councillor Byrne, to agree that elements of the Newry Flood Alleviation Scheme Phase 2 at Sugar Island and between the Town Hall and Needham Bridge is included as a works package within the ITT for the NCCR Theatre Conference project.**

**It was further agreed that Mr Mallon would report back to Committee on any update on timescales of the flood alleviation scheme following consultation with DFI Rivers**

## **CORPORATE SERVICES**

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

**AGREED:** On the proposal of Councillor Kelly, seconded by Councillor Byrne, it was agreed to exclude the public and press from the meeting during discussion on the following matters which related to exempt information by virtue of Paragraph 4 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the Council or a government department and employees of, or office holders under the Council.

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

The Chairperson advised the following had been agreed whilst in closed session:

#### **SPR/007/2024: USE OF SOCIAL MEDIA – MANDATORY TRAINING**

**Read:** Report dated 18 January 2024 from Ms V Keegan, Assistant Director Corporate Planning and Policy (Acting) regarding mandatory training in the use of social media. **(Copy circulated)**

**Agreed:** It was agreed on the proposal of Councillor McAteer, seconded by Councillor Byrne, to approve the essential training for Members, SMT, CMT and key social media practitioners on behalf of NMDDC.

Councillor Reilly left the meeting at this stage - 7.55pm

#### **FOR DECISION**

#### **SPR/008/2024: PROPOSED RENEWAL OF LEASE AT MILLTOWN PLAYING FIELDS TO WARRENPOINT TENNIS CLUB**

**Read:** Report dated 18 January 2024 from Mr Peter Rooney, Head of Legal Administration regarding the renewal of lease at Milltown Playing Fields to Warrenpoint Tennis Club. **(Copy circulated)**

**Agreed:** It was agreed on the proposal of Councillor McAteer, seconded by Councillor Sharvin, to renew the lease in respect of the lands hatched blue with the party noted in the officer's report for a period of three years subject to market rent to be determined by Council's valuer.



**SPR/009/2024:**

**PROPOSED RENEWAL OF LEASE FOR CABRA  
COMMUNITY CENTRE**

**Read:**

Report dated 18 January 2024 from Mr Peter Rooney, Head of Legal Administration regarding the renewal of lease for Cabra Community Centre. **(Copy circulated)**

**Agreed:**

**It was agreed on the proposal of Councillor McAteer, seconded by Councillor Sharvin, to agree to lease the lands outlined in red with the party noted in the officer's report for a period of 15 years subject to a peppercorn rent.**

**SPR/010/2024:**

**PROPOSED RENEWAL OF LEASE AT MEIGH COMMUNITY  
CENTRE**

**Read:**

Report dated 18 January 2024 from Mr Peter Rooney, Head of Legal Administration regarding the proposed renewal of lease at Meigh Community. **(Copy circulated)**

**Agreed:**

**On the proposal of Councillor Byrne, seconded by Councillor Lewis, it was agreed to renew the lease in respect of the lands outlined in red with the party noted in the officer's report for a period of 25 years subject to market rent to be determined by Council's valuer.**

**SPR/011/2024:**

**LOCAL GOVERNMENT TRAINING GROUP  
ARRANGEMENTS AND CONTRIBUTION FEES**

**Read:**

Report dated 18 January 2024 from Josephine Kelly, Director of Corporate Services regarding Local Government Training Group Arrangements and Contribution fees. **(Copy circulated)**

**Agreed:**

**It was agreed on the proposal of Councillor Lewis, seconded by Councillor McAteer, to the following:**

- Approve the payment of the LGTG contribution as outlined in the SLA agreement for the period of April 2023 to March 2024.**
- Approve this ongoing membership and associated contribution payment up until April 2029.**
- A report be brought back to Committee on the use of the e-learning platform.**

**SPR/012/2024:**

**SPECIFIC DELEGATED FUNCTION**

**Read:**

Report dated 18 January 2024 from Marie Ward, Chief Executive, regarding Specific Delegated Function **(Copy circulated)**.

**Agreed:** On the proposal of Councillor Lewis, seconded by Councillor Enright, it was agreed to note that delegation had been exercised by the Chief Executive regarding a HR matter in the best interests of the Council and was being reported in accordance with 3.1.11 of the Council's Scheme of Delegation for Officers

**SPR/013/2024:** **PAY PROTECTION POLICY**

**Read:** Report dated 18 January 2024, from Josephine Kelly, Director of Corporate Services, regarding Pay Protection Arrangements (**Copy circulated**).

**Agreed:** On the proposal of Councillor Sharvin, seconded by Councillor Byrne, it was agreed to approve the introduction of the Pay Protection Arrangements Policy

**FOR NOTING**

**SPR/014/2024:** **STRATEGIC FINANCE WORKING GROUP ACTION SHEET 14 NOVEMBER 2023**

**Read:** Action sheet from Strategic Finance Working Group from meeting held on 14 November 2023 (**Copy circulated**).

**Agreed:** On the proposal of Councillor Byrne, seconded by Councillor Kelly, it was agreed to note the action sheet.

**SPR/015/2024:** **STRATEGIC FINANCE WORKING FROUP ACTION SHEET 12 DECEMBER 2023.**

**Read:** Action sheet from Strategic Finance Working Group from meeting held on 12 December 2023 (**Copy circulated**).

**Agreed:** On the proposal of Councillor Byrne, seconded by Councillor Kelly it was agreed to note the action sheet.

**Councillor Reilly rejoined the meeting at this stage – 8.10pm**

**SPR/016/2024:** **STATUTORY REPORTING – SECTION 75 POLICY SCREENING REPORT – QUARTERLY REPORT FOR PERIOD OCTOBER – DECEMBER 2023**

**Read:** Report dated 18 January 2024 from Mr C Moffett, Head of Corporate Policy, regarding statutory reporting – Section 75 policy screening report – quarterly report for period October – December 2023 (**Copy circulated**).

**Agreed:** **On the proposal of Councillor Kelly, seconded by Councillor Sharvin, it was agreed to note the contents of the report.**

**SPR/017/2024:** **PLANNING DEPARTMENT UPDATE**

**Read:** Report dated 18 January 2024 from Mr J McGilly, Assistant Director Regeneration, regarding a Planning Department update. **(Copy circulated).**

Councillor Kelly welcomed the update stating she was glad to see that the recruitment process was well progressed and looked forward to seeing the reduction in waiting times for planning applications.

Councillor Sharvin spoke of the stark figures within the report, with a large number of non-allocated applications and the negative impact that this was having on the local residents and economy. He noted that staff turnover had a huge effect on processing times and queried what Council could do to retain staff within the planning department and if it was possible to engage with local stakeholders on what constituted a good quality application which may assist in the processing time of applications. He also queried what resources were allocated to legacy and new applications, and how this affected waiting times.

**Councillor Taylor left the meeting at 8.23pm**

Mr McGilly advised that workshops were planned for February and March for stakeholders and noted that there were issues outside of Council control, such as consultee responses to applications, and any amendments to the applications following these consultations. He mentioned that Council was aware of the impact of these issues on the local economy, and the report outlined the steps taken to address the challenges. He noted that the Planning Department had engaged extensively with Human Resources regarding staffing issues and were progressing various plans to continue the recruitment process. He further noted that legacy and new applications both had to be progressed concurrently, one could not take precedence over the other.

Councillor Reilly noted that Council was in an emergency situation regarding the social and economic impact and suggested that other Councils be approached to assist if possible. He noted that it was frightening that applications for mobility issues were being held up, negatively impacting the vulnerable.

Councillor McAteer stated that the reputation of the Council was at stake regarding the delay and queried if it was possible to address issues by including part time roles. He also queried the length required to train new staff and that further work was needed as the situation was close to becoming indefensible.

Mr Mallon noted that there has been a number of recruitment exercises, and still there were two vacancies. He advised that not all new employees had experience in Council software and needed to be trained by existing planning officers, which had an impact on their time spent on determining applications. He noted that Council was aware of the issues and had put plans in place to resolve the issues.

**Agreed:** On the proposal of Councillor Kelly, seconded by Councillor Sharvin, it was agreed to note the contents of the report.

**It was further agreed that Officer's table quarterly reports to update members on progress, or otherwise, against actions outlined in the report.**

There being no further business, the Meeting concluded at 08.41pm.

For adoption at the Council Meeting to be held on Monday 5 February 2024.

**Signed:** **Councillor Cadogan Enright**  
**Chairperson**

**Signed:** **Josephine Kelly**  
**Director of Corporate Services**