



**FROM THE PERMANENT SECRETARY
RICHARD PENGELLY CB**

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Councillor Dominic Molloy
Chair, Mid Ulster District Council
Via e-mail: Eileen.Forde@midulstercouncil.org

Your Ref: C147/23
Our Ref: TOF-0383-2023
17 August 2023

Dear Councillor Molloy,

LEGISLATION RE. HATE CRIME

Thank you for your e-mail of 31 July 2023.

The Department of Justice notes the motion carried by Mid Ulster District Council condemning all aspects of hate crimes and sectarianism, including the burning of effigies, national flags and election posters on Eleventh Night bonfires and the call for legislation to be put in place to regulate illegal bonfires.

Addressing hate crime is a priority for the Department of Justice (DoJ). Following a commitment to review hate crime legislation in the draft Programme for Government 2016-21, work is progressing to bring forward a Hate Crime Bill to improve the effectiveness of the criminal justice response for victims and offenders. Given the complexity of topics engaged and desire to advance public engagement in the consultation process, the departmental consultation has been split into two phases. The first of two planned public consultations is now complete and a summary report on the consultation findings and (then) Ministerial approved way forward - which includes addressing sectarian offending within the context of hate crime law - has been published¹.

This work in the legislative sphere will complement and strengthen non-legislative work being taken forward to address hate crime, including by working collaboratively with partners in relation to tackling enabling factors of intolerance, prejudice and hate. A collective effort is required to ensure preventative and longer term solutions are in place to create the conditions where such incidents do not happen in the first place. The role of Councils in assisting this is important and welcomed.

In relation to the regulation of illegal bonfires, the DOJ has no direct responsibility for bonfires and no single Government Department has lead policy responsibility for bonfires. Whilst most bonfires pass off without incident and are enjoyed by many as a traditional celebration of cultural identity, some can become problematic by facilitating

¹ [Phase one summary of responses hate crime review legislation | Department of Justice \(justice-ni.gov.uk\)](#)



Department of
Justice

An Roinn Dlí agus Cirt

Máinnystrie O tha Laa

www.justice-ni.gov.uk

expressions of hate and generating anti-social behaviour, for both the communities in which they are located and neighbouring communities of a different tradition.

You will be aware of the Flags, Identity, Culture and Tradition (FICT) Report which makes a number of recommendations aimed at addressing a range of complex and longstanding issues, including bonfires. The Executive Office is the lead Department on this report and responsible for an Implementation Programme approved by the Executive.

In the meantime, you may wish to note that the Department for Communities, Department for Infrastructure, the Housing Executive, the Department of Justice, and the PSNI are signatories to a Bonfires Memorandum of Understanding (MoU). This was developed in 2020 to help align the collective efforts of Departments and agencies around reducing the harm associated with problematic bonfires. I will ensure that the recent motion by Mid Ulster Council is brought to the attention of the Bonfires MoU Group.

I hope this information provided is of assistance to you going forward.

Yours sincerely,

RICHARD PENGELLY CB



Public Transport Policy Division

Councillor Dominic Molloy
Chair, Mid Ulster District Council
Via email to: Eileen.Forde@midulstercouncil.org

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Your reference:
Our reference: STOF-0359-2023

17 August 2023


Dear Councillor Molloy,

Thank you for your letter dated 1 August regarding the publication of the draft All-Island Strategic Rail Review report on 25 July.

We note the Council's support for this draft report and its recommendation to extend the railway into Tyrone, Derry/Londonderry, and Donegal. The Review anticipates that reinstating the railway between Portadown, Dungannon, Omagh, Strabane, Derry/Londonderry and Letterkenny would connect the railway to many communities and support direct services between Dublin, Belfast, Derry/Londonderry and Letterkenny.

It is, however, important to note that the AISRR's recommendations do not represent official policy. Rather, they are intended to inform policy and strategy for the future development of the railways in the coming decades.

The AISRR consultation is now open until 11.59pm on Friday 29 September 2023 and I would encourage you to submit your feedback in relation to the benefits you feel this presents for the Mid Ulster District Council area. Full details about how to respond can be found at:

 <https://www.infrastructure-ni.gov.uk/consultations/all-island-strategic-rail-review-strategic-environmental-assessment-and-draft-report>

I trust this response is helpful.

Yours sincerely,
pp Orla Gray

Jackie Robinson
Director, Public Transport Policy Division

Marie Ward
Chief Executive



Comhairle Ceantair
**an Iúir, Mhúrn
agus an Dúin**
**Newry, Mourne
and Down**
District Council

Our ref: C/075/2023

21 August 2023

Dear Sir/Madam

Re: Notice of Motion – Reduction in Minimum Voting Age

Newry, Mourne and Down District Council has extensively discussed the following motion since it was passed in March 2023:

"Newry Mourne and Down District Council calls for the voting age of 18 to be reduced to 16 and if this motion is adopted seeks the support of the remaining councils in Northern Ireland to write to the Secretary of State calling him to amend the necessary legislation to enable 16 year old and upwards to vote".

At its recent Council Meeting on 7 August 2023 dismay was voiced at the most recent response from the NIO stating the UK Government position remained the same.

As a result, it was agreed to write to all the political parties Conservative, Labour, Lib Dems, Greens, the Welsh, Scottish and parties represented at Council and seeking the support of Independents to so the same and copying in the 10 other Councils in Northern Ireland to write to all concerned parties calling for their commitment to reduce the voting age to 16.

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

Yours faithfully

Marie Ward
Chief Executive

CC:

Scottish Labour Party
Scottish Conservative
Scottish National Party
Scottish Greens
Scottish Lib Dems
Welsh Labour
Welsh Conservatives
Plaid Cymru
Welsh Liberal Democrats
Conservatives
Labour
Liberal Democrats
10 Northern Ireland Councils

Oifig an Iúir
Newry Office
O'Hagan House
Monaghan Row
Newry BT35 8DJ

Oifig Dhún Pádraig
Downpatrick Office
Downshire Civic Centre
Downshire Estate, Ardglass Road
Downpatrick BT30 6GQ

0330 137 4000 (Council)
council@nmandd.org
www.newrymournedown.org

Ag freastal ar an Dún
agus Ard Mhacha Theas
Serving Down
and South Armagh

From: _____
To: _____
Subject: _____
Date: _____
Attachments: _____



From: Bruno Peek <brunopeek@mac.com>
Sent: Thursday, August 10, 2023 7:56 AM
To: chair@midulstercouncil.org
Subject: Fwd: MID ULSTER DISTRICT COUNCIL, NORTHERN IRELAND & D-DAY 80 - 6TH JUNE 2024



Councillor Dominic Mollory
Chairman
Mid Ulster Borough Council

10th August 2023

Dear Councillor Mollory,

RE: NORTHERN IRELAND & D-DAY 80 - 6TH JUNE 2024

Further to my email to you dated 13th July regarding your Councils possible involvement in the lighting of a Beacon at 9.15pm on 6th June next year as part of D-Day 80, I have pleasure in attaching the up to date Guide To Taking Part, and can confirm that the Guide, Logo and Certificate of Grateful Recognition being given to those taking part, is also available to download from - www.d-day80beacons.co.uk too.

As you are aware, brave men from Northern Ireland played an important role in the D-Day landing eighty years ago on 6th June 2023, so we do hope that the fine District of Mid Ulster will take part, using this occasion to pay 'tribute' to those from Northern Ireland that gave so much to ensure the freedom we all enjoy today, especially as the beacons represent the 'light of peace' that emerged from the darkness of war.

If you do wish to participate, would you be kind enough to ask your office to confirm the following please.

NAME OF COUNTRY: NORTHERN IRELAND

Name of Council:

Name of Contact:

Tel:

Email:

Beacon Location

Public or Private occasion:

We look forward to receiving your decision.

My warmest regards,

Bruno Peek

Bruno Peek CVO OBE OPR
Pageantmaster
D-Day 80
6th June 2024
Telephone: + 44 (0) 7737 262 913
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Department for
Infrastructure

An Roinn

Bonneagair

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Telephone: (028) 9054 7873
Email: Colin.Woods@infrastructure-ni.gov.uk

Your reference:
Our reference:
Date: Thursday, 21 September 2023

**From the Transport and Road Asset Management Deputy Secretary
Mr Colin Woods**

Adrian McCreesh
Chief Executive
Mid-Ulster Council

Via email: chief.executive@midulstercouncil.org

Dear Mr McCreesh,

DfI Transport & Roads Update to Mid-Ulster Council

Ahead of the updates the Divisional Roads Managers will be providing to Councils, I'd like to offer some wider context, especially in relation to the Department's budgetary position and the impact that has on our work.

DfI's Financial Position and the impact on Roads Functions

The Department is managing a 14% reduction in its 2023-24 resource budget allocation when compared to 2022-23 on a like for like basis. Significant action has been taken to reduce spending across all areas, and fares and other charges have been increased to help sustain essential services. Having done all of that, the Department is still facing a large funding gap against its resource budget allocation.

In July 2023, the Department published on its website an Interim Consultation Report of the equality implications arising from a range of options on the possible reduction of services. This Report recognised the impact of these potential reductions to Winter Service provision, road maintenance and flood risk management to emergency levels only, and turning off streetlights, which would affect all road users and communities. It is important to note that these options are decisions which are not currently within the power of senior officials to take.

Due to the Department's budget position, we have had to take the decision to continue with a Limited Service on road maintenance activities such as defect repairs, like potholes, and gully emptying. At this stage it is planned that winter service will continue as before, though a large volume of vacancies and the impact of industrial action could place that service under additional strain.

The Department's 2023-24 Capital budget is also well below our requirement. The opening Capital budget for structural maintenance of the road network is £85m, which is welcomed but still falls well short of the £143 million required annually to maintain the road network in a reasonable condition. Budget has also been made available for things

like Local Transport Safety Measures, though our capacity is more limited than we may wish it to be. The constrained budget position also means that the Department is unable to fill posts becoming vacant through retirement or other departures; with over 400 vacancies in my Group alone you will appreciate how this impedes our ability to offer the level of services that we would wish across the full range of responsibilities.

The Strategic Direction for Transport

I am mindful of the need to develop our strategic and policy thinking to manage the impact of budget constraints and set out what the Department believes the future of transport should be. Later this year the Department hopes to publish a Transport Strategy for public consultation. It is an overarching framework which will inform the planning and delivery of transport infrastructure and services across Northern Ireland up to 2035.

While the historic focus has been on the how the network facilitates the movement of private cars, responding to the challenge of climate change and our new legal obligations to deliver net-zero by 2050 means that we need to think hard about how we view and engage with the transport network.

Through the Climate Change Act (NI) 2022 the Assembly has set out a target of net zero greenhouse gas emissions by 2050, along with interim targets including at least a 48% reduction in net emissions by 2030. There is a legal requirement on all Northern Ireland departments to exercise their functions, as far as is possible, in a manner consistent with the achievement of the targets of the Act and carbon budgets set under it.

Given that transport is the second highest emitter of greenhouse gases, DfI and its partners have a major role in ensuring Northern Ireland is able to achieve the overall target. The rapid decarbonisation of transport represents the single greatest challenge facing the planning and management of our transport network since it developed into the modern network we recognise today. As such, the decarbonisation of transport is likely to be the single largest strategic driver for our work over the next decade. The Transport Strategy will aim to support this strategic direction for all involved in the transport sector. The scale and pace of the change necessary to reduce our transport emissions to the levels necessary should not be underestimated.

It will be crucial for the Department and local government to work together to deliver the aims of Transport Strategy. The emerging Transport Plans, which will link in with the development and timing of your Local Development Plan, are a key delivery mechanism. They will seek to apply the carbon and modal hierarchies in a pragmatic way to deliver proposals for a multimodal sustainable transport network across Northern Ireland that will support the development of local communities and economies. This approach will describe how active travel and improved public transport can retain and enhance the function of the transport network.

Development of Active Travel Infrastructure

The Climate Change Act states that, *“The Department for Infrastructure must develop sectoral plans for transport which set a minimum spend on active travel from the overall transport budgets of 10%”*. This obligation is a significant increase in active travel spend and extensive efforts are being made to ensure that we scale up our delivery capacity

from a relatively small base. We must also fully understand the consequential impact on other areas of transport spend that may need to be reduced in order to provide the investment in Active Travel.

The Department is working closely with Councils to better understand their five-year Active Travel programme and developing an appropriate grant and support framework for the delivery of greenways. We have commissioned a Northern Ireland wide Active Travel Network Delivery plan which is due for consultation in 2024. When complete, this will provide a firm basis for the prioritisation of the delivery of high quality active travel infrastructure within, and connecting, our towns and cities. The plan will complement and take account of the Belfast Cycle Network Delivery Plan and the greenways network. Steps are currently being taken to ensure increased planning, design and delivery resource moving forward, including additional consultancy support capacity.

Strategic Asset Management Plan for the Road Network

All of this activity takes place in the context of the budget challenges that I have already described, as well as all of the other work that goes into managing an asset worth over £30Billion. The underinvestment in the road network over the past decade increases the need for a sound strategic approach to the allocation of resources, and the delivery of services.

The Department plans to consult with the wider public this year to gain views on a Strategic Assessment Management Plan for the Road Network Asset. The draft Plan aims to outline the key principles that will guide the work of the Department in the development of its maintenance and development functions at an operational level. Understanding our approach to managing the road network at a strategic level will complement other strategic transport plans, ensure we are thinking consistently about the key drivers for change, and inform the implementation of future transport planning decisions.

Hopefully, the document and subsequent consultation will generate comment on aspirations for a future road network, whilst balancing constrained resources, an expanding asset base, maintenance backlogs, and current levels of service delivery.

If it would be helpful in engaging with these matters, I would be very happy to accompany my colleague Daniel Healey when they present their annual report to the Council at the annual meeting, on Thursday 28 September 2023, and to try and answer any additional questions that you may have.

Yours sincerely



COLIN WOODS



Civil Service Pensions

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www.finance-ni.gov.uk/civilservicepensions-ni

(By E-Mail)

21 September 2023

Dear Consultee,

I am writing to notify you of the publication of the response to the consultation on the draft Statutory Rule for the NICS Pension Scheme Retrospective Remedy (McCloud Judgment). Previous correspondence issued to you in April advised that the Department of Finance had launched a consultation on 3 April 2023 on the draft Statutory Rule for the Retrospective Remedy in relation to work to remove the discrimination identified in the judgment known as "McCloud". To ensure the legislation dictated under the Public Service Pensions and Judicial Offices Act 2022, scheme-level legislation was required to implement the second stage of the 2015 Remedy and give in-scope pension scheme members a choice of their benefits from 2015-2022.

The consultation closed on 02 June 2023 and 98 responses were received. After careful consideration of the responses received the Department of Finance will continue with the proposed scheme amendments through the Statutory Rule, which will be made and laid in advance of 1 October 2023. This will restore eligible pension members with service between 1 April 2015 and 31 March 2022 to a position they would have been in had the discrimination not occurred, giving them a choice of alpha or PCSPS(NI) benefits for 2015-22.

You can find more information about the consultation and published response documents below:

www.finance-ni.gov.uk/consultations/nics-retrospective-remedy

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Philip', written over a white background.

Peter Philip
Civil Service Pensions Policy, Legislation and Communications



An Roinn
Pobal

Department for
Commonities

To: Council Chief Executives

Causeway Exchange
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Telephone: (028) 90582 3346
e-mail: anthonycarleton@communities-ni.gov.uk
Our ref:
Date: 21 September 2023

Dear Chief Executive

Council Remote/Hybrid Meetings

Further to my letter of 24 March 2023.

Section 78 (local authority meetings) of the Coronavirus Act 2020 contained provision to provide councils with the flexibility to hold meetings by remote or hybrid means during the Coronavirus emergency. This included an enabling power for the Department to make subordinate legislation regarding remote/hybrid meetings and the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (Northern Ireland) 2020 were subsequently made and came into operation on 1 May 2020.

The expiry date of section 78 (Local Authority Meetings) of the Coronavirus Act 2020 was previously extended to 24 September 2023, thus allowing councils to continue to hold remote/hybrid meetings under the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020.

This was intended as an interim measure until such time as proposals for more permanent legislation, made under section 2 of the Local Government (Meetings and Performance) Act (NI) 2021, could be considered by a Communities Minister. In the absence of the Assembly, it has not been possible to make permanent appropriate regulations.

The Coronavirus Act 2020 (Extension of Provisions Relating to Local Authority Meetings) (No. 3) Order (Northern Ireland) 2023 was made on 21 September 2023. This extension order has been made to extend section 78 of the Coronavirus Act for a further 6 months until **24 March 2024** which will allow councils to continue to offer a remote/hybrid facility for meetings.



As previously highlighted, an Order to extend section 78 of the Coronavirus Act is subject to the confirmatory procedure in the Assembly and, whilst it comes into operation once made, it will cease to have effect 40 days from the date of making unless it has been approved by resolution of the Assembly (the 40 day period does not include any time in which the Assembly is dissolved, in recess for more than 4 days or adjourned for more than 6 days).

The Department will continue to monitor the situation and keep councils informed.

Yours sincerely

Anthony Carleton
Director
Local Government & Housing Regulation