

MID ULSTER DISTRICT COUNCIL

Bonfire Working Group Celebration Events

Draft Options Paper

January 2018

1. Background

1.1 Council passed the following motion on 25th June 2015:

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“That this Council does not clean up the remains from bonfires from any other property that does not belong to the Council. On Council property that is used for bonfires, only suitable materials are used and all other materials such as tyres, rubbish, flags, election posters or effigies of individuals are removed. That this Council

seeks to prosecute through its powers anyone who illegally dumps any hazardous materials on public or private lands associated to bonfires”.

- 1.2 The Bonfire Working Group was established in January 2017 to assist in the implementation of the Council motion. The Working Group is made up of Elected Members, the Directors of Public Health and Infrastructure (Chair), Business and Communities and other relevant Council Officers from Community Development, Environmental Health, PCSP and Democratic Services.
- 1.3 The Terms of Reference confirmed that the Working Group would be time bound and operate as a task and finish Working Group. It also confirmed that the Group would focus its attention on bonfires on Council owned land. The Working Group met on six occasions between January and August 2017. Progress was then reported back to the Environment Committee.
- 1.4 At a special meeting of the Environment Committee in August 2017 the following additional direction was given to the Bonfire Working Group:
 - **Members continue their work with the Bonfire Working Group and wait until the findings of the Flags and Emblems Committee being made known before inviting other agencies i.e. PSNI, Fire Service and NIEA to becoming involved.**
 - **Engage with local communities who wish to host bonfires and those who don't wish to host bonfires on Council land to ensure adherence to Good Practice with Council and other Statutory Agencies to promote public safety at bonfires.**
 - **Officers to prepare an Options Paper for the introduction of an application and licencing process, which should meet certain criteria for building bonfires, with this being done through the Bonfire Working Group and then brought back to committee for consideration.**
 - **Illegal bonfires be put on the Risk Register and be brought back to committee.**

2. Current Position

- 2.1 Following establishment of the Working Group a scoping exercise was carried out to develop a baseline of any bonfires currently held on Council property across Mid Ulster District . It was identified that there are currently eight bonfires held on Council land, six of which have had no instances of anti-social behaviour identified to them in the last three years.

2.2 As part of the scoping exercise it was agreed that bonfires identified as burning tyres be deemed as increased risk . The sites identified include: Killymerron (Dungannon), Killymoon (Cookstown) and Monrush (Cookstown).

2.3 The Bonfire sites which have been identified as being sited on Mid Ulster District Council property over the last three years are as shown below:

Month	Council Controlled Site	Issues / Concerns
July	Beechway Play Area, Cookstown	No issues recorded
July	Killymoon Play Area, Cookstown	Resident complaints Tyres present
July	Monrush Play Area, Cookstown	Tyres present other waste on site
July	Moneymore Recreation Grounds Moneymore	No issues recorded Fun day prior to event
July	Riverside Recreation Area, Castledawson	No issues recorded Fun day prior to event
July	Killymerron Park, Dungannon	Residents complaints Tyres present
July	Mill Park, Tobermore	No issues recorded
July	Beechland, Magherafelt	No issues recorded

3. Strategic Context

3.1. No definitive guidance or direction has been provided by the NI Executive or Assembly in relation to how bonfires should be facilitated within local communities. It is recognised that in each of the 11 Council areas there are bonfires of varying scales to mark the 12th July Celebrations together with Halloween and Anti-Internment events.

- 3.2. Within the Mid Ulster District Council area the most common types of bonfires are those held to mark the 12th July celebration. There are also a number of Halloween bonfires held across the District, however these are not held on Council property.
- 3.3. Mid Ulster District Council has a number of policies and procedures which are applicable to the temporary use of Council land. Outside bodies who wish to use Council land to host events are obliged to comply with a specified set of guidelines defined for this purpose.

4. Event Management

- 4.1. For the purpose of Council's guidance an 'event' is defined as, 'a planned and organised occasion taking place on an outdoor Council facility, outside the normal day to day business of the Council service, attracting members of the public or invited guests to the event'.
- 4.2. Council's Event Safety Guidance requires outside bodies to complete a proforma in order to gain access to Council property. This process requires the organisers to demonstrate the following: (See Appendix 1)
- Details of an Event Organiser and event management
 - Safeguarding Policies of children and adults at risk of harm (when applicable)
 - Public Liability Insurance
- 4.3. Outside of this general policy context Mid Ulster Council is not insured to have bonfires on its property. Unregulated Bonfires can carry a risk of serious injury being caused to someone, either during the building process or when the bonfires are lit if they are not appropriately managed and controlled.
- 4.4. Good Practice – Celebration Events – Appendix 2 sets out some guidance for the management and construction of Bonfires / Beacons on Council sites. The Good Practice Guidance contained within the documentation incorporates structured guidance previously agreed by statutory agencies to address safety at celebration events and issued by legacy Councils to promote bonfire safety as part of a community / family event held on Council premises.
- 4.5. The Guidance may be used to assist local communities in promoting safe and sustainable events as part of a wider community / family celebration event.

5. Draft Options

- 5.1 Councils across NI have implemented a range of practices through their own activities with a view to addressing and dealing with some of the issues arising

from the holding of bonfires both on their own property and that of third parties. The various approaches range from; no agreed policy; to no bonfires permitted; to facilitation via community grants. Given the variances in the practices above it is clear that no clear solution has been identified that addresses all the issues which can arise from these activities across the region.

- 5.2 Within the context of the baseline position and the current strategic context the following draft options have been developed:

Option No.	Option Title
1.	Do Nothing- Maintain the Status Quo
2.	Examine Current NIHE Procedures with a View to Emulating
3.	Address Key Areas Where Risk has been Identified
4.	Develop a Strategic Action Plan (2 – 5 years)

A description for each option is provided below:

5.3 Option 1: Do Nothing: Maintain the Status Quo

This option would involve not taking any action to improve and minimise the risk presented the circumstances.

5.4 Option 2: Review and emulate Current NIHE Procedures or Similar

This option would involve adopting programmes similar to those put in place by NIHE. This could include a bonfire management programme, a beacon project, funding for events provided by constituted group who meet Council's health and safety requirements for bonfire events.

5.5 Option 3: Address Key Areas Where Risk has been identified

This option would involve providing specific support for bonfire events in the District that are identified as having the highest levels of risk and are therefore most likely to cause damage to property and potentially damage good relations within the host community. Based on the information in Section 2 these sites would mostly likely include: Killymerron (Dungannon), Killymoon (Cookstown).

5.6 Option 4: Strategic Action Plan (2 - 5years)

This option would involve developing and adopting a long-term strategy in relation to how bonfire events can be safely facilitated in the District over the

next 5 years. This could include the production of an application procedure for use of Council facilities and open spaces for cultural celebrations while also providing alternative events and types of cultural expression.

6. Options Appraisal

This section of the report will examine the feasibility of each of the options identified in Section 4.

6.1 Option 1: Do Nothing: Maintain the Status Quo

Council's motion passed in June 2015 together with the direction provided by the Environment Committee in August 2017 determines that this option is not credible because Council has indicated that the status quo is unworkable due to the breaches of Council's policy and the health and safety implications that occur as a result of the current situation.

6.2 Option 2: Review and emulate Current NIHE Procedures or Similar

Activities undertaken by the NIHE include the following:

- A 'beacon design and manufacture project' under the Fresh Start Agreement. These beacons have been used through Bonfire Management Programmes in Belfast and North Down and Ards Councils.
- The NIHE also provide funding relating to the management of events dependant upon compliance with a number of conditions such as:
 - Tyres and toxic materials should not be collected or burnt on the bonfire and materials should be restricted to wood
 - Clearance space between bonfires and surrounding buildings should be at least 5 times the height of the bonfire
 - Groups should refrain from displaying of paramilitary trappings and paramilitary flags on or in the vicinity of the bonfire site
- A regional bonfire policy is being developed to encourage communities to improve bonfire management. The issue of 'designating' bonfire sites is currently being discussed at their Good Relations Steering Panel.

The NIHE maintain that there is a need 'to use local solutions to local issues and no one size fits all with regard to dealing with bonfires, particularly contentious ones'. They also indicate that both formal and informal approaches work best when alleviating some of the issues associated with bonfires.

However, some aspects of NIHEs schemes have been criticised. In recent times bonfires held on disused NIHE land have caused damage to adjacent private property.

6.3 Option 3: Address Key Areas Where Risk has been Identified

This option would involve focusing on the bonfires held on Council lands that present the highest level of risk. These risk levels are identified on the basis of whether or not toxic materials are burnt on the bonfire, the height of the bonfires in proximity to any houses in the surrounding areas and potential damage to homes and adjacent property and resident complaints. This option would require working with community representatives to implement solutions to the issues specific to each of the sites identified, and enable appropriate control to be brought to the high level risks being presented.

6.4 Option 4: Develop a Strategic Action Plan (2 – 5 years)

This option would involve the development of a 2 - 5 year strategy. This would involve examining the current risks associated with bonfire events. It would include assessing each of the host areas and identify where areas of risk exist and how they can be best minimised. The aim of the strategy would be to support communities in celebrating their cultural heritage in a positive way via managed events that will ensure that health and safety is paramount and that communities, businesses and residents who are near bonfire sites are not negatively impacted upon as a result.

One idea has been for Councils to run an inclusive festival, similar to the Temple (Burning Man) that was hosted by the legacy Derry City Council. This could be located in a Council park and could include schools and the wider community. It could be a family event that people would want to participate in and could be offered as an alternative to local bonfires, an inducement that could show there is a better and alternative way to celebrate culture.

This type of festival would take significant effort and organisation and would involve sourcing a large number of volunteers and management of the health and safety implications.

While a project such as this may not meet the needs of those individuals who enjoy organising and building bonfires in their own area, it would demonstrate that there are alternatives for communities and it would remove the exclusive focus from these local events.

7. Decisions and Possible Next Steps

7.1 Next Steps

The Committee will wish to consider the options presented in this paper and reach agreement on which options should be taken forward. Members should be clear that more than one option can be selected and options can be amended as deemed necessary.

The Working Group on considering the Options felt that in the Short Term appropriate action needed to be taken on Option 3 to resolve the issues at the two high risk sites where significant issues had been raised. Resident's concerns had highlighted both community safety and community tension issues which needed to be addressed to ensure that events are carried out in a safe and responsible manner.

In the longer term it was felt that with the application of both Option 2 and 4 good progress could be made to implement the Strategic Action Plan and achieve safe and sustainable celebration events over a 2 – 5 year programme.

7.2 Equality and Good Relations Impacts and Rural Impact

Council's Equality Scheme 2016-20 requires new or revised policies and practices to be subject to equality and good relations screening to ensure that any adverse impacts on equality of opportunity are identified.

Where an option is selected that might have a negative impact on Good Relations it is important to consider mitigating measures that could be implemented in order to address any negative impact on Good Relations.

Appendix 1

EVENT SAFETY GUIDANCE

Outside Bodies Organising Events on Mid Ulster District Council Property

1.0 Introduction:

Mid Ulster District Council (Council) wishes to support organisers of any events and this guidance is intended to assist outside bodies to meet Council requirements and to help them to put on a successful event. It is important that Council receives the following information. Failure to comply with this request could result in permission to use Council Facilities being refused and/or funding being withdrawn.

2.0 Definition:

For the purpose of this guidance an event is defined as "a planned and organised occasion taking place on an outdoor Council facility, outside the normal day to day business of the Council service, attracting members of the public or invited guests to the event."

3.0 Council Requirements:

Council requires that Event organisers complete the Mid Ulster District Council Event Booking Proforma and submit to Council a minimum of three weeks prior to event.

Council also require:

- Evidence of Public Liability Insurance.
- Where those attending are under the age of 16 or considered to be vulnerable adults, copy of their Safeguarding and/or Child Protection Policy.
- Details of Event organiser.

Depending on the size of the event Council may also require

- A site location Map (preferably to scale).
- A suitable formal Risk Assessment and Event Safety Plan for the Event. The risk assessments should detail any significant hazards and the risk controls that have been put in place to mitigate the risk.
- An event safety plan developed from the risk assessment outlining the roles and responsibilities of those involved in the event and the actions that should be taken in the event of emergency.
- Evidence of consultation with appropriate authorities/statutory Bodies etc e.g. Fire, Police, Ambulance. Where necessary, current test certificates for plant or equipment (e.g. Funfair/arcade rides, electrical equipment, lifting plant and equipment, scaffold towers etc).
- Details of dedicated Safety Officer/Adviser for Event.
- Details of Steward Numbers being used to work at the Event.
- Insurance details of third party sub-contractors e.g. inflatable supplier.

Information submitted by the event organiser/hirer will be reviewed for adequacy by the appropriate Council Official and will be referred to the Councils Corporate Health and Safety team for comment if necessary.

Council reserves the right to not permit the running of an event on Council property.

 Cornhairle Ceantair Lár Uladh Mid Ulster District Council	Mid Ulster District Council Event Proforma (For Booking Events on Council Property)		Ref No. _____ Date Received. _____

1. Event Details					
Name of Event:			Name of Organisation		
			Name of Event Organiser		
Date of Event		Times of Event		Address of Event Organiser	
		Start	Finish		
				E Mail	
				Tel. Number	
Event Location:				Expected numbers attending	
Brief Description e.g. Fireworks, Race					
2. Event Activities: Please tick the appropriate boxes to show the activities and facilities you intend to utilize or permit at the event.					
Alcohol	<input type="checkbox"/>	Fireworks/Pyrotechnics	<input type="checkbox"/>	Music (Bands)	<input type="checkbox"/>
Animals	<input type="checkbox"/>	Food Stalls	<input type="checkbox"/>	Overhead/Trailing Leads	<input type="checkbox"/>
Barbecue	<input type="checkbox"/>	Inflatables	<input type="checkbox"/>	P.A. System	<input type="checkbox"/>
Bonfire	<input type="checkbox"/>	Lost Children Point	<input type="checkbox"/>	Portable Generator	<input type="checkbox"/>
Carnival/procession	<input type="checkbox"/>	Live Entertainment	<input type="checkbox"/>	Portable Staging	<input type="checkbox"/>
Crowd Barriers	<input type="checkbox"/>	Marquees	<input type="checkbox"/>	Portable Toilets	<input type="checkbox"/>
Fairground equipment	<input type="checkbox"/>	Market Traders Stalls	<input type="checkbox"/>	Stewarding/Security	<input type="checkbox"/>
Other (Describe)					

3. Special requirements: Equipment & services – eg mobile stage, PA sound equipment, tables and chairs, display boards, gazebos, additional toilets, etc.
4. Third Parties involved: Animal shows, etc.
<p>Insurance Mid Ulster District Council, require event organisers to indemnify the Council from any loss, damage or claim arising as a result of any negligence on behalf of the event organiser or any third party associated with the event; through the provision of appropriate insurance cover.</p> <p>Declaration I, as event organiser, undertake to provide the Council with all the necessary indemnity documentation (i.e. organisation/third party public liability insurance) in relation to this event. I am aware that the failure to provide the requisite documentation within 5 working days of the event may incur a cancellation</p> <p>Signed _____ (Event Organiser)</p>
<p>Children & Adult Safeguarding Clubs, Associations and/or adults making a booking, where those attending are under the age of 16 or considered to be vulnerable adults, must provide us with a copy of their Safeguarding and/or Child Protection Policy. Where no such Policy exists you must request and adhere to MUDC'S policy.</p> <p>Child Protection Policy (Yes/No)</p>

<p align="center">Please complete form as appropriate and return to: Parks Section, Dungannon Park, 8 Ballynorthland Demesne, Dungannon, Co Tyrone BT71 7DS</p> <p align="center">Email: parks@midulstercouncil.org</p>
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FOR OFFICIAL USE ONLY:

Insurance Policies rec'd	Yes	No	Approved	Yes	No	Date
Print Name			Signature			

Agreed Cost	Payment Received				Date Payment made	To be Invoiced	
£	Cash		Cheque		On Line		
Copy form sent to Events team	Yes		No		Date Sent		

Celebrate Safely!

Are you involved in organising
a bonfire celebration?

Put safety first

Never put lives at risk and always ensure responsible adults are in attendance at bonfires.

Protect people and property

Ensure that bonfires are located away from homes, play areas, fuel tanks and power lines.

Always consider the environment

Harmful toxins can be released when inappropriate materials are burned. Never burn tyres or any other hazardous material on a bonfire. Fumes from tyres can cause serious health issues.

Encourage a positive atmosphere

Respect all cultures and traditions. Burning inappropriate material also includes other people's images, flags and election posters.

Remember the clean up

Consider the arrangements for the bonfire clean-up and how any damaged surfaces can be restored.

For more information and advice about bonfire safety visit
www.midulstercouncil.org/celebratesafely

Appendix 3

MID ULSTER DISTRICT COUNCIL CELEBRATION EVENT

Mid Ulster District Council on receipt of an application duly made

from:.....Community Group

being registered for this purpose, grants approval for a celebration event at:

..... in accordance with this
Scheme for the period :

From: To: subject to the
Conditions of Approval as laid out below .

Conditions of Approval:

1. The Event is properly managed and stewarded to maintain all safety guidelines laid down.
2. A Bonfire if built must not exceed 30 feet in height.
3. Committee to ensure proper and relevant Public Liability Insurance documentation is provided to Council.
4. Any material placed on a Bonfire to be wood and contain no accelerants.
5. Tyres to be prohibited from use on a Bonfire.
6. Committee to ensure any Bonfire is safely built (height X 5 from nearest property).
7. Committee to agree a process for clear up of site as soon as possible in proceeding days after the event.
8. Committee to safeguard against any damage to property and / or boundaries and ensure site is kept tidy and well maintained .
9. Committee and Stewards to ensure there are no items (Flags /Memorabilia/posters) displayed or burnt that would cause political or religious offence to any individual / tradition within Mid Ulster Council area.
10. Committee to commit to and agree to manage the event in accordance with good practice guidelines as set down by Council for Celebration Events held on Council property.

Failure to adhere to any of the above Conditions of Approval will be treated as a breach of this Approval and result in Council taking action to prevent further breaches on their property.

MID ULSTER DISTRICT COUNCIL

DATED



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council